

59 V., c. 9, s. 321, amended. **4.** Article 321 of the Quebec Election Act, 1895, is amended by substituting the word "three" for the word "six" in the second line.

Effect of repeal by section 3 and amendment by section 4

5. The repeal effected by section 3, and the amendment effected by section 4 of this act shall apply to the elections which were held on the 7th of December, 1900, which are contested before the courts; and no member of the Legislative Assembly who has sat and voted therein, in contravention of the provisions of the said section 14, shall incur any penalty for having so sat or voted or for having omitted to take the oath according to the said section 14, the taking and omitting to take the oath in virtue of the act so repealed by section 3 being declared null and without effect.

Coming into force.

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

CHAP. 8

An Act to amend the law respecting the organization of the Departments

[Assented to 26th March, 1901]

HIS MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

R. S., 593, replaced.

1. Article 593 of the Revised Statutes, as replaced by the act 60 Victoria, chapter 22, article 3, is again replaced by the following:

Ministers and their titles.

"593. The Lieutenant-Governor may appoint, under the Great Seal of the Province, from among the members of the Executive Council, the following ministers who remain in office during pleasure, that is to say:

1. A Minister charged with the administration of Justice, designated under the name of Attorney-General;

2. A Minister with the attributions mentioned in articles 705 and following of these Statutes, designated under the name of Provincial Secretary;

3. A Minister charged with presiding over the Treasury Department, designated under the name of Provincial Treasurer;

4. A Minister of Colonization and Public Works;

5. A Minister of Agriculture;

6. A Minister of Lands, Mines and Fisheries."

2. Article 594a of the Revised Statutes, as enacted by the R. S., 594a, act 60 Victoria, chapter 22, article 4, is replaced by the following : replaced.

" 594a. The Lieutenant-Governor in Council may define the duties to be exercised by any member of the Executive Council and transfer one or more branches of any department from the control of one member of the Executive Council to the control of any other member. Duties of members of executive council may be defined and branches of departments may be transferred.

2. Such member of the Executive Council shall, with respect to such branch or branches of any department so transferred, have all the powers and shall perform all the duties which the member of the Executive Council formerly having control over the said branch or branches had and performed." Power of member of executive over such branches.

3. Article 636 of the Revised Statutes, as replaced by the R. S., 636, re-act 60 Victoria, chapter 22, article 5, is again replaced by the following : placed.

" 636. The Deputy Ministers are :

Deputy Ministers.

1. The Clerk of the Executive Council ;
2. The Assistant Attorney-General ;
3. The Deputy Provincial Secretary ;
4. The Assistant Provincial Treasurer ;
5. The Provincial Auditor ;
6. The Deputy Minister of Colonization ;
7. The Deputy Minister of Public Works ;
8. The Deputy Minister of Agriculture ;
9. The Deputy Minister of Lands, Mines and Fisheries ;
10. The Secretaries of the Department of Public Instruction."

4. Article 698 of the Revised Statutes, as replaced by R. S., 698, re-the act 60 Victoria, chapter 22, article 6, is again replaced by the following : placed.

" 698. For the administration of the public affairs of the Province, the departments hereinafter mentioned are constituted : Constitution of departments.

1. The Department of the Executive Council, presided over by the First Minister ; Executive Council ;

2. The Department of the Attorney-General, presided over by him ; Attorney-General ;

- Provincial Secretary ; 3. The Department of the Provincial Secretary, presided over by him ;
- Treasury ; 4. The Treasury Department, presided over by the Provincial Treasurer ;
- Colonization and Public Works ; 5. The Department of Colonization and Public Works, presided over by the Minister of Colonization and Public Works ;
- Agriculture ; 6. The Department of Agriculture, presided over by the Minister of Agriculture ;
- Lands, Mines and Fisheries ; 7. The Department of Lands, Mines and Fisheries, presided over by the Minister of Lands, Mines and Fisheries ;
- Public Instruction. 8. The Department of Public Instruction, which is under the Provincial Secretary, but of which the administrative direction is confided to the Superintendent of Public Instruction."
- R. S., 1236 to 1246, re-placed. 5. The title to chapter sixth of title fourth, and articles 1236 to 1246, of the Revised Statutes, as replaced by the act 60 Victoria, chapter 22, article 10, are again replaced by the following :

