

CAP. XXXI.

An Act respecting the Superior Education Investment and Income funds and to amend the Act 51-52 Victoria, chapter 13, intituled : " An Act respecting the settlement of the Jesuits' Estates. "

[Assented to 2nd April, 1890.]

WHEREAS it is enacted by sections one to five inclusively of chapter 15 of the Consolidated Statutes for Lower Canada, as follows, that is to say : Preamble.

" SUPERIOR EDUCATION INVESTMENT AND INCOME FUND.

" 1. The Estates and property of the late Order of Jesuits, whether in possession or reversion, including all sums funded or invested, or to be funded or invested, as forming part thereof, and the principal of all moneys which have arisen or shall arise from the sale or commutation of any part of the said Estates or property, are hereby appropriated to the purposes of this act, and shall form a fund to be called the ' Lower Canada Superior Education Investment Fund,' and shall be under the control and management of the Governor in Council, for the purposes of this act ; and the said fund shall be understood to be intended by the words ' the said Investment Fund ' whenever they occur in this act. 19-20 V., c. 54. s. 1 ; C. S. L. C., c. 15, s. 1.

" 2. The revenues and interest arising from the said Investment Fund, that is to say :

" 1st. The revenues and interest to arise from the real property forming part of the Jesuits' Estates, or from moneys funded or invested as belonging to the said Estates, or from any property, real or personal, reversible to the said Estates as part of them ;—the revenues and interest of investments made or to be made, and of debentures held or to be held, on account of the said Estates ;

" 2ndly. The income and interest to arise from investments to be made out of the moneys received or to be received from commutations effected or to be effected in the seigniories forming part of the said Estates, or out of the moneys to be received from the collection of any arrears of revenues, interest, and of debts now due, being part of the said Estates, and out of all moneys which, in lieu of any seigniorial right to be abolished or commuted, will, as part of the said Estates, become due and payable under the Seigniorial Act of 1854, and the Seigniorial Amendment Act of 1855, or under any other Provincial Act, enacted or to be enacted, in relation to the abolition or commutation of feudal rights and duties in Lower Canada ;

“ 3rdly. The revenue and interest to arise from investments to be made out of the moneys to be received
 “ from the sale of any portion of the said Estates, or
 “ from the sale or redemption of any *rente foncière* or *rente*
 “ *constituée*, being part of the said Estates,—shall, with
 “ the unexpended and unclaimed yearly balances of the
 “ Common School Fund for Lower Canada, and the sum
 “ hereinafter directed to be paid yearly out of the Consolidated Revenue Fund of this Province, and with
 “ any sum to be taken for the purpose, in any year, out
 “ of the Common School Fund of Lower Canada form
 “ a fund to be called the ‘Lower Canada Superior Education Income Fund,’ and the said fund shall be understood to be intended by the words ‘the said Income Fund,’ whenever they occur in this act. 19-20 V., c. 54, s. 2; C. S. L. C., c. 15, s. 2.

“ 3. Whenever it appears to the Governor in Council
 “ that the said Income Fund can be increased by the sale
 “ and by the investment of the proceeds of the sale of any
 “ portion of the said Estates, or of any *rente foncière* or *rente*
 “ *constituée* then forming part of them, the Governor in Council may order such sale to be made, and may direct that
 “ the moneys realized by it be invested in provincial debentures or other securities, the annual interest or income
 “ whereof, shall form part of the said Income Fund. 19-20 V., c. 54, s. 3; C. S. L. C., c. 15, s. 3.

“ 4. There shall be annually placed to the credit of the
 “ said Income Fund, the sum of twenty thousand dollars,
 “ out of the Consolidated Revenue Fund of this Province,
 “ which sum shall form part of the said Income Fund, and
 “ be appropriated accordingly;—and if in any year the said
 “ Income Fund falls short of the sum of eighty-eight
 “ thousand dollars, then such sum as may be necessary to
 “ make it equal to eighty-eight thousand dollars, shall be
 “ taken from the Common School Fund of Lower Canada,
 “ and added to the said Income Fund for that year, as
 “ part thereof. 19-20 V., c. 54, s. 4; C. S. L. C., c. 15, s. 4.

