

C H A P. 25

An Act respecting the establishment of technical schools and vocational courses in the Province.

[Assented to 19th February, 1914]

Preamble. **W**HEREAS it is of importance for the needs of trade, industry and agriculture in this province to promote the establishment of technical schools and vocational courses for the purpose of training, in the various centres of the province, skilled mechanics or employees needed by heads of industrial enterprises and farmers;

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

INTERPRETATION

- 1.** In the interpretation of this act, unless it be otherwise provided therein or the context otherwise indicates:
- Interpretation. **1.** In the interpretation of this act, unless it be otherwise provided therein or the context otherwise indicates:
- Public body defined. *a.* The words "public body" mean a corporation whose object is one of public interest, such as municipalities, religious bodies and school boards;
- Private body defined. *b.* The words "private body" mean a corporation whose objects are of a private nature, such as financial, commercial and industrial companies;
- Inspector defined. *c.* The word "inspector" means the inspector-general of industrial education in the province, who may be appointed by the Lieutenant-Governor in Council or, in his absence, any competent person designated by the Provincial Secretary.

INCORPORATION

2. Any public or private body, acting by its council and its Board of Commissioners, if one there be, or by its board of directors, as the case may be, or any persons, may, by observing the formalities hereinafter set forth, apply to the Lieutenant-Governor in Council and obtain from him a charter authorizing them and their successors to establish on such conditions as the Lieutenant-Governor in Council may be pleased to fix, a technical school or vocational course for the local needs of a specified district.

5934 R.S. to apply. The provisions of article 5934 of the Revised Statutes, 1909, shall nevertheless continue to apply to any city, town or village council which avails itself of this act to become a member of the corporation.

3. Notwithstanding any general or special law to the contrary, public or private bodies are vested with all the necessary powers for carrying out this act, and are authorized to take from their general funds not otherwise appropriated the moneys required for the instalments of the amounts called for by their subscriptions. Special powers given to carry out this act.

4. 1. The applications for incorporation shall be made by petition to the Lieutenant-Governor in Council, be signed by at least five petitioners and filed with the provincial secretary. Application for incorporation.

2. Such petition shall contain:

a. The names, surnames, calling and domicile of the petitioners, who must be of the full age of 21 years and, if the petitioners are public or private bodies, the names of such corporations and a certified copy of the documents authorizing them to avail themselves of this act; Its contents.

b. The object for which the incorporation is sought;

c. The proposed name of the corporation, which shall not be that of any known corporation or company, incorporated or unincorporated, or any name liable to be confounded with any other corporate name, or otherwise, on public grounds, objectionable;

d. The place within the province which is to be the corporate seat of the corporation;

e. The amount subscribed and the amount paid in by each petitioner and the manner in which the instalments have been paid, and are held by or for the corporation;

f. The names, surnames, calling and domicile of the persons who are to be the first provisional directors of the corporation, the number whereof shall not be less than three nor more than eleven.

5. The petition shall be accompanied by the memorandum of agreement between the petitioners and a copy of the first by-laws of the corporation. Memorandum of agreement.

6. The petition and memorandum of agreement may be drawn up similar to, and shall in their essential features conform to the forms A and B. Forms.

7. 1. The memorandum of agreement shall be made out in duplicate and shall state, among other things: Contents of memorandum of agreement.

a. The measures taken to secure the success of the school;

b. The amount to be subscribed and that to be paid into the general funds of the corporation by each mem-

ber, and also the qualifications required of persons who may be elected directors;

c. The manner in which the public or private bodies may vote by delegates;

d. All other provisions which the petitioners may deem advisable or necessary to enter in their memorandum of agreement;

First by-laws. **2.** The first by-laws shall, among other things:

a. Specify the manner in which subscriptions shall be paid;

b. Specify the amount to be subscribed and that to be paid in to entitle the subscriber to one or more votes, without distinction beyond that based on the amount subscribed and paid in;

c. Direct the manner in which the first meeting shall be called, and how the first election of directors shall be held;

d. Enact such other provisions as may be deemed advisable or necessary by the petitioners or by the Lieutenant-Governor in Council.

Letters patent may contain other provisions, etc.

8. The petition may ask for the insertion in the letters patent of any provisions which under this act or the general law may be stated in the memorandum of agreement or in the by-laws of the corporation; and the provisions so enacted shall not be repealed or amended by by-law, unless there be a proviso to that effect in the letters-patent.

Further contents of letters patent.

9. The letters patent shall set forth such allegations of the petition and of the memorandum of agreement, mention whereof may be deemed necessary by the Provincial Secretary.

Different name may be given.

