

SCHEDULE A

MENTIONED IN ARTICLE 1755m.

We, the undersigned, agree to form ourselves into an association under the provisions of section fifteenth of chapter seventh of title fourth of the Revised Statutes of the Province of Quebec, respecting Farmers and Dairy-men's Associations in the Province, under the name of _____, our principal place of business to be at _____, and we hereby severally agree to pay to the secretary-treasurer, annually, while we continue members of the association, the sums opposite our respective names, and we further agree to conform to the rules and by-laws of the said association.

Names.	\$ cts.

CAP. XXIV.

An Act to amend the law respecting public instruction.

[Assented to 24th June, 1892.]

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

R. S. Q., art.
1863, replaced.

1. Article 1863 of the Revised Statutes of the Province of Quebec is replaced by the following:

Superinten-
dent deposit-
ary of docu-
ments, &c,

"1863. The superintendent is the depositary of all documents respecting matters under the control of the Depart-

ment of Public Instruction ; and he may deliver copies or extracts thereof and therefrom, in consideration of a remuneration fixed by the Lieutenant-Governor in Council."

2. Article 1864 of the said Revised Statutes is amended, R. S. Q., art. 1864, amended. by adding after the words : " signed by," in the first and second lines, the words : " the superintendent."

3. The heading to paragraph 4 of the second section of the first chapter of the fifth title of the said Revised Statutes, and article 1865 of the said Revised Statutes, are replaced as follows : R. S. Q., art. 1865 and heading to paragraph 4, replaced.

" § 4.—*Default on the part of an officer to perform his duties.*

" **1865.** The default on the part of any person, lawfully required to perform any duties under this title, to accomplish any one of the duties incumbent upon him, does not have the effect of preventing the execution of any provision of this title. Default in performance of duties not to prevent execution of law.

Whosoever was aware of the tenor or object of any thing, which was or should have been required by notice, cannot take advantage of the default of such formality or of the insufficiency of such notice." Persons aware of tenor of notice cannot avail themselves of the want thereof.

4. The following sub-head is inserted before article 1866 of the said Revised Statutes : Sub-head inserted before R. S. Q., art. 1866.

" § 4a.—*Appointments by the Lieutenant-Governor.*"

5. Article 1866 of the said Revised Statutes is amended, R. S. Q., art. 1866, amended. by replacing, in the first and second lines, the words : " In the case of the preceding article, commissioners or trustees," by the following : " In case the election of commissioners or trustees has not been held within the delay fixed by law, they."

6. Article 1889 of the said Revised Statutes is amended, R. S. Q., art. 1889, amended. by replacing, in the fifth, sixth and seventh lines, the words : " in all inquiries or difficulties whatsoever, which may arise in reference to schools or school-houses," by the following : " in all inquiries held in virtue of any of the provisions of this law."

7. Article 1914 of the said Revised Statutes is amended, R. S. Q., art. 1914, amended. by replacing, in the third line, the word : " time," by the word : " place."

8. Article 1920 of the said Revised Statutes is amended, R. S. Q., art. 1920, amended. by replacing the words : " notify the parties," in the first

and second lines, by the words : " give the parties a notice of at least eight days."

R. S. Q., art. 1967, amended.

9. Article 1967 of the said Revised Statutes is amended, by replacing, in the second line, the words : " five members," by the words : " not less than five nor more than ten members."

R. S. Q., art. 1973, 52 V., c. 24, s. 2, and 53 V., c. 28, s. 1, amended.

10. Article 1973 of the said Revised Statutes, as replaced by the act 52 Victoria, chapter 24, section 2, and amended by the act 53 Victoria, chapter 28, section 1, is further amended, by adding thereto the following paragraph :

Payment of costs of annexation.

" In the case of the annexation of any territory to a school municipality, the costs incurred for such annexation are at the charge of the municipality to which such territory is annexed."

R. S. Q., art. 1987, amended.

11. The first clause of article 1987 of the said Revised Statutes is replaced by the following :

Proviso for election of commissioners, if minority become majority.

" If, in any municipality, the rate-payers belonging to the religious denomination of the dissentients become the majority, they may elect five school commissioners in the month of July, in the manner prescribed for the election of school commissioners and trustees."

R. S. Q., art. 1997, amended.

12. Article 1997 of the said Revised Statutes is amended by striking out, in the third line, the words : " paying taxes or monthly fees," and by replacing them by the words : " entered as such upon the valuation roll, and who have paid all their school taxes and other contributions."

R. S. Q., art. 2004, amended.

13. Article 2004 of the said Revised Statutes is amended, by striking out, in the first and second lines, the words : " paying taxes or monthly fees," and by adding after the words : " qualified to vote," in the second line, the words " under article 2005, as amended by this act."

