



CHAPTER 53

An Act to amend the Industrial School Act

[Assented to, the 11th of March, 1926]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 14 of the Industrial School Act (Revised R. S., c. 160, Statutes, 1925, chapter 160) is replaced by the following: s. 14, replaced.

"14. The custody and maintenance of a child in an industrial school, in virtue of sections 12, 13, 33 and 38, shall be paid one-half by the Government and one-half by the city, town or rural municipality in which the child was at the time of his confinement, or, if the child was in territory not erected into a municipality nor annexed to a neighbouring local municipality, by the county municipality governing such territory, saving the recourse in each case of such municipality, when the child was not then domiciled within its territory, against the municipality where he had his domicile or against the county municipality governing the unorganized territory where he had his domicile. Payment of cost of custody and maintenance of child.

If, however, the municipality, called upon to pay in virtue of this section, indicates clearly to the Provincial Secretary, before the suit is taken, the municipality or the unorganized territory in which the child had his domicile, the Government shall cause such municipality, or county municipality governing such territory, to pay directly." Idem.

2. Section 15 of the said act is replaced by the following: R. S., c. 160, s. 15, replaced.

"15. The cost of transport of a child to an industrial school shall, in all cases, be borne by the relatives or by the city, town, rural or county municipality, as the case may be, and may, in the case of sections 12, 13 and 38, be claimed from such city, town, rural or county municipality (saving their recourse) for the same reasons, in the same manner Cost of transport.

and on the same evidence as the amount due for the cost of custody and maintenance.”

R. S., c. 160, s. 17, replaced. Detailed statement. **3.** Section 17 of the said act is replaced by the following:
“17. On the receipt of such list, the Provincial Secretary shall immediately prepare a detailed statement, for each municipality, of the money due by it under this act.”

R. S., c. 160, s. 18, replaced. Duty of Provincial Treasurer. **4.** Section 18 of the said act is replaced by the following:
“18. As soon as he has prepared the statement, the Provincial Treasurer shall send, to the clerk or secretary-treasurer of the municipality interested, a duly certified extract from such statement, containing the names of the children to whose maintenance the municipality must contribute, as also the amount due for the year preceding, together with a notice calling upon him to pay into his hands, on or before the first of May then next, the amount due for such purpose.”

R. S., c. 160, s. 19, replaced. Suit to recover amount due. By whom and before what court. **5.** Section 19 of the said act is replaced by the following:
“19. The amount due by any municipality bound to the maintenance of any child confined in an industrial school, in virtue of the preceding provisions, shall be recoverable by an ordinary action.
 Such action shall be taken by the collector of revenue for the district, in his own name, against every such municipality, in any court of competent jurisdiction.”

R. S., c. 160, s. 20, replaced. Amount paid considered as debt. **6.** Section 20 of the said act is replaced by the following:
“20. The amount paid by any municipality, under this act, shall be considered as a debt which may be levied under the Municipal Code, or the charter of the city or town, and may be collected in the same manner as any ordinary taxes due by the ratepayers or by local municipalities.”

R. S., c. 160, s. 23, am. **7.** Section 23 of the said act is amended by striking out the words: “county, city or town”, in the first line thereof.

Idem, s. 25, replaced. Recourse by county municipality. **8.** Section 25 of the said act is replaced by the following:
“25. Any county municipality which, in the cases provided for in sections 14 and 15, has paid a sum of money to the Government for the custody and maintenance of a child confined in an industrial school, or for his transport to or from such school, may, if the recourse prescribed by sections 23 and 24 is insufficient, levy the amount necessary to reimburse it from the local municipalities in the county in

the same manner as any ordinary tax imposed under the Municipal Code and due by the said local municipalities.

Whenever a municipality has paid a sum of money to the Government for a child confined in an industrial school, and cannot recover the amount from and out of the property of the said child or of those who are bound by law to provide for his maintenance, it may, in the two following cases,—

1. when the said child has no domicile in the Province, or
2. when the municipality is a poor municipality, and is recognized as such by the county council,—

recover from the county municipality and the latter may levy the amount paid from the local municipalities in the county in the same manner as any ordinary tax imposed under the Municipal Code and due by the said local municipalities.”

9. Section 31 of the said act is amended by replacing the words: “county municipalities, cities or towns,” in the fourth and fifth lines thereof, by the words: “the municipalities”.

10. This act shall come into force on the day of its sanction.

Coming into force.