10. The Lieutenant-Governor in Council may give the corporation a name different from the one proposed by the petitioners, if the latter be objectionable.

When letters patent may be granted.

11. After the formalities specified in this act are complied with, the Lieutenant-Governor in Council may grant the petitioners by letters patent under the great seal, a charter incorporating them and their successors, for the purposes mentioned in the petition.

May be refused in certain cases.

The Lieutenant-Governor in Council may refuse to grant letters patent under this act for any reason he may think proper in the public interest.

12. Notice of the granting of the letters patent shall be forthwith given by the Provincial Secretary, by two insertions in the *Quebec Official Gazette*, in the form C; and thereupon, from the date of the letters patent, the persons therein named, and such persons as have become subscribers to the memorandum of agreement or who thereafter become members of the corporation, and their successors, shall be a corporation, under the name mentioned in the letters patent. Notice of issuing of letters patent.

13. The corporation may, at any time, by resolution adopted by the members representing at least two-thirds in value of the subscriptions, authorize the directors to apply for supplementary letters patent, extending or amending the powers, the granting whereof is authorized by this act, or changing the name of the corporation. Corporation may apply for supplementary letters patent.

14. 1. Unless another delay be specified in the letters patent or in an act of the Legislature, the charter of the corporation shall *ipso facto* become null and void, if it have not availed itself of the charter during three consecutive years. Charter to become void by non-user.

2. The corporation shall not commence its operations until an amount of money has been subscribed and paid in which the Provincial Secretary shall deem sufficient to secure the success of the proposed school. Commencement of operations.

15. The Lieutenant-Governor in Council may, if he deem it expedient, fix and amend the tariff of dues payable on the application for letters patent and supplementary letters patent, and prescribe the method of registration to be observed with respect to such letters, and everything that may be necessary within the meaning of this act. Lt. Gov. in Council may fix fees for letters patent, etc.

16. No letters patent or supplementary letters patent shall be granted under this act until all the dues that may be exigible thereon have been duly paid. Not to be issued until fees paid.

POWERS OF THE CORPORATION.

17. The corporation shall have all the powers with which corporations created by the legislative authority of this province are generally vested. General powers.

It shall, in particular, have all powers which may be necessary to enable it to attain the end for which it was incorporated. Particular powers.

The liabilities of the members of the corporation shall be limited to the interest which each one may have therein. Limited liability.

They shall be exempt from all personal recourse for the performance of the obligations which the corporation has contracted within the limits of its powers and with the necessary formalities.

Board of directors.

18. The corporation shall be governed by a board of directors, elected annually and consisting of persons who may be elected directors in accordance with the by-laws of the corporation, and of the memorandum of agreement, if any.

Representation on board of public and private bodies, by delegate.

19. Public or private bodies may be represented, on such conditions as they may determine, at the meetings of the members of the corporation, by one or more delegates, as the case may be, whose appointment they may revoke at will.

Voting right of such delegate.

Such delegate or delegates shall exercise the right or rights of voting to which the amount subscribed or paid by each public or private body may entitle such body under the by-laws or memorandum of agreement.

Term of office of provisional directors.

20. The provisional board of directors appointed by letters patent shall remain in office until the expiration of the six months following the issue of the letters patent. The Provincial Secretary may, however, extend such delay for a period not exceeding three additional months; but in such case he must fix the date at which the meeting of the members for the election of directors shall be called.

May be extended.

Life members.

21. Every public or private body, or every person who subscribes a sum of at least one thousand dollars to the general funds of the corporation, or any person whom such subscriber may designate in his place, shall be a life member of the corporation.

Ordinary members.

22. Every public or private body, or every person who subscribes the yearly sum fixed by the memorandum of agreement or by-laws, to the general funds of the corporation, shall be a member of the corporation; but such member may, by the vote of the directors, be declared to have forfeited his membership if he neglects to pay his contribution within the period of one year.

Number of directors.

23. The by-laws of the corporation shall specify the number of directors to be elected by life members, and the number to be elected by the ordinary members.

Subscribers.

24. Every public or private body, or every individual

who establishes or founds, to the satisfaction of the directors, a vocational course or a chair, or gives the corporation furniture to an amount equivalent, in the opinion of the directors, to the contribution required for becoming a life member, or ordinary member, may be declared by the directors, in the case of a private individual, or may designate a person who shall be declared by the directors, in the case of a public or private body or of an individual, a life member or an ordinary member, as the case may be.

Every person who, by deed of gift or by will, or any public or private body which by deed of gift, makes a gift equivalent, in the opinion of the directors, to the amount of the contribution required for becoming a life member or an ordinary member, shall have the right to designate a person who may be declared by the corporation to be a life member or an ordinary member, as the case may be.