" CHAPTER SIXTH

DEPARTMENT OF LANDS, MINES AND FISHERIES

AND MATTERS CONNECTED THEREWITH

PART FIRST

THE DEPARTMENT OF LANDS, MINES AND FISHERIES

SECTION I

THE MINISTER AND HIS FUNCTIONS

- Administra-
tion of
Department. " **1236.** The Minister of Lands, Mines and Fisheries, validly designated in this chapter under the name of Minister, has the administration and direction of the Department of Lands, Mines and Fisheries.
- Powers, &c.,
of Minister : " **1237.** His functions, powers and duties are the following :
- Public lands ; 1. He has, throughout the Province, the oversight, control and management of everything connected with the

administration and sale of the public lands belonging to the Province, and of the timber and forests thereon ; Timber and forests ;

2. He has the managements of escheats ; Escheats ;

3. Fisheries on the banks of rivers, streams, and lakes in the Province, and all fisheries within the jurisdiction of the Province, are under his control ; Fisheries ;

4. The carrying out of the game laws is also under his supervision ; Game laws ;

5. The preparation of official plans and books of reference is under his direction ; Cadastre ;

6. He has control over everything connected with the administration and sale of mining lands in the Province ; Mines ;

7. He administers the property of the Jesuits' Estates, Crown Domain, and Seigniori of Lauzon ; Jesuits' Estates, &c. ;

8. He performs all the duties and executes all the powers of the Surveyor-General of the late Province of Canada, in respect of matters connected with this Province. Surveyor-General.

"1238. The Minister annually lays before the Legislature, within ten days after the beginning of each session, a report of the proceedings of the Department during the year then next preceding. Annual report.

"1239. He causes lists of the public lands for sale in the several townships in the Province to be made out from time to time, and advertised and published as he deems most advisable for ensuring general information. List of public lands for sale to be published.

"1240. (1) He shall transmit, as early as possible in each year, to the secretary-treasurer of every county municipality, a list of the public lands sold, granted or leased to, or appropriated or set apart for any person, or for which licenses of occupation have been granted in such county municipality, during the year next preceding, and for which no patents have been issued. List of public lands sold to be yearly transmitted to secretary treasurers of county municipalities.

Such lands shall be liable for the assessed taxes in the townships in which they respectively lie, from the date of such sale, license or appropriation ; and the purchaser, at the sale of any such lands for taxes, shall have in the lands so sold the same rights only as the person entitled to claim under the Crown at the time of such sale. Liability of such lands for taxes.

2. He shall, in like manner, apprise each such secretary-treasurer of the cancellation of any license of occupation, sale, grant, lease, location or appropriation, and the registrar of every county and registration division, of the cancellation of any patent of land within such county and registration divi- Notices of cancellation of sales.

Effect as to taxes. sion, from which time, until resold, leased, or regranted, the land affected shall cease to be liable to taxes.

Powers and duties of Surveyor-General to be exercised and performed by Minister. “**1241.** The powers and duties of the department and office of the Surveyor-General of the late Province of Canada, in so far as regards the exercise and performance thereof within the Province, are exercised and performed by the Minister, or by any assistant or clerks in his department or office, or by any person whom he, by any instrument in writing under his hand, authorizes to that effect, and under such name or designation of office, as he may fix, as effectually as they might have been exercised or performed by the Surveyor-General.

SECTION II

DEPUTY MINISTER AND OTHER OFFICERS

§ 1.—*Their Appointment*

Appointment of Deputy Minister. “**1242.** The Lieutenant-Governor in Council appoints a Deputy Minister of Lands, Mines and Fisheries, who is validly designated in this chapter under the name of Deputy Minister.

Other departmental officers. 2. He further appoints all the officers, clerks and messengers necessary for the proper administration of the Department.

Other officers. “**1243.** He may, from time to time, appoint officers and agents to carry out this chapter and the orders in council under it.

How paid. Such officers and agents are paid in such manner and at such rates as may be prescribed by order in council.

§ 2.—*Powers and Duties of Deputy Minister*

Duties and powers of deputy minister. “**1244.** (1) Without prejudice to the control of the Minister, the deputy-minister has the superintendence of the other officers, clerks, messengers or servants, and the general control of all the affairs of the Department; his orders shall be executed in the same way as those of the Minister himself, and his authority shall be deemed to be that of the head of the Department, so that he can validly affix his signature, in his said quality, and thereby give force and authority to all acts, receipts, permits of occupation, contracts or deeds of sale, location tickets, letters-patent, adjudications, revocations of sales or locations, and all other documents whatsoever, which are or may be within the jurisdiction of the Department.

2. It is lawful for the Lieutenant-Governor in Council, Revocation of powers. from time to time, whenever he may deem it expedient, to revoke, wholly or in part, the powers of the deputy minister.