“ 5. If in any one year the whole of the Income Fund is
 “ not apportioned, the balance not distributed shall remain
 “ for further distribution as hereinafter provided, or shall,
 “ if the Governor so directs, be invested and the income or
 “ the interest of the investment shall be added to the said
 “ Income Fund, and the principal shall form part of the said
 “ Investment Fund.” 19-20 V., c. 54, s. 6; C. S. L. C.,
 “ c. 15, s. 5.

Whereas, since the passage of the Act 51-52 Victoria, chapter 13, and the coming into force of the Revised Statutes of the Province of Quebec, difficulties have arisen respecting the sum of sixty thousand dollars allowed to the Protestant minority of this Province for Superior Education

as an equivalent proportion to the sum of four hundred thousand dollars granted in settlement of the Jesuits' Estates' claims by the said Act 51-52 Victoria, chapter 13, and as regards the said Superior Education Investment and Income Funds;

Whereas the Protestant Committee of the Council of Public Instruction, at a meeting held on the 25th September, 1889, in answer to a communication requesting the Committee to give a specific reply as to how they proposed to deal with the said sum of sixty thousand dollars, resolved:

" 1. That in answer to the communication of the Honorable the Premier, dated Quebec, June 11th, 1889, requesting the Committee to give a specific reply to the enquiry therein contained, we hereby declare our readiness to discharge the duties devolving upon us as the Protestant Committee of the Council of Public Instruction, as required by article 2203 of the Revised Statutes of the Province of Quebec, and to administer any sums placed in our hands by the Provincial Legislature for Superior Education.

" 2. That at the same time, viewing with apprehension any legislation imperilling existing guarantees for the support of Superior Education in this Province, and in accordance with the action of this Committee at its meeting held May 14th, 1889, we hereby strongly reaffirm our request that the Government will, by legislation, restore the cancelled Trust as set forth in our report of the above date, and replace the Jesuits' Estates, or the proceeds thereof, as an Investment Fund for Superior Education; and also re-establish the Superior Education Income Fund, as constituted by the Act of 1856.

" 3. That the principal difficulty felt by this Committee, with respect to the Jesuits' Estates' Act and the sum of \$60,000 referred to in the letter of the Honorable the Premier, arises from the fact that the grant of the said amount is embodied in an Act of the Legislature which has been authoritatively stated to render effete the clauses of the Educational Law containing the above guarantees.

" 4. This Committee would also again draw the attention of the Government to the representations contained in its report adopted May 14th, 1889, to the following effect:

" The Roman Catholic Body receive a free grant of \$400,000 and the rights of the Government in Laprairie Common, while the Protestants receive permission to distribute the income arising from the investment of \$60,000 subject to the approval of the Lieutenant-Governor in Council.

“ Further, we submit that the sum of \$60,000 granted by the Jesuits' Estates' settlement act is less than the amount due to the Protestants, according to population.

“ 5. We therefore respectfully request that the legislation necessary to restore and perpetuate the above mentioned guarantees in favor of Superior Education in this Province and otherwise meet the views of this Committee in the premises, be obtained, if possible, at the approaching session of the Provincial Legislature and that, in the meantime, interest be allowed upon the capital sum of \$60,000 from the time the Jesuits' Estates' settlement Act came into effect.”

Whereas the settlement authorized by the said Act 51-52 Victoria, chapter 13, has been made, and the said sum of four hundred thousand dollars, with interest from the thirteenth day of August, 1888, paid over thereunder as therein provided.

Whereas the following letter was sent to the Protestant Committee of the Council of Public Instruction :

“ CABINET DU PREMIER MINISTRE.

“ PROVINCE OF QUEBEC.

“ QUEBEC, 9th OCTOBER, 1889.

“ MY LORD,

“ We, my colleagues and myself, have examined, with great care and a deep sense of the responsibility bearing on us, the resolutions of the Protestant Committee of the Council of Public Instruction, passed at its session of the 25th September last and transmitted by Your Lordship's letter of the 1st of October instant, and I am authorized to answer as follows :

“ 1. I am indeed very happy to hear that the members of the Protestant Committee declare their readiness to discharge the duties devolving upon them and to administer any sums placed in their hands by the Provincial Legislature for Superior Education. I understand, therefore, that they accept, in the name of the Protestants of this Province, the public trust imposed upon them to distribute the sixty thousand dollars (\$60,000.00) given them by the Jesuits' Estates' Act.