25. 1. The corporation shall each year at a general meeting choose from among the elected members of the board of directors a president, a vice-president and a secretary-treasurer. These officers shall remain in office at least one year unless it be otherwise specified by the by-laws. The president, in addition to his vote as director, shall have a casting vote on all questions when the votes are equally divided.

In the event of a vacancy, the president, vice-president and secretary-treasurer shall be replaced, but their successors shall be elected only for the unexpired terms of the officers whom they respectively replace.

2. The signatures of the president or vice-president and secretary-treasurer shall in every case be sufficient to legally bind the corporation.

26. The principal of the school shall be appointed by the Provincial Secretary on the recommendation of the corporation. He shall be *ex officio* a member of the corporation, and be specially charged, under the control of the administrative committee, and of the corporation, with the direction of the studies, the maintenance of order and discipline and, generally, with everything concerning the internal management of the school.

27. The corporation shall have the right to acquire moveable and immovable property, by donation, legacy and purchase, and to perform all acts of ownership in connection therewith.

Additional powers.

28. The corporation may also sue and be sued, borrow, sign, endorse, accept and negotiate promissory notes, bills of exchange and other commercial instruments, and become a party thereto under any title whatsoever, and shall, moreover, possess all the rights and powers belonging generally to corporations, in so far as the present act does not derogate therefrom.

Property to be used for purposes of corporation.

29. All property to be acquired and all revenues arising therefrom, shall be the exclusive property of the corporation, and shall be used solely for the purposes of the said corporation.

Annual revenue.

30. The net annual revenue of the immoveable property belonging to the corporation held for purposes of revenue, shall not exceed fifteen thousand dollars.

Additional powers that may be exercised by making by-laws.

31. The corporation shall have power to make by-laws:

1. To define the duties and functions of the professors and employees, and to fix their salaries;

2. For the administration of the school, the conduct of the students, and the school fees payable by them;

3. To establish a course of study in conformity with the spirit of this act;

4. To determine the number of years of study;

5. To determine the conditions of admission and examination;

6. For the proper management of the affairs of the corporation generally, and for the proper working of the school.

Coming into force of such by-laws.

Such by-laws shall not, however, go into operation until sanctioned by the Lieutenant-Governor in Council.

Manner of appointing and choosing professors.

32. Professors of theoretical and practical instruction shall be appointed or replaced by the board of directors, and be chosen, in preference, from the heads of industrial enterprises, foremen, employees and mechanics of the district.

Quorum.

33. The quorum for meetings of the corporation, and of the board of directors, shall be fixed by the by-laws.

Administrative committee.

34. The carrying out of the by-laws respecting the school adopted by the corporation, shall be entrusted to an administrative committee consisting of the principal and of two members appointed by the corporation.

The administrative committee shall render an account of its administration to the corporation.

35. A council of improvement, presided over by the inspector, assisted by the principal, two professors and by delegates, the number whereof shall be fixed by the corporation, and chosen from amongst the members of the corporation and the employers and mechanics of the district, shall consider the measures to be taken in the interest of technical studies and professional education, and submit propositions to the administrative committee. It shall meet at least twice a year.

36. The schools under the control of the corporation may be affiliated with existing technical, commercial or agricultural schools.

A school may also be annexed to any other school or college when an agreement has been arrived at between the corporations or individuals interested to utilize available premises or suitable plant.

37. The technical and practical instruction which shall be given in a technical school or vocational course shall be of an exclusively vocational nature.

The course of study shall be drawn up especially with a view to local needs, and be submitted on the inspector's report for approval to the Provincial Secretary.

38. The corporation shall deliver diplomas to the students according to the special course followed by each.

Mention shall be made in the diploma that the student has passed his examinations during the course in a satisfactory manner, or with distinction, or with great distinction, or with the greatest distinction, according to the disciplinary rules of the school.

Such diploma shall be signed by the principal of the school and be countersigned by the inspector.

39. The by-laws of the corporation shall provide for the appointment of a jury to examine students who wish to obtain a diploma at the conclusion of their studies.

The principal shall be *ex-officio* president of such jury, the members whereof shall, as far as possible, be chosen from among the expert mechanics and the employers of the district.

The inspector shall *ex officio* be a member of the jury.

40. The corporation shall, whenever thereunto required by The Provincial Secretary, transmit to the Lieutenant-

Lt.-Gov. in
C. when
required.

Governor in Council the names of its officers and members, a copy of its by-laws and course of study, and a statement of its immoveable property, and of the property it holds for revenue purposes.

Also an
annual re-
port.

41. Every year, before the 1st of September, the corporation shall send to the Provincial Secretary and to the inspector a detailed report of the working of its courses, the efficiency of the school and the results obtained.