3. Before entering on the duties of his office, the deputy minister shall take an oath faithfully to discharge the same. He shall be sworn.

Such oath is administered by the Minister, or any person appointed by the Lieutenant-Governor for that purpose. Oath before whom taken.

"1245. The Lieutenant-Governor in Council shall require, Deputy minister and agents to give security. from the deputy minister and from every agent appointed under him, security for the due performance of his duty.

"1246. During the illness or absence of the deputy minister, the head of the Department shall appoint another officer to temporarily perform his duties ; and notice of such appointment shall be given in writing to each officer and clerk of the Department." During absence a substitute shall be named.

6. Articles 1253 and 1277 of the Revised Statutes, as R. S., 1253 amended. amended by the act 60 Victoria, chapter 22, article 12, are again amended by replacing the words "Department of Lands, Forests and Fisheries" by the words "Department of Lands, Mines and Fisheries."

7. Article 1269 of the Revised Statutes, as R. S., 1269 amended. amended by the acts 60 Victoria, chapter 22, article 14, and 63 Victoria, chapter 14, article 1, is again amended by replacing the second paragraph thereof by the following :

"Sales made by Crown Lands' agents, if not disapproved by the Minister within four months thereafter, take effect from the date when they were made by such agents. When sales take effect.

Such grant, however, shall not prejudice the right of the Minister to sell, under the regulations, the lands as fire-wood lots and as sugary lands, and under the mining law as mining lands." Right to make certain sales not to be prejudiced.

8. Article 1358, and paragraphs 6 and 9 of article 1376 R. S.; 1358, 1376, amended. of the Revised Statutes, as amended by the act 60 Victoria, chapter 22, articles 15 and 17, are again amended by replacing the words "Department of Lands, Forests and Fisheries" by the words "Department of Lands, Mines and Fisheries."

9. Article 20 of the act 60 Victoria, chapter 22, and 60 V., c. 22, art. 20, R. S., 1703a to 1703m, repealed. chapter seventh A of title fourth of the Revised Statutes, comprising articles 1703a to 1703m thereby enacted, are repealed.

60 V., c. 22, s. 21, repealed, secs. 8 to 12 of ch. 7a of title 4 of R. S., transferred. Article 21 of the said act is repealed, and sections eighth, ninth, tenth, eleventh and twelfth of chapter seventh A of title fourth of the Revised Statutes shall form part of chapter eighth of the said title fourth, intituled: *Department of Colonization and Public Works*.

60 V., c. 22, s. 22, repealed, &c. **10.** Article 22 of the act 60 Victoria, chapter 22, is repealed, and sections thirteenth, fourteenth and fifteenth of chapter seventh of title fourth of the Revised Statutes shall continue to form part of the said chapter seventh, intituled: *Department of Agriculture*.

R. S., 1707, amended. **11.** Article 1707 of the Revised Statutes, as amended by the act 60 Victoria, chapter 22, article 23, is again amended by replacing the words "Department of Colonization," in the second line, by the words "Department of Colonization and Public Works."

R. S., 1725, amended. **12.** Article 1725 of the Revised Statutes, as amended by the acts 53 Victoria, chapter 25, article 1, and 60 Victoria, chapter 22, article 24, is further amended:

(a) By replacing the words "Commissioner of Lands, Forests and Fisheries," in the second line of paragraph 3, by the words "Minister of Lands, Mines and Fisheries;"

(b) By replacing the words "Departments of Agriculture, of Colonization and Mines, and of Lands, Forests and Fisheries" in the first and second lines of paragraph 5, by the words "Departments of Agriculture, of Colonization and Public Works, and of Lands, Mines and Fisheries."

R. S., 1756 to 1767, replaced. **13.** The title to chapter eighth of title fourth, and articles 1756 to 1767, of the Revised Statutes, are replaced by the following:

" CHAPTER EIGHTH

DEPARTMENT OF COLONIZATION AND PUBLIC WORKS

AND MATTERS CONNECTED THEREWITH

PART FIRST

THE DEPARTMENT OF COLONIZATION AND PUBLIC WORKS

SECTION I

DECLARATORY PROVISIONS

Documents binding only when signed. **" 1756.** No deeds, contracts, documents or writings shall be deemed to be binding upon the Department, or held to be the acts of the Minister, unless signed by him or his assistant and countersigned by the secretary.

" 1757. A copy of any document in the custody and charge of the secretary, certified by him as a true copy, is held to be authentic and has, *prima facie*, the same legal effect as the original in any court of justice.

