

2. Article 43 of the said act is amended by striking out <sup>Id art. 43 amended.</sup> all the words after the word "statute" in the fourth line thereof to the word "or" in the eighth line and replacing them by the following "of Quebec assented to on the (date of the assent), the original whereof remains of record in his office."

3. This act shall come into force the day of its sanction. <sup>Coming into force.</sup>

## C A P . V I I .

An Act to amend the laws respecting the Executive Council and the public departments of the Province, as well as the law respecting the civil service.

[Assented to 18th May, 1887.]

WHEREAS it is in the interests of agriculture and <sup>Preamble.</sup> colonization to divide the department of agriculture and public works and to create one which will be enabled more efficiently to attend to agriculture and colonization; whereas it is important not to increase the expenditure whilst increasing the number of the departments, and whereas the office of solicitor general may, without detriment to the public service be abolished; Therefore, Her Majesty, by and with the advice, and consent of the Legislature of Quebec, enacts as follows:

### AMENDMENTS TO THE LAWS RESPECTING THE EXECUTIVE COUNCIL AND THE PUBLIC DEPARTMENTS.

1. Article 5 of the act 49-50 Victoria, chapter 98, re- <sup>49-50 V., c. 98</sup> specting the composition of the Executive Council, is replaced by the following: <sup>art. 5 replaced.</sup>

"5. The Lieutenant-Governor may appoint, under the <sup>Functionaries</sup> Great Seal of the Province, from among the members of the Executive Council, the following functionaries, who remain in office during pleasure, that is to say:

1. An Attorney General;
2. A Provincial Secretary;
3. A Provincial Treasurer;
4. A Commissioner of Crown Lands;
5. A Commissioner of Agriculture and Colonization, and
6. A Commissioner of Public Works.

2. Article 52 of the act 49-50 Victoria, chapter 98, <sup>49-50 V., c. 98</sup> respecting the public departments, is replaced by the following: <sup>art. 52 replaced.</sup>

"52. For the administration of the public affairs of the <sup>Constitution</sup>

of the depart- Province, the departments hereinafter named are consti-  
ments. tuted :

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

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

Secretariat. 3. The department of the Provincial Secretary, presided  
over by him ;

Treasury. 4. The Treasury department, presided over by the Pro-  
vincial Treasurer ;

Crown Lands. 5. The department of Crown Lands, presided over by  
the Commissioner of Crown Lands ;

Agriculture 6. The department of Agriculture and Colonization,  
and coloniza- presided over by the Commissioner of Agriculture and  
tion. Colonization ;

Public Works. 7. The department of Public Works, presided over by  
the Commissioner of Public Works.

Public In- 8. The department of Public Instruction, which is un-  
struction. der the Provincial Secretary, but of which the adminis-  
trative direction is confided to the Superintendent of Pub-  
lic Instruction."

49-50 V. c. 98 3. Article 54 of the act 49-50 Victoria, chapter 98,  
art. 54 replac- respecting the civil service, is replaced by the following :  
ed.

Deputy 54. The Deputy-Heads are :  
Heads. 1. The Clerk of the Executive Council ;  
2. The Assistant Attorney General ;  
3. The Assistant Provincial Secretary ;  
4. The Deputy Provincial Registrar ;  
5. The Assistant Provincial Treasurer ;  
6. The Provincial Auditor ;  
7. The Assistant Commissioner of Crown Lands ;  
8. The Assistant Commissioner of Agriculture and Co-  
lonization ;  
9. The Assistant Commissioner of Public Works.  
10. The Secretaries of the Department of Public In-  
struction. "

49-50 V., c. 97 4. Articles 59 and 65 of the act 49-50 Victoria, chapter  
arts. 59 & 65 97 are amended by striking out the words " Solicitor  
amended. General " and " Commissioner of Agriculture and Public  
Works " and replacing them by the words " Commissioner  
of Agriculture and Colonization " and " Commissioner of  
Public Works. "

Application 5. Article 65 of the said act 49-50 Victoria, chapter 97,  
of 49-50 V. c. as amended by the preceding article, shall apply to the  
97 art. 65. present members of the Executive Council who may be  
called upon to occupy any of the positions created by this  
act.

