

C H A P. 23

An Act to incorporate the school for higher commercial studies

[Assented to 14th March, 1907]

Preamble.

WHEREAS the creation of a school for higher commercial studies, destined to complete by advanced teaching the studies had in special institutions, and to give young people leaving elementary and commercial schools and colleges, the knowledge necessary for the management of the business of banking, and of commerce and industry on a large scale, would be of great assistance to commerce in general in this Province ;

Whereas it is expedient, for such purposes, to constitute a corporation, suitable for the management of such school and for profiting by all advantages which may be assured and guaranteed to it, as well as by the Government of this Province, as by *La Chambre de Commerce* of the district of Montreal, and by other corporations and individuals ;

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

“L'École des hautes études commerciales” incorporated. **1.** There shall be constituted in the city of Montreal a school for higher commercial studies under the name of “L'École des hautes études commerciales de Montréal,” and such corporation shall consist :

Principal.
Five other members.

a. Of the principal, who is a member thereof *de jure*.
b. Of five persons chosen from among the members of *La Chambre de Commerce* of the district of Montreal, and appointed for four years by the Lieutenant-Governor in Council.

Said five members serve gratuitously, &c.

The said five persons shall not receive compensation. At the expiration of their term of office they may be re-appointed by the Lieutenant-Governor in Council.

Corporation may borrow not more than \$300,000, &c., upon debentures.

2. In order to insure the construction of a building suitable for the school of higher commercial studies, and to procure for it libraries, laboratories, museums, and the necessary equipment generally, the corporation is authorized to contract a loan or loans not exceeding three hundred thousand dollars (\$300,000) in all, by means of debentures payable in the manner, at the times, and places and at the rate of interest determined by it, and guaranteed both as to principal and interest by the Government of the Province.

3. The Lieutenant-Governor in Council is authorized to Government guarantee the payment of the principal and interest of the loan ^{guarantee of loan.} or loans mentioned in the previous article upon such conditions as he may think proper.

4. In order to assist the school created by this act, and in Government recognition of the services it will be called upon to render to ^{grant.} the Province, it shall be lawful for the Lieutenant-Governor in Council to allow the said school the sum of twenty thousand dollars (\$20,000) per year, to be taken out of the Consolidated Revenue Fund of the Province.

5. To further aid the school of higher commercial studies, Grant by "La *Chambre de Commerce* of the District of Montreal shall pay ^{Chambre de Commerce."} a sum of \$5,000 a year, for forty years, and at the expiration of that time if the said *Chambre de Commerce*, has, each ^{Conveyance} year, regularly paid the above amount, the said corporation of property shall convey to it the ownership of the building constructed ^{to latter in certain cases.} under section 2, and of all libraries, museums or effects whatsoever furnishing the said building, provided, however, that it proves to the satisfaction of the Lieutenant-Governor in Council that it is in a condition to carry on alone and efficiently the objects for which the school of higher commercial studies was constituted. ^{Proviso.}

Nevertheless, the *Chambre de Commerce* of the district of Montreal shall use such proprietary rights only for the ^{How proprietary rights to be used.} further continuance and extension of higher commercial instruction given by the school founded by this act.

6. The sums contributed and paid by the Government of the Province of Quebec, and by *La Chambre de Commerce* of the district of Montreal, shall be applied in the first place to meet the interest and sinking fund of said loan, and the remainder shall be applied for the general purposes of the school, as determined by the members of the corporation. ^{How grants to be applied.}

7. The members of the corporation shall choose each year from among them a president and a secretary-treasurer. ^{President and secretary-treasurer.}

In case of vacancy the president and the secretary-treasurer shall be replaced, but their successors shall be elected only for the unexpired term of the officers replaced by them ^{Replacement in case of vacancy, &c.} respectively.

The president shall have a vote on every question, and a casting vote when the votes are equally divided. ^{Vote and casting vote of president.}

8. The principal of the school of higher commercial studies shall be appointed by the Lieutenant-Governor in Council ^{Appointment of principal.} upon the recommendation of the corporation.

Acquisition
of property,
&c.

9. The corporation shall have the right to acquire and possess by gift, legacy or purchase, moveable and immoveable property, and to deal with such property in every way that an owner can do.

General cor-
porate pow-
ers.

10. The company shall also have the power of appearing in judicial proceedings, of borrowing, of signing, endorsing, accepting and negotiating bills of exchange and other commercial paper, and of becoming party thereto in any capacity whatever, and further shall possess all rights and powers generally belonging to corporations, in so far as not inconsistent with this act.

Property ac-
quired to
belong to
corporation,
&c.

11. All the property so to be acquired and all the revenues arising therefrom, shall be the exclusive property of the corporation, and shall be employed solely for the purposes of the corporation.

Maximum
net revenues,
from im-
moveables.

12. The net revenues of the immoveable property of the corporation, possessed for purposes of revenue, shall not exceed one hundred thousand dollars a year.

By-laws.

13. The corporation of the school of higher commercial studies may make by-laws :

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

2. For the government of the school, the conduct of the pupils, and the school fees payable by them ;

3. To establish a scheme of studies in accordance with the spirit of this act ;

4. To fix the number of years of study ;

5. To determine the conditions of admission ;

6. To fix the date and the manner of examination for admission ;

7. For the good administration of the affairs of the corporation generally, and the good working of the school.

Going into
force of
by-laws.

Such by-laws, however, shall not go into force until after they have been sanctioned by the Lieutenant-Governor in Council.

Appointment
of professors.

14. The professors shall be appointed by the Provincial Secretary, upon the advice of the members of the corporation, given by the votes of an absolute majority of the members present at a meeting called for that purpose.

Dismissal of
principal and
professors.

15. The principal and professors of the school may be dismissed for cause by the Provincial Secretary upon the advice of two-thirds of all the members of the corporation, who shall vote therefor.

16. Three members of the corporation shall form a quorum. Quorum.

17. The carrying out of the by-laws passed by the corporation shall be entrusted to a committee of administration, consisting of the principal and of two members of the corporation appointed by the other members. Committee of administration.

The committee of administration shall render an account of its administration, every year, or oftener if required, to the corporation and to the Lieutenant-Governor in Council. Account rendered by it.

18. A council of improvement presided over by the principal and consisting of all the members of the teaching staff, shall have charge of the measures to be taken in the interest of the school studies, and shall make suggestions to the committee thereupon. Council of improvement.

19. The corporation shall have the right, with the approval of the Lieutenant-Governor in Council, to found branches within the Province, and to make all regulations which it may think proper for the good administration of such branches. Branches, &c.

20. The corporation shall have the right to expropriate all lands and buildings, the expropriation whereof shall be deemed necessary for the purposes of this act, Expropriation of land and buildings.

21. The corporation shall give diplomas to the pupils according to the special course of study followed by each. Diplomas.

Mention shall be made in the diploma that the pupil has passed his examination during his course, satisfactorily, or with distinction, or with great distinction or with the greatest distinction, according to the rules for the government of the school. Their contents.

Such diplomas shall be signed by the principal of the school and countersigned by the Provincial Secretary. By whom signed, &c.

22. A jury, consisting of seven members appointed, upon the recommendation of the corporation, by the Provincial Secretary, and assisted by the principal and two professors of the school named by the principal, shall examine the pupils who, having finished their studies, wish to obtain a diploma of competency. Examining jury.

23. The names of the pupils who have obtained diplomas shall be published in the *Quebec Official Gazette*, with mention of the degree of merit displayed by each of them. Publication of names in Quebec Official Gazette.

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