

census shall be of the same value, force and effect as if made by the secretary-treasurer."

Coming  
into force.

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

#### CHAP. 37

An Act to amend article 2892 of the Revised Statutes, 1909, respecting the collection of school taxes in certain cases

*[Assented to, 14th of February, 1920]*

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

R. S., 2892,  
am.

**1.** Article 2892 of the Revised Statutes, 1909, is amended by replacing the words: "residing in each municipality", in the ninth line thereof, by the words: "of each religious denomination, respectively, residing in the territory common to both".

Coming  
into force.

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

#### CHAP. 38

An Act to incorporate Montreal University

*[Assented to, 14th of February, 1920]*

Preamble.

**WHEREAS** the administrators of Laval University at Montreal, the Law Faculty of Laval University at Montreal, the School of Medicine and Surgery of Montreal (Faculty of Medicine of Laval University at Montreal), the School of Comparative Medicine and Veterinary Science of Montreal, the School of Dental Surgery of Montreal and the Laval Dental Hospital, and the Laval School of Pharmacy of Montreal have, by their petition, represented:

That the Montreal branch of Laval University, whereof it formed part, has obtained its autonomy from the canonical point of view;

That by his rescript of the 8th of May, 1919, His Holiness

Benedict XV has granted to the Montreal branch of Laval University its complete independence;

That consequently they have merged into a corporation for establishing another Catholic university in this Province;

That the same bodies, faculties and schools solicit civil recognition by the Provincial Legislature;

That such recognition will permit the new corporation to better attain its ends, which are to impart, within the present boundaries of the ecclesiastical province of Montreal, according to Catholic principles, superior and professional education; and whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

### *Preliminary*

**1.** A corporation is constituted under the name of Corporation Montreal University (*Universitas Montis Regii*). The use of either of these two names shall be optional. tion created. Name.

**2.** The principal seat of the university shall be in the city of Montreal. Principal seat.

**3.** The university shall succeed to all the rights and obligations of the corporations hereinbelow mentioned: Succession to rights of certain corporations.

- a. The Administrators of Laval University at Montreal;
- b. The Law Faculty of Laval University at Montreal;
- c. The School of Medicine and Surgery of Montreal (Faculty of Medicine of Laval University at Montreal);
- d. The School of Comparative Medicine and Veterinary Science of Montreal;
- e. The School of Dental Surgery of Montreal and the Laval Dental Hospital;
- f. The Laval School of Pharmacy of Montreal.

### *Composition*

**4.** The university shall consist of the following faculties and schools: Faculties and schools of which it is composed.

- a. The Faculty of Theology;
- b. The Faculty of Law;
- c. The Faculty of Medicine;
- d. The Faculty of Philosophy;
- e. The Faculty of Letters;
- f. The Faculty of Sciences;

*g.* The Comparative School of Medicine and Veterinary Hospital;

*h.* The School of Dental Surgery and Dental Hospital;

*i.* The School of Pharmacy;

*j.* All other faculties or schools which may be admitted to the university.

Merger.

**5.** Such faculties and schools shall be merged.

*Affiliated, Associated and Annexed Faculties and Schools*

Certain affiliated, associated and annexed schools.

**6.** The university shall also comprise the affiliated, associated or annexed schools, although they do not form part of the corporation.

Affiliated.

"Affiliated Schools" are schools situated within the limits of the Province of Quebec which accept the by-laws and curriculum which the university has established as its own, after having drawn them up with their delegates, whose university examinations shall be directed by the university, in accordance with the statute of affiliation mentioned in section 7, and for which it grants its own diplomas.

Associated.

"Associated Schools" differ from the above solely when they are situated without the limits of the Province of Quebec.

Annexed.

In the Annexed Schools the university shall merely approve the curriculum and by-laws; it shall be represented at the examinations, and shall sanction the diplomas awarded by these institutions.

Affiliation by-law.

**7.** The relations between the following affiliated faculties and schools, and the university, shall be determined by a by-law of affiliation agreed upon between the two parties:

*a.* The Polytechnic School;

*b.* The Oka Agricultural Institute;

*c.* The School for Higher Commercial Studies;

*d.* The classical colleges for boys now or hereafter established within the present boundaries of the ecclesiastical province of Montreal;

*e.* The School of Higher Education for young girls.

Certain privilege of Jesuit schools to be recognized.

In the statute of affiliation which may be agreed upon between the university and the colleges established by the Reverend Jesuit Fathers, the university shall have the power to recognize the privilege heretofore granted them by Laval University, in conformity, in so far as concerns the nature of the privilege, with the provisions of the constitution *Jamdudum* of the second of February, 1889.