6. The act 49-50, chapter 99, respecting the Department of the Law Officers of the Crown, is amended in consequence of the preceding articles of this act. <sup>49-50 V., c. 99 amended.</sup>

## AMENDMENTS TO THE ACT RESPECTING THE DEPARTMENT OF AGRICULTURE AND PUBLIC WORKS.

### FIRST PART.

7. Sections 1 to 15, inclusively, of the act 32 Victoria, chapter 15, and their amendments, respecting the department of agriculture and public works, are replaced by the following provisions : <sup>32 V. c. 15 ss. 1 to 15 replaced.</sup>

## “OF THE DEPARTMENT OF AGRICULTURE AND COLONIZATION,

AND MATTERS CONNECTED THEREWITH.

### SECTION FIRST.

#### OF THE CONSTITUTION OF THE DEPARTMENT.

##### § 1. *Declaratory provisions.*

1. No deeds, contracts, documents or writings shall be deemed to be binding upon the department, or held to be the acts of the commissioner, unless signed by him or his assistant and countersigned by the secretary. <sup>Documents binding only when signed.</sup>

2. 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. <sup>Proof of copies signed by secretary.</sup>

##### § 2. *Of the commissioner and his functions.*

3. The commissioner of agriculture and colonization, validly designated in this first part of the present act, under the name of “commissioner of agriculture” or simply “commissioner,” has the administration and direction of the department of agriculture and colonization. <sup>Administration of the Commissioner.</sup>

4. His functions, powers and duties are the following : <sup>His functions &c :</sup>  
10. He has, throughout the Province, the control and management of everything connected with agriculture, colonization, immigration and emigration ; <sup>Agriculture, &c.</sup>

- Agricultural schools. 20. He has the control and supervision over agricultural schools or colleges, model farms and colonization societies receiving government grants, agricultural and horticultural societies and institutions for teaching agriculture ;
- Colonization works. 30. The colonization works mentioned in articles 144 to 149 inclusively and colonization roads are under his direction ;
- Council of arts &c. 40. The council of arts and manufactures and mechanics' institutes, as well as beet sugar manufactories receiving government grants, are under his control ;
- Industrial dairy society &c. to make returns to him. 50. The industrial dairy society of the Province of Quebec, and societies for the manufacture of butter and cheese are bound to make an annual return of their operations to him.

*§ 2. Of the staff of the department.*

- Assistant Commissioner. 5. The Lieutenant-Governor in council appoints an assistant commissioner of agriculture and colonization, who is validly designated in this first part of the act, under the title of "assistant commissioner of agriculture" or simply "assistant commissioner."
- Secretary and other officers. He further appoints a secretary and accountant, and all the other officers necessary for the proper administration of the department.
- Hold office during pleasure. These officers, to whom the Lieutenant Governor assigns the duties which each are to accomplish, hold office during pleasure.
- Appointment of agricultural officers &c. 20. He may also, from time to time, appoint, outside of the department, as many agricultural officers, colonization agents, superintendents of colonization works and, in general, all other officers, as 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. 30. Persons may, at any time, be appointed by the commissioner to inspect the books and accounts of any agricultural or colonization society receiving government grants, or connected in any way with the department.
- Officers of societies to submit books for inspection. 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. 6. The respective duties of the officers of the department not expressly regulated by law, are from time to time assigned to them by the commissioner.

*§ 3. Of the general powers and duties of the commissioner, the assistant commissioner and other officers of the department.*

- Inquiries &c. 7. The commissioner shall institute inquiries, collect

useful facts and statistics relating to agriculture, mechanics and manufacturers, adopt measures for circulating the same with a view of promoting the progress of the Province and attracting foreign immigration. relating to agriculture, &c.

8. He shall, within ten days after the opening of each session thereof, submit to the Legislature a detailed report of his proceedings. Commissioner's report.

9. The assistant commissioner shall, subject to the control of the commissioner, superintend and direct the other officers and servants of the department. Control by assistant commissioner.

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

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

10. Unless otherwise directed by the commissioner, the secretary shall : Duties of secretary.

10. Conduct, under the direction of the commissioner, the correspondence of the department ; Conduct correspondence.

20. 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.

30. Prepare the reports ;

Prepare reports.