“ 2. I understand also that this acceptance is made on four conditions, viz. :

“ (a) That the Superior Education Fund in existence before the Jesuits' Estates' Act, be restored :

“ (b) That the Protestant Committee should receive in capital the sixty thousand dollars (\$60,000.00) instead of the right to distribute the income arising from the investment of said amount ;

“ (c) That this amount of sixty thousand dollars (\$60,000.00) should be increased, because it is less than the amount due to the Protestants, according to population :

“ (d) That the interest on said amount of sixty thousand dollars (\$60,000.00) be allowed from the time the Jesuits' Estates' Act came into effect till said amount is paid.

“ 3. With your kind permission, My Lord, I will examine separately every one of these conditions :

“ (a) That the Superior Education Fund, in 'existence before the Jesuits' Estates Act, be restored.'

“ 4. The intention of the Government never was to abolish this Fund, and therefore we cannot have the slightest objection to recommend that the law be reconstituted as it was before the Jesuits' Estates Act, if it is found necessary. The truth of this statement and the sincerity of our action in this behalf, appear : 1. in the following extract of an official letter sent by the undersigned to Cardinal Simeoni, in answer to a question on the very same subject ; 2. in a letter sent me by Mr. Oliver, one of the Law Clerks of the Legislature and one of the secretaries of the Commission for the revision of the Statutes of the Province, published at the end of last year ; and 3. in the text itself of section fourth of the Jesuits' Estates' Act

“ Here are these documents :

“ 1. Extract of an official letter sent to Cardinal Simeoni, Prefect of the Sacred Congregation of the Propaganda at Rome, dated the 25th October, 1888 :

“ *First Question.*

“ Does the Government of the Province of Quebec intend to continue to give, in future, either to the three archbishops or to the five bishops of Lower Canada, or again to the Jesuit Fathers, the grants hitherto voted for Superior Education even after having paid to the parties indicated by His Holiness the Pope the sum granted by the Act of last session, in settlement of the question of the Jesuits' Estates.

“ Answer.—Yes.

“ In virtue of an old law, the revenues of the Jesuits' Estates formed a special Education Fund, the amount whereof, which has hardly varied since 1867, is now seventy-eight thousand four hundred and ten dollars, (\$78,410.00), of which sixty-six thousand two hundred

" and forty dollars (\$66,240.00) are at the disposal of the
 " Roman Catholics, and twelve thousand one hundred
 " and seventy dollars (\$12,170.00) at the disposal of the
 " Protestants.

" The Government intends to leave that amount intact,
 " at the disposal of the Council of Public Instruction.

" This Council consists :

" 1. *Ex-officio* of all the Roman Catholic bishops of the
 " Province and of a Roman Catholic layman appointed
 " by the Government for each of such bishops.

" 2. Of a certain number of Protestants who are also
 " appointed by the Government.

" This Council meets very seldom and then only to
 " discuss matters of general interest respecting Education ;
 " the affairs are practically managed by two separate
 " Committees :

" 1. One called ' the Roman Catholic Committee ' com-
 " posed of the Roman Catholic Bishops and Roman Ca-
 " tholic laymen appointed as aforesaid ;

" 2. Another called the ' Protestant Committee ' con-
 " sisting of Protestants also appointed as aforesaid and of
 " a certain number of associate members appointed by
 " that Committee.

" Each Committee sits separately, and every year it
 " makes the distribution of the sums above mentioned,
 " namely :

" 1. The Roman Catholic Committee, sixty-six thou-
 " sand two hundred and forty dollars (\$66,240.00) ;

" 2. The Protestant Committee, twelve thousand one
 " hundred and seventy dollars (\$12,170.00).

" The document A, hereunto annexed, shows how this
 " sum of sixty-six thousand two hundred and forty dollars
 " (\$66,240.00) was distributed by the Roman Catholic
 " Committee this year and last year, limiting the details
 " to classical colleges and giving in a lump sum the
 " amounts granted to convents and other institutions of
 " lesser importance in each diocese.