**8.** The schools now annexed to Laval University at Montreal, a list whereof is contained in a schedule annexed to this act, shall become annexed to the Montreal University. Schools annexed to Laval to be annexed to University.

### *Object*

**9.** The object of the university shall be to impart, in its faculties and professional schools, higher education in accordance with catholic principles. Object.

### *Powers*

**10.** The university is authorized to grant the degrees and diplomas of bachelor, licentiate, master and doctor. Powers.

**11.** The university shall have the privileges granted by the provincial laws establishing the equivalence between the diploma of bachelor which universities of this Province grant to the students of establishments of secondary or classical education affiliated with them and the certificate granted by the boards of the various professions. Privilege respecting degree of Bachelor.

**12.** The university shall also have power to establish branches and chairs; to constitute other faculties and schools; to connect with itself by merger or affiliation, the affiliated, associated or annexed faculties and schools; to affiliate or associate with or annex to itself other institutions of the same kind. Additional powers.

**13.** The university may exercise all the powers mentioned in sections 10, 11 and 12 at Montreal and anywhere outside of Montreal, except within the present limits of the ecclesiastical province of Quebec. Territory within which powers may be exercised.

**14.** The university shall have all the ordinary powers of civil corporations. In particular, it may acquire, accept, receive and hold lands, buildings and other moveable or immoveable property. It may also hypothecate, sell, alienate, transfer, lease or exchange the same, and acquire others in lieu thereof as may be deemed advisable. But the annual value of the said immoveables shall not exceed the sum of one million dollars. The university may, from time to time, borrow money upon its credit; it may also issue bonds, debentures or other securities for any sum borrowed at prices deemed necessary or suitable. It may hypothecate and pledge its moveable and immoveable property as security for the repayment of any sums General powers.

borrowed by it. It may also expropriate, with the formalities prescribed by articles 6565, 6566, 6567, 6568, 6569, 6569a, 6570, 6571, 6574, 6575, 6578, 6579, 6580, 6581, 6582, 6583, 6584, 6585 and 6586 of the Revised Statutes, 1909, as amended.

General powers to other bodies to aid the university.

All bodies corporate, public or private, and more particularly including *fabriques*, school commissions, municipal corporations, and city or town corporations, may decide by by-law, to come into force upon its mere adoption by the corporation, to come to its aid by means of donations in kind or in money, subsidies, guarantees or otherwise. The first paragraph of article 776 of the Civil Code shall not apply to the donations, subsidies or subscriptions already made or which may be made in favour of the university. Such donations, subsidies or subscriptions may be given by deed under private signature and shall be valid when signed by the donor. They cannot be cancelled without consent of the university.

Provisions not to apply.

Notwithstanding article 771 of the Civil Code, every donation or subscription made before the coming into force of this act, whether by note, cheque or otherwise, payable to Montreal University, shall be valid.

Exemption from payment of succession duty.

Montreal University shall be exempt from the payment of any succession duty on gifts *inter vivos* made to it within twelve months from the coming into force of this act.

### *Administration*

Administrative bodies.

**15.** The university shall be administered by the following bodies:

- a. An Academic Senate;
- b. A University Council;
- c. An Administration Commission;
- d. A Commission on studies;
- e. An Executive Committee.

### *Academic Senate*

Academic Senate.

**16.** The Academic Senate shall comprise:

- a. The Chancellor, Archbishop of Montreal, at the corporate seat of the university, president *ex officio*;
- b. The resident Bishops of the ecclesiastical province of Montreal, those of the present dioceses of Saint Hyacinthe, Sherbrooke, Valleyfield, Joliette and other dioceses which may be formed therein in the future;
- c. The President of the University Council, a layman

chosen under the regulations of such council from amongst its members or outside of them, and bearing the title of "President of Montreal University";

*d.* The Rector and Vice-Rector, both ecclesiastics designated by the Bishops of the ecclesiastical province of Montreal;

*e.* The President of the Administration Commission, a layman chosen by the University Council;

*f.* The Superior of *Les Messieurs de Saint Sulpice au Canada*;

*g.* The Secretary-General, a layman chosen by the University Council;

*h.* The Deans of the merged faculties, with two delegates of their council;

*i.* The Presidents of the Boards of Administration of the merged schools, with a delegate from their council;

*j.* The Presidents of the Boards of Administration of the following affiliated schools, viz: Polytechnic school, the Oka Agricultural Institute, the School for Higher Commercial Studies and other superior or professional schools which may be founded or affiliated later;

*k.* Two delegates representing all the affiliated colleges, and chosen by them at their annual meeting from among their members; one of such delegates shall represent the small seminaries and the other the colleges;

*l.* Not more than six representatives chosen by the Administration Commission, outside of the university staff, under paragraph *g* of section 21.