40. Keep separate accounts for the grants to which are entitled, the Council of Agriculture, the Council of Arts and Manufactures, the Permanent Exhibition Committee, agricultural societies, colonization societies and institutions for teaching agriculture, as well as for each colonization work. Keep accounts for grants.

50. Keep proper accounts for the sums due to contractors for colonization works, to persons employed by the department, or to any other persons ; Keep accounts with contractors.

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

70. Keep charge of all reports, maps, plans, contracts titles, models and other articles and documents, relating to colonization, arts and manufactures, emigration and immigration, agriculture and agricultural industries ; Have charge of reports, maps &c.

80. Keep minutes of all proceedings of the department, and, generally, Keep minutes of proceedings.

90. Perform all such acts concerning the business of the department which he may from time to time be directed by the commissioner to perform. Other duties.

§ 4. *Of the duties of officers of certain institutions respecting the department.*

Institutions to answer official communications.

11. Agricultural societies, colleges or schools of agriculture, colonization societies, the council of arts and manufactures, mechanics' institutes, 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 thereof 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 interests of agriculture, agricultural instruction, colonization, mechanics or manufactures, shall for every such offence incur a penalty of twenty dollars, which shall be recoverable in the name of Her Majesty before any competent court of justice.

## SECTION SECOND.

MATTERS CONNECTED WITH THE DEPARTMENT."

## SECOND PART.

32 V. c. 15 s. 123 replaced.

§. Section 123 of the act 32 Victoria, chapter 15, is replaced by the following provisions :

### " OF THE DEPARTMENT OF PUBLIC WORKS.

AND MATTERS CONNECTED THEREWITH.

### SECTION FIRST.

OF THE CONSTITUTION OF THE DEPARTMENT.

#### § 1. *Declaratory provisions.*

Documents binding only when signed.

123. No deeds, contracts, documents or writings shall be deemed to be binding upon the department or held or be the acts of commissioner, unless signed by him to his assistant and countersigned by the secretary.

Proof of copies signed by secretary.

2. 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.

#### § 2. *Of the commissioner and his functions.*

Administration of Commissioner.

3. The commissioner of public works, validly designated in this second part of the act under the name of

“commissioner of public works” or simply “commissioner” has the administration and direction of the department of public works.

4. His functions, powers and duties are the following: His functions &c.

10. Saving the colonization works, mentioned in articles 144 to 149 inclusively, which are under the control of the commissioner of agriculture and colonization, 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 departements. Controls public works &c.

20. He also 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. Control over railways &c.

### § 3. *Of the staff of the department.*

5. The Lieutenant-Governor in council appoints an assistant commissioner of public works, who is validly designated in this second part of the act, under the title of “assistant commissioner of public works” or simply “assistant commissioner.” Appointment of assistant commissioner.

He further appoints an engineer, a secretary and accountant, and all the other officers necessary for the proper administration of the department. Engineer and other officers.

These officers, to whom the Lieutenant-Governor assigns the duties which each are to accomplish, hold office during pleasure. Hold office during pleasure.

20. He may also, from time to time, appoint, outside of the department, as many engineers, superintendents of works, and, in general, all other officers, as 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. Officers outside department &c.

6. The respective duties of the officers of the department, not expressly regulated by law, are from time to time assigned to them by the commissioner. Other duties of officers to be assigned.

s. 13.

### § 4. *Of the general powers and duties of the commissioner, the assistant commissioner and other officers of the department.*

7. The commissioner shall, within ten days after the opening of each session thereof, submit to the Legislature a detailed report of his proceedings. Commissioner's report.