DOCUMENT A.

" Amount voted by the Legislature of Quebec for Superior Education, during each of the years 1886-87 and 1887-88.....			\$78,410 00
" Share of Roman Catholics.....			\$66,240 00
" Protestants.....			12,170 00
Total			\$78,410.00

.....

" 2. Letter from Mr. Theo. H. Oliver :

“ QUEBEC, 4th October, 1889.

“ Honorable Mr MERCIER,

“ Premier

“ Quebec.

“ SIR,

“ In compliance with your request of this A. M., I have
“ the honor to state the following :

“ During the early part of last session you sent for me
“ as one of the secretaries of the late Codification Com-
“ mission to meet and explain to Dr Cameron, M. P. P.,
“ why sections 1 to 5 of chapter 15 of the Consolidated
“ Statutes for Lower Canada had not been included in
“ the Revised Statutes, then just come into force. I met
“ you and the Doctor in the Speaker's room, and there, in
“ answer to your question whether we (that is, Mr. Pari-
“ seault and myself) had consulted any person before
“ leaving out the sections in question, I told you that we
“ had consulted no one, considering that we were suffi-
“ ciently authorized by sections 6 and 7 of the Act 51-52
“ Vic., c. 13, but had spoken to the officers of the Educa-
“ tion Office who had told us that these sections had for
“ years been disused.

“ I have the honor to be,

“ Sir,

“ Your obedient servant,

(signed)

“ THEO. H. OLIVER,

“ English secretary of the late

“ Codification Commission.”

“ 3. Section four of said Act provides that the interest of
“ the \$60,000 shall be apportioned, in addition to, and in
“ the same manner, as any sums now granted by law for
“ the purpose of Protestant Superior Education in this
“ Province.”

“ These words surely show conclusively that our inten-
“ tion was not to cancel the Fund of Superior Education
“ nor to take away, from the Protestant Committee, any
“ right they were then enjoying or any grant of money
“ they were then receiving from the Government.

“ (b) That the Protestant Committee should receive in
“ capital the sixty thousand dollars (\$60,000) instead of
“ the right to distribute the income arising from the
“ investment of said amount.”

" 5. Allow me to offer, Your Lordship, the following observations on this point which will, I hope, also be found satisfactory.

" The said bill was bill No. 169 of the session of 1888, and was introduced and read for the first time on the 28th of June, based on resolutions recommended by His Honor the Lieutenant-Governor. The fourth resolution reads as follows. (Journals of the Legislative Assembly, 1888, page 300) :

" 4. On such settlement being effected, the Lieutenant-Governor in Council may pay out of any public money at his disposal, a sum of sixty thousand dollars to the different Protestant and dissentient universities and educational institutions, according to the distribution which shall be made by the Protestant Committee of the Council of Public Instruction."

" On the 3rd July (page 311 of the same Journals), the following procedure took place :

" The Order of the Day being read, for the second reading of the Bill respecting the settlement of the Jesuits' Estates;

" The Bill was accordingly read a second time; and committed to a Committee of the Whole House.

" *Resolved*, That this House do immediately resolve itself into the said Committee.

" The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Robidoux reported :

" That the Committee had gone through the Bill, and made an amendment thereunto.

" *Ordered*, That the Bill, as amended in the Committee, be now taken into consideration.

" The House accordingly proceeded to take the Bill into consideration.

" *Ordered*, That the Bill be now read the third time.

" The Bill was accordingly read the third time.

" *Resolved*, That the Bill do pass.

" *Ordered*, That the clerk do carry the Bill to the Legislative Council, and desire their concurrence.

" Please notice, My Lord, that an amendment, one single amendment, was made in the Committee of the Whole House, and said amendment was to strike off section 4th, already quoted, and to replace it by the following section 4th :

" 4. On such settlement being effected, the Lieutenant-Governor in Council may pay, out of any public money at his disposal, a sum of sixty thousand dollars to the Protestant Committee of the Council of Public Instruction to be invested by the said committee.