**17.** The Archbishop of Montreal and his Suffragans, the resident Bishops of the present ecclesiastical province of Montreal, shall see to the integrity of doctrine and purity of morals in the university. They shall have supreme authority in all matters connected with this twofold object, with sovereign power to decide upon what questions and in what cases they shall intervene. After investigation they shall apply such discipline as they deem proper. Their decision shall be final and must be executed by the various commissions, notwithstanding any other section of this charter.

Authority  
as to  
doctrine and  
morals.

**18.** The Academic Senate shall constitute an appellate tribunal with sovereign power in case of a conflict between the Administration Commission, or the Commission on Studies, and any other body of the university. Nevertheless the party who considers himself aggrieved may not bring his appeal until he has given written notice to the

Appellate  
powers of  
Academic  
Senate.

Commission in question to reconsider its decision within thirty days. Such decision shall be reconsidered by the Commission at a meeting composed of at least two-thirds of its members. The appeal shall be heard by the Academic Senate only if the Commission in question shall not have acted within the delay or has upheld its first decision.

### *University Council*

University  
Council.

**19.** The University Council shall consist of the Administration Commission and the Commission on Studies, sitting jointly.

Powers.

**20.** The University Council shall appoint the General-Secretary and determine his duties. It may also have a President. It shall exercise definitively the powers herein-after conferred upon it to approve regulations of the Administration Commission and the Commission on Studies and of the Executive Committee (section 33) as well as of the faculties and schools (section 35), and to suspend the method of composition of individual councils (section 36).

### *Administration Commission*

Administra-  
tion Com-  
mission.

**21.** The Administration Commission shall consist of:

- a. The President;
- b. The Rector, or, in his absence, the Vice-Rector;
- c. A representative of *Les Messieurs de Saint Sulpice au Canada*;
- d. The Secretary-General;
- e. Two delegates of the Academic Senate, a Bishop and a layman chosen by it from among its members;
- f. A delegate of the Board of the Administration of each merged faculty and school, chosen by it from among its members;
- g. Not more than fifteen representatives chosen by the Administration Commission, outside the university staff, from among the liberal professions, finance, commerce, agriculture, industry and labor, or among the former pupils, one of whom shall represent each diocese of the ecclesiastical province of Montreal.

Over and above the aforementioned members, the Administration Commission may appoint one layman for each diocese which may in future be erected within the present boundaries of the ecclesiastical province of Montreal.

Object and  
powers.

**22.** The general object of the Commission is to promote

the material welfare of the university. Questions of a financial nature shall be within its jurisdiction. In particular, the commission shall buy, maintain and sell moveable and immoveable property, and shall also provide for buildings. It shall decide upon the refusal or acceptance of gifts or legacies, and, after consultation with the councils of the faculties and schools, it shall establish the scale of salaries, the tariffs for matriculation examinations and diplomas. It shall adopt the budget and receive the statements presented every year by the merged faculties and schools. Every year it shall allot subsidies and pensions. It shall adopt, amend or reject the disciplinary regulations of a material nature submitted to it by the Executive Committee.

**23.** The Commission shall appoint a treasurer and determine his duties.

### *Commission on Studies*

**24.** The Commission on Studies shall comprise:

- a. The Rector, president *ex-officio*;
- b. The President of the Administration Commission;
- c. The Vice-Rector;
- d. The General Secretary;
- e. Two delegates from the Academic Senate, one of whom shall be a Bishop and the other a layman chosen by it from among its members;
- f. Three delegates from each of the merged faculties and schools, chosen by the council of each one from among its members or professors;
- g. A delegate from the Board of Administration of each affiliated school and from each affiliated college chosen by each of such councils from among its members or professors.

Commission on studies.

**25.** The members of the Commission designated by the letters *a, b, c, d, e,* and *f,* have the right to take part in deliberations and also to vote; but the members designated by the letter *g* have merely the right to take part in deliberations.

Certain members only entitled to vote.