R. S. Q., art. 2005, amended.
Voters' qualification.

14. Article 2005 of the said Revised Statutes is amended, by replacing the first clause by the following :

" To have a right to vote at any election of school commissioners or trustees, it is necessary to be proprietor of real estate, to be entered as such upon the valuation roll, and to have paid all school taxes and other school contributions."

R. S. Q., art. 2006, amended.

15. The first paragraph of article 2006 of the said Revised Statutes is replaced by the following :

Clergymen and resident rate-payers qualified to vote are eli-

" **2006.** The clergymen of any religious denomination ministering in the school municipality, although not qualified with respect to property, and all resident rate-payers,

qualified to vote under the preceding article, are eligible as school commissioners or trustees." gible as commissioners, &c.

16. Paragraph 14 of article 2026 of the said Revised Statutes, as added by the act 53 Victoria, chapter 27, section 4, is amended, by inserting in the first line, after the words: "any pupil," the words: "who is habitually insubordinate or." R. S. Q., art. 2026, and 53 V., c. 27, s. 4, amended.

17. Article 2035 of the said Revised Statutes, as amended by the act 53 Victoria, chapter 27, section 11, is amended, by replacing the words: "without the approval," in the first line, by the words "without the authorization." R. S. Q., art. 2035, and 53 V., c. 27, s. 11, amended.

18. The following paragraphs are added after the first paragraph of article 2055 of the said Revised Statutes, as amended by the act 53 Victoria, chapter 27, section 7: R. S. Q., art. 2055, and 53 V., c. 27, s. 7, amended.

"Before presenting such petition to the superintendent, the rate-payers interested shall, by petition signed by at least five of them, require the school commissioners or trustees to revise their decision or to perform the duty or duties which they have refused or neglected to perform." Proceedings preliminary to presenting petition to superintendent.

During the thirty days next after the receipt of such petition, the school commissioners or trustees shall, by a notice through their secretary or a bailiff, notify their decision to one of the first two persons who signed such petitions. Duty of commissioners or trustees upon receipt of such notice.

During the fifteen days following the notification of such decision, or, in the absence of such notification, during the fifteen days following the expiration of the time during which such notification might have been made, a petition in appeal may be presented to the superintendent, who shall then exact, from the petitioners in appeal, security that the costs of the proceedings on such petition in appeal shall be paid, and designate the person or persons who shall support such costs, of which he fixes the amount." Petition in appeal to be presented afterwards and when. Security for costs in appeal.

19. Article 2056 of the said Revised Statutes is amended, by replacing the words: "under the preceding article," in the third and fourth lines, by the words: "under the law and at the request of the school commissioners or trustees or rate-payers interested." R. S. Q., art. 2056, amended.

20. Article 2068 of the said Revised Statutes is amended, by adding, after the words: "eight school months," in the third line, the following: "and the other months during which the school shall be open." R. S. Q., art. 2068, amended.

21. Article 2070 of the said Revised Statutes is replaced by the following: R. S. Q., art. 2070, replaced.

Payment of
monthly
school fees
by certain
children.

“ **2070.** The monthly school fees shall not be exacted except for each child from seven to fourteen years of age, capable of attending school; but, upon payment of such monthly school fees, children from five to seven years and from fourteen to sixteen years, have a right to attend the school of the district in which they reside, and those from sixteen to eighteen years, the model school of their municipality.

Rate-payer
may send
children to
school in
neighboring
district, on
payment.

Any rate-payer, in a district where there is no school open, may send his children to the school of a neighboring district situated within the limits of his municipality, by paying the monthly school fee exacted for the children of the said district.”

R. S. Q., art.
2071, replaced.

22. Article 2071 of the said Revised Statutes is replaced by the following :

How school
fee may be
exacted.

“ **2071.** The payment of the monthly school fee may be exacted monthly and in advance, except in municipalities in which the manner of collecting the same is regulated by a special act or a by-law of the school corporation.”

R. S. Q., art.
2115, replaced.

23. Article 2115 of the said Revised Statutes is amended, by adding after the first clause the following :

Entry into
office of au-
ditors.

“ Such auditors enter into office as soon as they have taken the oath faithfully to perform the duties of their office, and remain in office until they are replaced,” and by replacing, in the first line of the second clause, the words : “ Such auditors,” by the word : “ They.”

R. S. Q., art.
2116, amend-
ed.

24. The first clause of article 2116 of the said Revised Statutes is replaced by the following :

Notice to be
given to sec-
retary-treas-
urer of usual
or special
audit.

“ **2116.** In the case of the usual or a special audit of the accounts of the secretary-treasurer, the chairman of the school commissioners or trustees, as the case may be, shall personally or by a bailiff give, at least five days before such auditing, written notice to the secretary-treasurer requiring him to attend, so as to give all the explanations that may be required of him.”

