

that of the Catholic School Commission of Montreal, and whereas it is expedient to grant their prayer;

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

1. The school municipality of the village of Tretreault-Annexation, ville de Montréal, in the county of Laval, is annexed to the school municipality under the jurisdiction and control of the Catholic School Commission of Montreal.

2. From and after the date of such annexation the Catholic School Commission of Montreal shall be vested with the rights and subject to the obligations of the school commissioners of the municipality of the village of Tetreaultville de Montréal, in the county of Laval, and the assets and liabilities of the latter shall be merged with the assets and liabilities of the said commission.

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

C H A P . 4 5

An Act respecting the school commissioners for the School Municipality of the city of Westmount.

[Assented to 5th March, 1915]

WHEREAS the school commissioners for the school municipality of the city of Westmount have, by their petition, represented that owing to the increase in population, the development of the city and the consequent altered conditions existing therein, it is essential that further and more extensive powers should be conferred on the said commissioners to enable them more efficiently to provide for the educational requirements of the municipality; to increase the number of commissioners and determine their quorum; to provide for the election of commissioners by ballot; to authorize the division of the duties of the secretary-treasurer between two officers (a treasurer and a secretary), and the appointment of a superintendent of schools, who may also be secretary, and to define their respective duties; to vary the terms of payment of school teachers, and to authorize the organization of a pension fund for the benefit of teachers and such other employees as may be determined;

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

56 Vict. c. 80, s. 2. replaced. **1.** Section 2 of the act 56 Victoria, chapter 80, is replaced by the following:

Commissioners to be seven in number. **“2. (a)** The board of school commissioners for the school municipality of the city of Westmount shall consist of seven commissioners elected in the manner hereinafter provided. The annual election for school commissioners shall be held on the second juridical Monday in January of each year.

Date of election. **(b)** The treasurer of the school commissioners, or in case of his inability to act, the secretary, or the secretary-superintendent, shall be the returning-officer for any such election.

Returning-officer. **(c)** The returning-officer shall, at least ten days before the date fixed for the nomination, by a commission under his hand, appoint an election clerk who shall, before acting as such, take the oath of office. Should it be decided to have more than one polling place, he shall also appoint such deputy-returning-officers as may be necessary.

Election clerk. **(d)** The election clerk shall assist the returning officer, and act in his stead should the latter be unable to perform his duties.

Duties of election clerk. **(e)** Eight days at least before the first juridical Monday of January, in each year, the returning-officer shall give public notice under his signature setting forth:

(aa) The place and time fixed for the nomination of candidates;

(bb) The date on which the poll for taking the votes of the electors is to be held, in case a poll is necessary;

(cc) The appointment of the election clerk.

Notice to be given by returning officer. **(f)** The nomination of candidates shall be held on the first juridical Monday in January each year from noon to two o'clock in the afternoon.

Date of nomination of candidates. **(g)** Ten electors qualified to vote may nominate a candidate by signing a nomination-paper in such manner as sufficiently to identify such candidate, and by delivering the said nomination-paper to the returning-officer on the day and at the hour and place indicated in the notice of the returning-officer, or by filing the same with the returning-officer at his office any time between the date of the notice and the day of nomination.

Manner of nomination. **(h)** With each nomination paper shall be filed:

What must be filed with **(1)** A declaration from the candidate stating under oath

that he is a British subject, and that he is duly qualified, each nomination and containing a description of the immoveable property on which the candidate's qualification is based; ^{ation paper.}

(2) A certificate from the treasurer establishing the value of the said property according to the valuation roll in force;

(3) A certificate from the treasurer showing that the candidate is not indebted to the commissioners for any school taxes or contributions.

(i) If, at the expiration of the delay fixed for the nomination, only the number required is nominated, such candidates shall *ipso facto* be elected, and it shall be the duty of the returning-officer forthwith to proclaim such candidates elected, and to give public notice of such election, not later than the following day. ^{Acclamation.}

(j) The returning-officer shall make his return to the school commissioners with the report of his proceedings. ^{Return.}

(k) If more candidates are nominated than are required to fill the vacancies, it shall be the duty of the returning-officer to grant a poll, but no person shall be elected who shall not have been nominated in the manner hereinabove provided. ^{Poll.}

(l) When polling is necessary, the returning-officer shall give public notice to that effect on the next day following the nomination day. Such notice shall set forth: ^{Notice to be given.}

The names, residences and occupations of the candidates nominated, in the order in which they are to be printed on the ballot-papers; the day fixed for the election; the time during which the poll will be held and in the event of there being more than one poll, the district to be served by each poll. ^{Contents of Notice.}

(m) The ballot of each elector shall be a printed paper on which the names of the candidates, alphabetically arranged in the order of their surnames, shall be printed as set out in the nomination paper, and the ballot-papers shall in all other respects comply with the requirements of the ballot-papers used in the municipal elections, in so far as the same are applicable. ^{Ballot-papers.}

(n) The poll shall be held in the office of the treasurer of the school commissioners, or some other public or private building in the most central or most convenient place for the majority of the electors. In case the commissioners shall decide to hold more than one poll, the location and the several districts to be served by each shall be fixed by them. ^{Place of holding poll.}

(o) The poll or polls shall be kept open from the hour ^{Hours of voting.}

of eight o'clock in the forenoon until six o'clock in the afternoon of the same day, and the provisions of articles 5451 to 5478 of the Revised Statutes, 1909, inclusive, shall apply, *mutatis mutandis*, to such election.