**26.** Matters in connection with pedagogics shall be within the jurisdiction of the Commission on Studies. In particular, it shall revise the curriculum, time-table and the conditions for admission to the courses or conditions for matriculation, the minimum number of attendances and

Powers and duties.



the notes required for admission to the examinations. On the recommendation of the faculties and schools, it shall grant the university recommendatory note to the theses deserving the same, and shall decide as to the titles of the candidates for the different degrees and diplomas. It shall inquire as to the punctuality of the professors, and, when necessary, as to their pedagogical competence. It shall give the proper sanction to its investigation after consulting with the faculty or school interested. It shall study the advisability of creating or not creating new faculties or schools, opening courses, founding chairs and establishing new laboratories. It shall examine the applications for affiliation, association, merging and annexation, as well as the advisability of transforming certain schools into faculties. It shall adopt, amend or reject disciplinary regulations of a pedagogical nature submitted to it by the Executive Committee.

Committee  
on matricu-  
lation.

**27.** Three at least of the members of the Commission designated by it shall constitute a sub-committee on matriculation.

#### *Executive Committee*

Executive  
Commit-  
tee.

**28.** The Executive Committee shall consist of nine members:

- a. The President of the Administration Commission, president *ex-officio*;
- b. The Rector, or in his absence, the Vice-Rector;
- c. The Secretary-General;
- d. A representative of the Academic Senate chosen by it from amongst its members;
- e. Three representatives of the Administration Commission, chosen by it from amongst its members;
- f. Two representatives of the Commission on Studies, chosen by it from amongst its members.

Powers.

**29.** The Executive Committee shall exercise all the powers delegated to it by the Academic Senate, by the University Council or by one or the other Commissions of the Council. In particular, the committee shall prepare and submit, for the approval of the Administration Commission, the general budget and yearly apportionment of the subsidies. In like manner, it shall prepare for the approval of competent bodies the disciplinary regulations of a material or pedagogical nature required by circumstances, and it shall execute them when adopted.

*General Officers*

- 30.** The university shall have for general officers: General officers.
- a. The Chancellor;
  - b. The President of the University Council, bearing the title of "President of Montreal University";
  - c. The Rector;
  - d. The Vice-Rector;
  - e. The President of the Administration Commission;
  - f. The Secretary-General.

**31.** The university, and each of the bodies mentioned in section 15, shall have power to appoint other officers when deemed necessary, and to determine their duties.

**32.** The Chancellor shall, *ex officio*, be a member of every body connected with the university. Chancellor.

The appointment of the deans of the faculties and of the presidents of the schools as well as of all professors of all the faculties and schools which may be merged, must be approved by the Chancellor. Appointment of deans, etc.

In the same way, the Rector shall have the right to take part in meetings of the council of any faculty or merged school or of any affiliated school to which paragraph *j* of section 16 applies, and he must be invited to attend. Rector may take part in certain meetings.  
The Vice-Rector shall attend to the moral and religious discipline of the students. In conjunction with the deans of the faculties and the presidents of the schools, he shall take the disciplinary measures necessary for such two-fold object.

*Regulations of the Commissions*

**33.** The Academic Senate, the University Council, the Administration Commission, the Commission on Studies, and the Executive Committee, shall make their respective regulations. Nevertheless the regulations of the Administration Commission, the Commission on Studies and the Executive Committee must be submitted for approval to the University Council. Regulations.

*Powers and Duties of the Merged Faculties and Schools*

**34.** The particular council of each merged faculty or school shall choose its officers, appoint its professors, prepare the time-table and curriculum, have examinations passed, Powers and duties of merged

faculties and schools. designate the candidates for the degrees and diplomas, make its own regulations and generally have charge of its internal government.

Election of first executive council of such faculties and schools. **35.** The titular professors of each merged faculty or school, in office before the coming into force of this act, shall elect the first executive council thereof. They shall themselves determine by by-law the manner in which members of their councils shall be elected, except the members of the present councils who have been appointed for life, and who shall continue to be life members.

Provision may be suspended. **36.** Nevertheless, for the formation of the first council, the rights of the present members of the councils, appointed for life, being safeguarded, the University Council may suspend, for the time being, the manner of composing the councils set forth in section 35, and may continue, altogether or in part, the manner which was in use prior to this act.

Present professors to retain their chairs. **37.** The professors now teaching in the various merged faculties and schools shall retain their chairs unless a resolution to the contrary is adopted, for cause, by the Commission on Studies after an agreement with the councils of such faculties or schools.

Annual budget, etc. **38.** The same faculties and schools shall, every year, submit to the Administration Commission their budget, with a statement of their needs and a report on their work.