R. S. Q., art.
2118, replac-
ed.

25. Paragraph 2 of article 2118 of the said Revised Statutes, is amended, by replacing the words : “ to examine and audit the said accounts in presence of the parties or after they have been duly summoned,” in the second and third lines thereof, by the words : “ who, after having given notice by a bailiff to the parties interested at least five days previously, proceeds to audit the said accounts.”

R. S. Q., art.
2121, amend-
ed.

26. Article 2121 of the said Revised Statutes is amended, by replacing, in the seventh line, the words : “ or for any

other year," by the words: "or for any of the five previous years."

27. Article 2132 of the said Revised Statutes is amended, R. S. Q., art. 2132, amended. by replacing the words: "If a valuation roll applicable to the levying of school taxes is in existence," in the first and second lines thereof, by the words: "If there is a municipal valuation roll to serve as a basis for the levying of school taxes."

28. Paragraph 3 of article 2137 of the said Revised Statutes is amended, R. S. Q., art. 2137, § 3, amended. by adding, after the second clause thereof, the following words:

"But no non-resident rate-payer can avail himself of the want of such notice, if he has no known agent in the municipality or if he has not left his address in writing in the office of the secretary-treasurer of the school corporation." Certain non-residents cannot avail of want of notice.

29. Article 2140 of the said Revised Statutes is amended, R. S. Q., art. 2140, amended. by adding, at the end of the said article, the following clause:

"In cases in which the taxes to be collected are due upon town or city properties, the proceedings above indicated may be taken by the secretary-treasurer of the said towns or cities, whenever it is not otherwise enacted by some special act." Proviso, in cases of town and city property.

30. Article 2184 of the said Revised Statutes is amended, R. S. Q., art. 2184, amended. by inserting after the word: "disobeyed," in the fifth line, the words: "if one or more schools have not been kept open."

31. Article 2267 of the said Revised Statutes is amended, R. S. Q., art. 2267, amended. by adding, after the word: "officers," in the seventh line thereof the words: "when the said salaries are paid each year and not afterwards."

32. The first form of the appendix to the law respecting public instruction, in the said Revised Statutes, is amended, First form to law respecting public instruction, amended. by inserting after the word: "withdrawing," in the last line but one, the words: "from the first of July next."

33. The fourth form of the appendix to the law respecting public instruction, in the said Revised Statutes, is amended, Fourth form amended. by replacing, in the last line, the words: "secretary-treasurer," by the words: "officer presiding over the election."

34. It is lawful for the school commissioners and trustees in every school municipality, with the approval of the School commissioners and trustees

may, with approval of Lieutenant-Governor, levy money to pay certain debts heretofore contracted.

Lieutenant-Governor in Council, upon satisfactory proof that the money to be levied had been *bonâ fide* expended in the construction of model or elementary school-houses, to impose a special assessment for the payment of debts contracted, before the passing of this act, by the said commissioners or trustees, for the construction of the said school-houses, over and above the amount allowed by law; and the recovery of any such special tax shall not be opposed by any judgment setting aside any former assessment, either by reason of its exceeding the amount allowed by law, or for any informality, and the amount of any such special assessment may also include the cost incurred by municipalities in suits respecting such previous assessment;

If rate-payer has paid on annulled assessment.

In cases where a special assessment has been so annulled, the rate-payers who have paid their share thereunder shall not have the right to be reimbursed the amount so by them paid; but, in any subsequent assessment levied under this act for the same purpose, credit shall be given them for the amounts so paid by them upon the assessment annulled.

Coming into force.

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

C A P. X X V .

An Act to amend articles 2319 and 2320 of the Revised Statutes of the Province of Quebec, respecting the Judges of the Superior Court.

[Assented to 24th June, 1892.]

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

R. S. Q., art. 2319, and 52 V., c. 27, s. 1, amended.

1. Article 2319 of the Revised Statutes of the Province of Quebec, as amended by the act 52 Victoria, chapter 27, section 1, is further amended by adding after the word : " Saguenay," in the eleventh line thereof, the words : " or Chicoutimi."

R. S. Q., art. 2320, and 53 V., c. 32, s. 1, amended.

2. Article 2320 of the said Revised Statutes, as amended by the act 53 Victoria, chapter 32, section 1, is further amended by replacing paragraph 3 by the following :

Judge of district of Saguenay is also judge for district of Chicoutimi. Residence.

" 3. The judge to whom the district of Saguenay is assigned exercises his ordinary functions in the district of Chicoutimi, with his residence at Murray Bay, in the district of Saguenay, or at Chicoutimi, in the district of Chicoutimi, at the option of the judge."