Closing of
poll.

Counting of
votes.

(p) At six o'clock the voting shall be closed, and an entry thereof shall be made in the poll book. Immediately thereafter the returning-officer or the deputy-returning-officers (as the case may be) shall count the number of voters whose names appear on the poll book as having voted, and make an entry thereof on the line immediately below the name of the voter who voted last, thus: "The number of electors who voted at this election is—", and he shall sign his name thereto; then in the presence of and in full view of the candidates or their agents, and, if the candidates and their agents or any of them be absent, then in the presence of such, if any, of them as are present, and of at least three electors, he shall open the ballot-box and proceed to count the number of votes given for each candidate, giving full opportunity to those present to examine each ballot. In counting the votes, he shall reject all ballot-papers which have not been supplied by the returning-officer; all those on which more votes have been recorded than there are vacancies to fill; all those upon which there is any writing or mark by which the voter could be identified; all those left in blank or null on account of uncertainty, and all other ballot-papers which are not in accordance with the requirements of the present act. The deputy-returning-officer, when such have been appointed, immediately after the votes have been so counted, shall make out a statement in the form shown in the schedule annexed hereto, to be enclosed by him in a special envelope supplied for that purpose, which envelope he shall seal and deposit in the ballot-box together with the ballot-papers and all other documents which served at the election, and having locked the ballot-box, the same shall be transmitted forthwith to the returning-officer or to the election clerk. The returning-officer shall add together the number of votes given for each candidate from the statements contained in the several ballot-boxes returned by the deputy returning officers.

Declaration
of result of
election.

Casting vote

(q) Immediately upon the completion of the counting as aforesaid, or on receiving full returns from the deputy-returning-officers (as the case may be), the returning-officer shall proceed to declare the result of the election; and if an equality of votes is found to exist between any two or more of the candidates, and an additional vote would entitle any of such candidates to be declared elected, the returning-officer shall give such additional or casting vote

by declaring in writing signed by himself for whom he of returning-votes. In no other case shall the returning officer have the right to vote.

(r) The returning-officer shall, on the day following the close of the poll, give public notice indicating the candidates elected, and shall, at the first meeting following the election, make a return to the school commissioners mentioning the names, residences and occupations of the candidates elected, and stating that public notice of the result of such election has been given. Notice of candidates elected.

(s) The provisions of articles 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5544, 5545, 5546, 5547, 5548, 5549, 5550, 5551 and 5552 of the Revised Statutes, 1909, shall also apply, *mutatis mutandis*. Provisions applicable.

(t) The school commissioners so elected shall remain in office for three years, but in the case of death, change of domicile, resignation legally given, or incapacity during three consecutive months by reason of absence or sickness, school commissioners shall be replaced by the remaining school commissioners within the thirty days next after the date upon which the vacancy occurred. Term of office.

(u) The two additional commissioners required to raise the membership of the board to seven, as hereinabove provided, shall be elected at the first regular election held after the passing of this act. First election.

(v) The order of retirement shall be as follows : three commissioners shall retire in 1917; two in 1918 and two in 1919, and thereafter in this rotation. Before the 1st of January, 1917, the commissioners shall decide by lot, or in any other way that may be unanimously agreed upon, which of the commissioners shall retire in each of the years above named." Order of retirement.

2. Article 2795 of the Revised Statutes, 1909, is replaced, for the said school commissioners, by the following: R. S. 2795, replaced for the commissioners.

"**2795.** Every school board shall have an officer called the secretary-treasurer, whom it shall appoint and may dismiss at pleasure, and whose remuneration it shall fix by resolution. The said school commissioners may divide the duties of secretary-treasurer between two persons, a treasurer and a secretary, and may appoint a superintendent of schools, who may also be secretary, and may assign to those officials such duties as they think fit. In the event of such division being effected, articles 2797, 2798, 2799, 2801 and 2825 shall apply to both officers, article 2815 shall apply to the secretary, and articles 2802 to 2812, 2814, 2816 to 2824, and 2826 to 2835, shall apply to the treasurer. Secretary and treasurer.

R. S. 2709, s.
16 replaced
dor commis-
sions.

Payment of
teachers.

Pension
fund.

3. Article 2709, of the Revised Statutes, 1909, as amended by the act 1 George V (1st session), chapter 20, section 2, is amended for the said school commissioners by replacing paragraph 16 thereof by the following:

“ 16. To pay their teachers at the end of each month of teaching, or in twelve monthly payments, at their option.”

4. The said school commissioners are hereby authorized to organize a pension fund for the benefit of teachers and other persons in their service; and to frame rules and regulations to govern the same, subject to the approval of the Superintendent of Public Instruction and the Lieutenant-Governor in Council.

SCHEDULE

STATEMENT OF THE POLL, AFTER COUNTING THE BALLOTS

Polling Division No. _____ for the election of
School Commissioners for the School Municipality
of the City of Westmount.

Number of Ballot-Papers received from
the Returning-Officers.....

Number of Ballot-Papers cast for.....	_____
“ “ “	_____
“ “ “	_____
“ “ “	_____
“ “ “	_____
“ “ “	_____
“ “ “	_____
“ “ spoiled.....	_____
“ “ rejected.....	_____
“ “ not used and re- turned.....	_____

TOTAL.....

I hereby certify that the above statement is correct.

Given under my hand, at _____, this _____
day of the month of _____, 19 ____.

Deputy-Returning-Officer.