APPOINTMENT OF AN INSPECTOR-GENERAL OF TECHNICAL
EDUCATION.

Inspector-
General of
Technical
Education.

42. The Lieutenant-Governor in Council may appoint an inspector-general of technical education in the province, with a salary not exceeding twelve hundred dollars per annum.

The salary of this officer and his travelling expenses shall be paid out of the consolidated revenue fund.

The inspector-general shall perform the duties assigned him from time to time by the Lieutenant-Governor in Council.

NAME AND COMING INTO FORCE OF ACT.

Short title
and coming
into force.

43. This act may be cited under the title of "The Quebec Technical Schools Act, 1914", and shall come into force on the day of its sanction.

FORMS

A—(Sections 4, 6)

Petition for Incorporation

To His Honor the Lieutenant-Governor of the Province of Quebec in Council:

The petition of the undersigned respectfully sheweth as follows:

The undersigned petitioners are desirous of obtaining letters patent under the provisions of the Quebec Technical Schools Act, 1914, constituting your petitioners and such other persons or public or private bodies as may become members of the corporation thereby created, a body corporate and politic under the name of

or such other name as shall appear to you to be proper in the premises.

The undersigned have satisfied themselves and are assured that the proposed corporate name of the corporation

is not the corporate name of any other known corporation or company, incorporated or unincorporated, or any name liable to be confounded therewith, or otherwise on public grounds objectionable.

Your petitioners (*in the case of individuals*) are of the full age of twenty-one years.

Your petitioners (*in the case of public or private bodies*) accompany this petition with certified copies of the documents authorizing them to avail themselves of the Quebec Technical Schools Act, 1914.

The purposes for which incorporation is sought by the petitioners are :

The corporate seat of the proposed corporation will be at _____ in the _____ of _____

The following are the names in full and the addresses of the petitioners, with the amount subscribed and the amount paid in by each petitioner:

Petitioners.	Date of certified copy of document authorizing public or private bodies to avail themselves of the Quebec Technical Schools Act 1914.	Amount subscribed.	Amount paid.
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The following persons shall be the first or provisional directors of the corporation:

Names in full.	Calling.	Address.
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A memorandum of agreement has been made between the parties and duly signed by them in duplicate, one of the duplicates being transmitted with this petition.

The instalments on the amounts subscribed have been paid as follows:

and are held for the corporation by _____ as follows:

The undersigned therefore request that a charter may be granted constituting them and such other persons or public or private bodies as hereafter become members of the corporation, a body corporate and politic for the purposes above set forth.

Signatures of Witnesses	Signatures of Petitioners*
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B—(Sections 6, 7)

Memorandum of Agreement

We the undersigned do hereby severally covenant and agree each with the other to become incorporated under the Quebec Technical Schools Act, 1914, under the name of The

or such other name as the Lieutenant-Governor in Council may give to the corporation, for the purpose of

To entitle anyone to membership in the proposed corporation an amount of _____ dollars

* In the case of public bodies, the mayor and the secretary-treasurer or clerk, or the president and secretary, and, in the case of private bodies, the president and manager must affix their signatures and the seal of the corporation.

If the subscriber be a public body, the mayor and secretary-treasurer or clerk, or the president and secretary-treasurer as the case may be, and, if the subscriber be a private body, the president and manager, duly authorized by their respective corporations, must affix their signatures with the seal of their corporations, and mention the date of the document authorizing them to bind their corporations.

C—(Section 12)

Notice of Letters Patent.

Public notice is hereby given that, under the Quebec Technical Schools, Act, 1914, letters patent have been issued by the Lieutenant-Governor of the province of Quebec, in Council, bearing date the

day of _____ incorporating *(here state the names in full, calling and domicile, of each petitioner and the names of the public or private bodies mentioned in the letters patent)* for the purpose of *(here state the purpose for which the letters patent were granted)* under the name of _____

The principal place of business of the corporation shall be at _____

Dated at the office of the Provincial Secretary, this day of _____ 19 .

PROVINCIAL SECRETARY.

CHAP. 26

An Act to amend the act to incorporate the Polytechnic School.

[Assented to 19th February, 1914]

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

57 Vict. ch. 23, s. 17 am. **1.** Section 17 of the act 57 Victoria, chapter 23, as amended by the acts 3 Edward VII, chapter 17, section 4; 7 Edward VII, chapter 28, section 1; 8 Edward VII, chapter 31, section 1; 9 Edward VII, chapter 35, section 1; 1 George V (2nd session), chapter 30, section 2; and 3 George V, chapter 26, section 1, is further amended by re-