Proof of copies signed by secretary.

SECTION II

MINISTER AND HIS FUNCTIONS

" 1758. The Minister of Colonization and Public Works, validly designated in this chapter under the name of "Minister," has the administration and direction of the Department of Colonization and Public Works.

Administration of Department.

" 1759. The functions, powers and duties of the Minister are the following :

Functions, &c., of Minister :

1. He has the management, custody and control of all public works, real estate and public buildings belonging to the Province, and all buildings destined for the residence of the Lieutenant-Governor or for offices for the public departments ;

Management of works, &c., belonging to province ;

2. He exercises control over the property of all railways built or subsidized by the Government in virtue of provincial laws, and over the works connected therewith or dependent therefrom ;

Railways built or subsidized by the province ;

3. He has the management and control of the construction, maintenance and repair of the public buildings, bridges, roads, drainage or other public works in progress of construction or maintained in whole or in part at the expense of the Province ;

Management of public property ;

4. He has, throughout the Province, the control and management of everything connected with colonization, immigration and emigration ;

Control of : Colonization, immigration and emigration ;

5. He has the control of and supervision over Colonization societies receiving Government grants ;

Colonization societies, &c. ;

6. Colonization works and roads are under his direction ;

Colonization works, &c. ;

7. He further has control over all other works undertaken at the expense of the Province and all immoveables acquired by the Government of the Province, which the Lieutenant-Governor in council declares by proclamation to be subject to the provisions of this chapter.

All other provincial works.

" 1760. The Minister shall, within ten days after the opening of each session thereof, submit to the Legislature a detailed report of his proceedings.

Minister's report.

SECTION III.

STAFF OF THE DEPARTMENT

§ 1.—*Deputy Minister and other Officers*

Appointment
of deputy
minister.

“**1761.** (1) The Lieutenant-Governor in Council appoints a Deputy Minister of Colonization and a Deputy Minister of Public Works, who are validly designated in this chapter under the name of Deputy Minister. Nevertheless, when one of these officers disappears the duties shall be reunited under the remaining one who shall then assume the name of Deputy Minister of Colonization and Public Works.

Engineers
and other
officers.

2. He further appoints an engineer, a secretary and an accountant, and all the other officers, clerks and messengers necessary for the proper administration of the Department.

Hold office
during pleas-
ure.

These officers, to whom the Lieutenant-Governor in Council assigns the duties which each is to accomplish, hold office during pleasure.

Officers out-
side depart-
ment.

3. He may also, from time to time, appoint, outside of the Department, as many engineers, superintendents of works, colonization agents, superintendents of colonization works and other officers, whom he may deem necessary for the efficiency of the service in the various branches of the Department, and may remove them from office at pleasure.

Inspectors of
colonization
societies.

4. Persons may, at any time, be appointed by the Minister to inspect the books and accounts of any colonization society receiving a Government grant or connected in any way with the Department.

Officers to
submit books
for inspec-
tion.

The officers of every such society, whenever so required, shall submit such books and accounts to inspection, and truly and to the best of their knowledge, answer all questions put to them in relation thereto or to the funds of such society.

Other duties
of officers to
be assigned.

“**1762.** The respective duties of the officers of the Department, not expressly regulated by law, are, from time to time, assigned to them by the Minister.

§ 2.—*General Powers and Duties of the Officers of the
Department*

Control by
deputy min-
ister.

“**1763.** The deputy minister, shall, subject to the control of the Minister, superintend and direct the other officers and servants of the Department.

He has the general control of the business of the Department, and has all other powers assigned to him by the Lieutenant-Governor in Council. General powers.

In the absence of the Minister and during such absence, he may suspend any officer or servant of the Department who refuses or neglects to obey his orders. Suspension of officers.

“**1764.** Unless otherwise directed by the Minister, the secretary shall : Duty of secretary to :

1. Conduct, under the direction of the Minister, the correspondence of the Department ; Conduct correspondence ;

2. Keep a regular register of such correspondence, and classify the same in such a manner as to be able easily to refer thereto ; Keep register ;

3. Prepare the reports ;

Prepare reports ;

4. Keep separate accounts for every public work, property and building ; Keep separate accounts for public works ;

5. Keep separate accounts for the grants to which Colonization Societies are entitled, and also for each colonization work ; For grants to colonization societies ;

6. Keep proper accounts with each contractor, superintendent of works, and other person employed by the Department ; With contractors, &c. ;

7. Prepare certificates upon which any warrant is to issue ; Prepare certificates.

8. Keep charge of all reports, plans, maps, contracts, estimates, titles, models and other articles and documents, relating to every public work, property or building and those relating to colonization, emigration and immigration ; Keep charge of reports.