" The interest from said investment shall be annually apportioned by the Protestant Committee, with the

“ approval of the Lieutenant-Governor in Council, among
 “ the Protestant institutions of Superior Education, in
 “ addition to and in the same manner as any sums now
 “ granted by law for the purpose of Protestant Superior
 “ Education in this Province.”

“ When the original section 4th was discussed before the
 “ Committee, I was asked by the Hon. Mr Lynch to suspend
 “ the sitting for a few minutes, to allow the Protestant
 “ members of the House to meet together in an adjoining
 “ room, and see whether they could agree on an amendment
 “ to said clause, the majority of the Protestant members of
 “ the House not being disposed to leave the distribution of
 “ this capital to the Protestant Committee of the Council
 “ of Public Instruction.

“ I willingly granted the request. The Protestant
 “ members withdrew and came back after a very short
 “ absence with an amendment in the handwriting of
 “ the Reverend Mr. Rexford, the Secretary of the Protes-
 “ tant Committee, with the exception of the word
 “ ‘annually,’ written in the margin, and which was in
 “ the Hon. Mr. Lynch’s handwriting. That gentleman
 “ asked me if I would accept this amendment, and on my
 “ consenting, he moved it and it was unanimously carried.
 “ This amendment is verbatim the present section 4th in
 “ the said Statutes.

“ The original of said amendment is still in the custody
 “ of the proper officer of the House.

“ The above statements are corroborated by the three
 “ following documents, marked respectively 1, 2 and 3 ;
 “ the first being a letter from Mr. Louis Delorme, Clerk of
 “ the Legislative Assembly, the second a certificate from
 “ Mr. Charles A. Pariseault, Law Clerk, and the third being
 “ a letter from the Hon. Judge Lynch.

“ 1. Mr. Delorme’s letter :

(Translation)

“ LEGISLATIVE ASSEMBLY,

“ QUEBEC, 9th July, 1889.

“ Honorable H. MERCIER,

“ Prime Minister of the Province of Quebec,

“ Montreal.

“ SIR,

“ I have the honor to acknowledge the receipt of your
 “ letter of yesterday, in which “ you ask me for certain
 “ information respecting the proceedings of the Legisla-
 “ tive Assembly on the Bill No. 169 submitted to the
 “ Committee of the Whole House as follows : “ Bili

“ respecting the settlement of the Jesuits' Estates.” See
“ Journals of the 3rd July, 1888, page 311.

“ You will observe that this Bill was read a second
“ time, amended in committee and read the third time
“ all on the same day, *nemine contradicente*, although
“ there was an amendment and that the usual practice is
“ to postpone the reading of an amendment to a bill to a
“ subsequent sitting if not to another day. I may add
“ that an amendment was made in committee which was
“ drawn up in the English language (see the certificate of
“ the Law Clerk respecting such amendment, which is
“ enclosed herewith.)

“ From information I have obtained in the Department
“ of Public Instruction, this amendment is in the hand-
“ writing of Rev. Mr. E. I. Rexford, the Protestant Secretary
“ of the Department of Public Instruction, and was inserted
“ in the Bill, in committee of the Whole House, at the
“ request of Hon. Mr. Lynch. There is a correction in the
“ original motion, viz: the word ‘annually,’ which is in
“ the handwriting of that Honorable gentleman, who
“ watched this bill very attentively with Mr. W. Owens,
“ the member for the electoral district of Argenteuil.

“ This amendment was adopted and inserted in the bill
“ in committee, then read twice and adopted by the House,
“ and read the third time immediately, as none of the
“ members of the Protestant minority objected to the im-
“ mediate consideration of the amendment according to
“ our rules 43 and 47..... See May 559, Bourinot 558, 559.

“ I have the honor to be, etc.,

“ (signed) LOUIS DELORME,

“ Clerk of the Legislative Assembly.”

“ 2. Mr. C. A. Pariseault's certificate :

(Translation)

“ After having examined the writing of the amend-
“ ment made to section 4 of Bill No 169 intituled : “ An
“ Act respecting the settlement of the Jesuits' Estates,”
“ I declare that the said bill, as passed, was passed in the
“ English language and that the amendment was drawn
“ up in English. I further certify that, from information
“ obtained in the Department of Public Instruction, the
“ amendment, as drafted in the record, was drafted in the
“ handwriting of Rev. Elson I. Rexford, the Protestant
“ secretary of the Council of Public Instruction, with the
“ exception of the word ‘annually’ which comes after the
“ following words in the amendment : ‘ The interest ari-

"sing from said investment shall be.....,' and which
"appears to be in the handwriting of Hon. W. W. Lynch.