- Control by Assistant Commissioner. General powers. 8. The assistant commissioner shall, subject to the control of the commissioner, 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 the other powers assigned to him by the Lieutenant-Governor in council.
- Suspension of officers. In the absence of the commissioner, and during such absence, he may suspend any officer or servant of the department who refuses or neglects to obey his orders.
- Duties of secretary. 9. Unless otherwise directed by the commissioner, the secretary shall:
- Conduct correspondence. 10. Conduct, under the direction of the commissioner; the correspondence of the department;
- Keep register. 20. Keep a regular register of such correspondence, and classify the same in such a manner as to be able easily to refer thereto;
- Prepare reports. 30. Prepare the reports;
- Keep separate accounts for public works. 40. Keep separate accounts for the grants for every public work, property or building;
- Keep accounts with contractors. 50. Keep proper accounts with each contractor, superintendent of works, and other persons employed by the department;
- Prepare certificates. 60. Prepare certificates upon which any warrant is to issue;
- Have charge of reports &c. 70. Keep charge of all reports, plans, maps, contracts, estimates, titles, models and other articles and documents, relating to such public work, property or building;
- Keep minutes. 80. Keep minutes of all proceedings of the department, and, generally,
- Other duties. 90. Perform all such acts concerning the business of the department, which he may, from time to time, be directed by the commissioner to perform.
- Duties of managing engineer. 10. 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 commissioner, 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.

*§ 4. Of the duties of officers of certain institutions respecting the department.*

- Certain institutions to 11. The council of arts and manufactures, mechanics' institutes, 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.

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 Her Majesty before any competent court of justice.

12. 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 of public works, 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 commissioner, all instruments, books, drawings, models or documents relating to the objects for which the commissioner is appointed, and which are requisite for the better attainment of the ends of this second part of the act.

## SECTION SECOND.

### MATTERS CONNECTED WITH THE DEPARTMENT."

#### *Miscellaneous provisions.*

9. Sections 17 to 122, inclusively, and sections 144 to 149, also inclusively, of the said act 32 Victoria, chapter 15, with their amendments, form the second section of the first part of this act.

32 V. c. 15 s. 17 to 122 and ss. 144 to 149 to form section 2 of first part of this act.

10. The following section is added after section 149 of the said act, 32 Victoria, chapter 15.

Section added after s. 149 of 32 V. c. 15.

"149a. The provisions of articles 130 to 143 and 153 to 174, inclusively, as forming part of section second of the second part of the act, apply if necessary, *mutatis mutandis* to the colonization works mentioned in such section."

32 V. c. 15 ss. 130 to 143 and 153 to 174 to apply to this part of this act.

11. Sections 124 to 143, inclusively, and section 150 to the end of the said act 32 Victoria, chapter 15, and their amendments, form the second section of the second part of the act.

32 V. c. 15 ss. 124 to 143 and s. 150 to end to be 2nd section of 2nd part of this act.

Application  
of certain  
words.

12. In any act of this province when it concerns agriculture and colonization, the words "commissioner of agriculture and public works" or "assistant commissioner of agriculture and public works", wherever they occur, are replaced by the words "commissioner of agriculture" or "assistant commissioner of agriculture," as the case may be; and when it concerns public works or railways, such words are replaced by the words "commissioner of public works" or "assistant commissioner of public works," as the case may be.

Concerning  
present offi-  
cers of depart-  
ment of agri-  
culture and  
public works.

13. The present officers of the department of agriculture and public works may, without any new appointment, continue to exercise their offices or be transferred to other positions in either department created by this act, at the pleasure of the Lieutenant-Governor in council.

Compilation  
of statistics  
to be made  
by provincial  
secretary.

14. The compilation of statistics of births, marriages and causes of death in the Province, under the act 39 Victoria, chapter 20, shall in future be within the jurisdiction of the department of the provincial secretary.

Coming into  
force.

15. This act shall come into force upon the day fixed by proclamation.

## C A P . V I I I .

An Act respecting the Speaker of the Legislative Council and the appointment of certain officers of the Legislative Council.

[Assented to 18th May, 1887].

Preamble.

WHEREAS doubts have arisen as to the interpretation of the act 49-50 Victoria, chapter 97, and as to the power and right of appointing certain officers of the Legislative Council; Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

49-50 V. c. 97  
art 6 inter-  
preted.

1. Article 6 of the act 49-50 Victoria, chapter 97, shall be interpreted as not limiting the functions of the Speaker of the Legislative Council to the precise date of the dissolution of the Legislature, but up to the time of the appointment of his successor after such dissolution.

Appointment  
of Clerk &c.

2. The Clerk of the Legislative Council and the Gentleman Usher of the Black Rod are appointed by the Lieutenant Governor in Council.

Appointment

3. The assistant clerk of the Legislative Council is