9. Keep minutes of all proceedings of the Department ; Keep minutes.

10. Perform generally all such acts concerning the business of the Department, which he may, from time to time, be directed by the Minister to perform. Other duties.

“**1765.** It is the duty of the managing engineer of works to prepare maps, plans and estimates for all public works which are about to be constructed, altered or repaired by the Department ; to report for the information of the Minister on any question relating to public works which may be submitted to him ; to examine and revise the plans, estimates and recommendations of other engineers and officers in connection with the Department, and generally to advise the Department in all engineering questions affecting the public works of the Province. Duties of managing engineer.

§ 3.—*Duties of officers of certain institutions respecting the Department*

Certain institutions to answer official communications.

"1766. The Council of Arts and Manufactures, mechanics' institutes, colonization societies, public institutions and public officers in this Province, shall promptly answer official communications from the Department, and shall make diligent efforts to supply correct information on all questions submitted to them.

Penalty on officers refusing.

Any officer of any of the institutions above-named, refusing or wilfully neglecting to answer any questions or to furnish any information relating to the interest of mechanics or manufactures, shall, for every such offence, incur a penalty of twenty dollars, which shall be recoverable in the name of His Majesty before any competent court.

Lieutenant-Governor may require maps, &c., to be given up.

"1767. The Lieutenant-Governor may, from time to time, require any person or corporation having the possession or custody of any maps, plans, specifications, estimates, reports or other papers, books, drawings, instruments, models, contracts, documents, or records, not being private property, and relating to any public work, building or property, which is now, or which may hereafter be placed under the control of the Department, to deliver the same to the secretary ; and may also, from time to time, place in his possession and custody, for the use of the Minister, all instruments, books, drawings, models or documents relating to the objects for which the Minister is appointed, and which are requisite for the better attainment of the ends of this chapter."

R. S., 137 and 143 apply to members of executive council.

14. Articles 137 and 143 of the Revised Statutes shall apply to the members of the Executive Council who may be called upon to occupy any of the positions referred to in this act.

References to Commissioners and Assistant Commissioners.

15. In any act or order in council of this Province, whenever the head of any department is referred to as the "Commissioner" and the deputy head as "Assistant Commissioner," such reference shall be deemed to be to the "Minister" or "Deputy Minister" of such department.

Interpretation of certain words in certain statutes.

16. In every act and order in council of this Province, the words "Commissioner of Lands, Forests and Fisheries" and "Assistant-Commissioner of Lands, Forests and Fisheries," when it concerns lands, forests, hunting, fisheries, or the measurement of timber, and "Commissioner of Colonization and Mines" and "Assistant-Commissioner of Colonization and Mines," when it concerns mines, surveys or the cadastre," are replaced by the words "Minister of Lands,

Mines and Fisheries" and "Deputy Minister of Lands, Mines and Fisheries"; the words "Commissioner of Colonization and Mines" and "Assistant-Commissioner of Colonization and Mines," when it concerns colonization, the words "Commissioner of Public Works" and "Assistant-Commissioner of Public Works," when it concerns public works, by the words "Minister of Colonization and Public Works" and "Deputy Minister of Colonization and Public Works"; the words "Commissioner of Agriculture" and "Assistant-Commissioner of Agriculture," by the words "Minister of Agriculture" and "Deputy Minister of Agriculture"; and the words "Assistant Provincial Secretary" by the words "Deputy Provincial Secretary," as the case may be.

17. This act shall come into force on the first day of July, Coming into force.
1901.

CHAP. 9

An Act to amend the law respecting oaths of allegiance
and of office

[Assented to 28th March, 1901]

HIS MAJESTY, by and with the advice and consent of
the Legislature of Quebec, enacts as follows:

1. Article 503 of the Revised Statutes is amended by R. S., 603,
adding thereto the following paragraph : amended.

"Such persons shall not be obliged to take the oath of Oath of alle-
allegiance again upon the demise of the Sovereign." giance need
not be taken
again.

2. The provisions of this act shall apply to all persons Application
who have taken the oath of allegiance during the reign of of act.
Her late Majesty, Queen Victoria; and any act performed by Certain acts
any such person, between the death of Her late Majesty declared
Queen Victoria and the coming into force of this act, shall valid.
be valid if not otherwise illegal.

3. This act shall come into force on the day of its sanc- Coming into
tion. force.