"Quebec, 9th July, 1889.

(Signed) "Chas. A. PARISEAULT,

"Law Clerk."

"3. Hon. Judge Lynch's letter :

"MONTREAL, 16th July, 1889.

Dear Mr. Premier,

"You asked me a few days since if I recollected the
"circumstances connected with that clause of the bill
"introduced by you during the session of 1888, respecting
"the settlement of the Jesuits' Estates, which referred to
"the \$60,000. I have a fairly distinct remembrance of
"what occurred at the time. The clause in question ori-
"ginally provided that this amount should be divided
"among the Protestant universities and other educational
"institutions of the Province in such manner as should
"be determined by the Protestant Committee of the
"Council of Public Instruction.

"The Protestant members of the House discussed among
"themselves the advisability of this distribution and con-
"ferred with Mr. Rexford, the Protestant secretary of the
"Educational Department, with the result that they
"determined to ask you to allow the clause to be modi-
"fied in such manner as that the same would be paid
"over to the Protestant Committee to be invested by them
"and the interest distributed annually in the same man-
"ner as the existing sum annually voted for Superior
"Education is distributed ; and when the House was in
"Committee of the Whole on the Bill, you accepted the
"section thus agreed upon, and which is identical with
"the section of the law as it now stands on the Statute
"book. This is, I think, a complete resumé of what
"occurred at the time.

"I am, Mr. Premier,

"Your's very truly,

(Signed) "W. W. LYNCH.

Honorable H. MERCIER,

"Premier etc.

"Montreal.

"I need dwell no longer on the subject, My Lord. These
"documents will be found conclusive, no doubt, by any
"intelligent man ; and if section 4th of the Jesuits' Estates'

“ Act is objectionable on the point raised by the Protestant
 “ Committee, it is not the fault of the Government, nor of
 “ the Roman Catholic members of the House. The respon-
 “ sibility of the change lies entirely and exclusively on
 “ the Protestant members.

“ Of course, however, there cannot be the slightest objec-
 “ tion, on the part of the Government, to accept the second
 “ condition, contained in the resolutions transmitted, in
 “ connection with the payment of the \$60,000. It was the
 “ intention of the Government to give the sixty thousand
 “ dollars(\$60,000.00)in capital to the Protestant Committee,
 “ in the same way and with the same effect as the four
 “ hundred thousand dollars(\$400,000.00) were given to the
 “ Roman Catholics ; and the Government is ready, if the
 “ Protestant members of the House agree to it, to restore in
 “ the law the original section 4th, as placed in Bill No. 169.

“ ‘ (c) That this amount of sixty thousand dollars (\$60,-
 “ 000.00) should be increased, because it is less than the
 “ amount due to the Protestants, according to population.’

“ 6. This condition cannot be refused, if it is proved
 “ that the amount is insufficient. We thought at the
 “ time that the amount was the fair proportion to which
 “ the Protestants were entitled.

“ ‘ (d) That the interest on said amount of sixty thou-
 “ sand dollars (\$60,000.00) be allowed, from the time the
 “ Jesuits' Estates' Act came into effect, till said amount is
 “ paid.’

“ 7. The Government cannot consent, My Lord, to this
 “ fourth condition in the form in which it is stated ; but
 “ is ready to place the Protestants on the same footing
 “ as the Roman Catholics, in this connection. The inter-
 “ rest on the grant to the Roman Catholics runs from
 “ the 30th of August, 1888, and the Government is
 “ prepared to recommend to the Legislature that the
 “ interest on the grant to the Protestants should run
 “ from the same date and at the same rate.

“ 8. These are the remarks I have to offer, My Lord, upon
 “ your honored communication, and I hope they will be
 “ found satisfactory.

