

## C A P . X X X .

An Act to amend the acts respecting public instruction in this province.

*Assented to 9th May, 1885.*

**W**HEREAS doubts have arisen as to the powers conferred upon the superintendent of public instruction by the laws concerning public instruction in this province, respecting the levying of a special assessment for the construction of school houses in excess of the amount allowed by law ; and whereas it is equitable and right to come to the assistance of the school municipalities which may, with the approval of the superintendant of public instruction, have, in good faith, so contracted a debt greater than the amount so allowed by law ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 5 of the act 31 Victoria, chapter 22, is repealed. 31 V., c. 22, s. 5, repealed.

2. Section 12 of the act 41 Victoria, chapter 6, is amended by adding, after paragraph 2 thereof, the following : 41 V., c. 6, s. 12, amended.

“ 2a. The place where the sessions of the school commissioners or trustees shall be held may, upon resolution to that effect, by the commissioners or trustees, approved by the superintendent, be fixed either in the school municipality or in a city, town or village nearest to such municipality. ”

3. Section 13 of the said act 41 Victoria, chapter 6, is amended by adding, after subsection 5b, the following : 41 V., c. 6, s. 13, amended.

“ 5c. It is lawful for the school commissioners and trustees in every school municipality, with the approval of the lieutenant-governor in council, upon satisfactory proof that the money to be levied had been *bona fide* expended in the construction of 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 by reason of its exceeding the amount allowed by law, or for any informality ; and the amount of every such special assessment may also include the costs incurred by municipalities in suits respecting such previous assessment ;

5d. In cases where a special assessment has been so annulled, the rate-payers who have paid their share there- Credit to be given for payments already made.

under shall not have the right to be re-imbursed 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.

As to common schools.

This clause shall not apply to assessments for the construction of common schools."

Certain real estate outside towns, &c., may be assessed by school commissioners.

4. It shall be lawful for the superintendent to allow school commissioners or trustees to levy upon real estate, situate outside the limits of a town or village, but forming part of the school municipality of such town or village, a tax of not less than one-half of that levied upon real estate comprised within the limits of such town or village, whenever deemed right and proper.

## C A P . X X X I .

An Act to amend the act of this province 43-44 Victoria, chapter 22, intituled " An act to establish a pension and benevolent fund in favor of officers of primary instruction."

[Assented to 9th May, 1885.]

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

43-44 V., c. 22,  
s. 26, amended.

1. Section 26 of the act of this province 43-44 Victoria, chapter 22, is amended by replacing the word " five," in the second line thereof, by the word " six."

Id. sec. 10,  
amended.

2. Section 10 of the said act is amended by replacing the word " five," in the eleventh line thereof, by the word " six."

Coming into force.

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