Amounts to be set aside each year. **39.** The sums set aside every year for the disposal of the merged faculties and schools shall not be less than the amounts they respectively receive according to the average of the last three years, as far as may be permitted by the receipts as well as the revenues of such faculties and schools, including the subsidies which were granted them.

By-law for amalgamation and operation of faculty of theology. **40.** The conditions for the merging and operation of the faculty of theology whose seat is the Grand Seminary of Montreal, shall be determined by statute adopted by common accord between the chancellor of the university and the Superior of *Les Messieurs de Saint Sulpice au Canada*.

Faculty of science. **41.** The conditions of the creation of a faculty of science at the Polytechnic School shall also be determined by statute adopted by common accord between the Administration Commission of the university and that school's own council.

*Special Provision*

**42.** All the elective members shall be appointed for a term which shall be determined by by-law.

Members elected for certain term.

*Transitory Provisions*

**43.** The President of the University Council mentioned in paragraph *c* of section 16, the President of the Administration Commission, the Secretary-General, the representatives of the Academic Senate mentioned in paragraphs *e* and *g* of section 16, paragraph *e* of section 21, paragraph *e* of section 24, and paragraph *d* of section 28, the representatives of the Administration Commission mentioned in paragraph *k* of section 16, paragraph *g* of section 21, and paragraph *e* of section 28, and the representatives of the Commission on Studies mentioned in paragraph *f* of section 28, shall be appointed in the first place by the members of the commission which drew up the draft of this act: Mgr. Georges Gauthier, Honorable Senator Béique, Honorable Narcisse Pérodeau, Honorable Judge Eugène Lafontaine, the Superior of Saint Sulpice, Doctor Louis de Lotbinière Harwood, Mr. Arthur Surveyer, and Canon Emile Chartier.

Certain first appointments, by whom to be made.

**44.** The persons appointed under section 43 shall remain in office only until the end of the first meeting of the body whereof they form part, or the adjournment thereof, but they shall be eligible for re-election.

Such appointments to be only till first meeting.

**45.** The object of the first meeting of each of these bodies shall be the final organization of the university and of that body in particular. Such meeting shall be convened by the Rector or by the Vice-Rector, by means of public notice given on two consecutive days in two newspapers in Montreal, at least fifteen days before the day fixed for the meeting. The procedure at this meeting or at subsequent meetings for organization purposes shall not be invalidated by reason of the absence of any person entitled to attend the same.

Object of first meetings. How to be convened.

*Acts Repealed*

**46.** For the purposes of this act, the following acts are repealed:

Certain acts repealed.

a. 44-45 Victoria, chapter 46, respecting the Chairs in Laval University;

b. 55-56 Victoria, chapter 64, 24th June, 1892, an act

of the Legislature of Quebec, to incorporate the administrators of Laval University at Montreal;

c. 55-56 Victoria, chapter 63, 24th June, 1892, an act of the Quebec Legislature, to incorporate the Law Faculty of Laval University at Montreal;

d. 8 Victoria, chapter 81, 29th March, 1845, an act of the Legislature of United Canada, to incorporate l'*Ecole de Médecine et de Chirurgie de Montréal*; 54 Victoria, chapter 58, 30th of December, 1890, an act of the Quebec Legislature, to amend the act 8 Victoria, chapter 81, incorporating l'*Ecole de Médecine et de Chirurgie de Montréal*, and to ratify certain agreements between the said School and l'*Archevêque et les évêques catholiques romains de la province ecclésiastique de Montréal* (agreement of the 5th of November, 1890);

e. 59 Victoria, chapter 79, 21st December, 1895, an act of the Quebec Legislature to incorporate l'*Ecole de Médecine Comparée et de Science Vétérinaire de Montréal*;

f. 6 Edward VII, chapter 88, 9th March, 1906, an act of the Quebec Legislature to incorporate l'*Ecole de Pharmacie de l'Université Laval à Montréal*.

*Status quo* to  
continue up  
to July 1st,  
1920.

**47.** Nevertheless the councils of the faculties and schools which were in operation prior to the coming into force of this act shall continue their present interior economy up to the 1st of July, 1920.

Coming  
into force.

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

## SCHEDULE

Schools annexed under section 8:

a. The institute for modern teaching, comprising five congregations of Brothers: Marists, Christian Brothers, Sainte-Croix, Sacré-Cœur, Ecoles Chrésiennes;

b. Nazareth School of music;

c. School of drawing;

d. School of household science;

e. School of religious music or *Schola cantorum*;

f. The High School of St. Laurent college;

g. The fourteen French convents giving a course of letters and sciences;

h. The nine English convents constituted as high schools.