“ The desire of the Government is to render justice on
 “ every occasion, and give full satisfaction to the Protes-
 “ tant minority, in this Province, whenever it is possible ;
 “ and we hope Your Lordship, your colleagues the other
 “ members of the Protestant Committee, and, generally, the
 “ Protestants of this Province, will appreciate the friendly
 “ and liberal way in which we try to meet the views
 “ expressed in the resolutions of the said Committee.

" I do not think proper to add anything more, my intention being to limit myself to mere statements of fact and publication of documents, and chiefly to avoid any reference to the most regrettable agitation that has taken place recently in connection with this question, leaving to the sound judgment and honest feeling of the people of this country to decide who is wrong and who is right in this very important matter.

" With a profound respect for Your Lordship, I have the honor to be.

" Your most devoted,

(Signed)

" HONORÉ MERCIER,

" Prime Minister.

" Right Reverend James Williams,

" Lord Bishop of Quebec,

" Quebec, P. Q. "

Whereas the Roman Catholic population of the Province by the last census was 1,170,718 and the Protestant population 184,274, which would increase the sum to be granted to the sum of \$62,961.00.

And whereas, finally, at a meeting of the said Protestant Committee of the Council of Public Instruction, held on the sixth day of November, 1889, it was resolved:

" First, that the Committee has heard with great satisfaction that it is the intention of the Government to introduce the necessary legislation in order to restore and perpetuate the Jesuits' Estates' trust as originally constituted, and the provisions made in the Act of 1856 for a permanent Superior Education Investment Fund, in accordance with the memorandum submitted to the Government by this Committee ;

" Second, that the Committee begs to express its readiness to co-operate to that end, if informed of the nature of the legislation proposed, and would respectfully suggest that such legislation, so far as it refers to the pre-existing law, should, as far as possible, take the form of a declaratory act ;

" Third, that the Committee also begs to thank the Hon. the Premier for his expressed intention as to the revision of the proportion of the grant made to Protestants.

" Fourth, that the Committee would further state, with respect to its position in the matter of the grant of \$60,000, that in its answer to the Premier's letter it was not intended either formally to accept or refuse said grant, conditionally or otherwise, the Committee holding that it has no power to refuse any grant accorded by the

"Legislature for the purposes of Education, but the Committee holds that it is its duty to call the attention of the Government to any matter affecting the educational interests committed to it.

"Fifth, that with reference to the statements made by this Committee, in its resolutions of the 25th September last, as to the method prescribed for the administration of the Fund, this Committee still holds that these statements were proper and necessary under the circumstances, but, at the same time, it recognizes the fact that such subjects must be left to the decision of the Legislature.

"Sixth, that the Committee desires also to state most distinctly that it does not wish in any way to reflect on the Protestant members of the Legislature, and having heard the explanation of the secretary, given in May last, and at this meeting, on the points raised by the Honorable the Premier, it considers these explanations satisfactory ;"

And whereas it is necessary to carry out the said several undertakings ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows :

C. S. L. C.,
c. 15, ss. 1 to
5 to be in
force.

1. Sections 1 to 5, inclusive, of chapter 15 of the Consolidated Statutes for Lower Canada, hereinabove recited, are hereby declared to have never been effete or repealed, and are still in force, notwithstanding any of the provisions of the Act of this Legislature 51-52 Victoria, chapter 13.

51-52 V., c. 13,
s. 4 replaced.

2. Section 4 of the Act 51-52 Victoria, chapter 13, is repealed and replaced by the following :

\$62,961.00
may be paid
Protestant
Committee of
the Council of
Public In-
struction.

"4. Out of any public moneys at his disposal, the Lieutenant-Governor may pay the sum of sixty-two thousand, nine hundred and sixty-one dollars (\$62,961.00) to the Protestant Committee of the Council of Public Instruction for Protestant Superior Education in this Province, together with interest thereon, at the rate of four per cent per annum, from the thirtieth day of August, 1888."

R. S. Q., 2206
repealed.

3. Article 2206 of the Revised Statutes of the Province of Quebec is repealed.

51-52 V., c. 13,
s. 7, repealed.

4. Section 7 of the Act 51-52 Victoria, chapter 13, is hereby repealed.

Coming into
force.

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