

C A P . V I I .

An act to amend the act 40 Vict., ch. 23, amending the law respecting Public Instruction as respects the City of Sherbrooke.

[Assented to 9th March, 1878]

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

- 40 V., c. 23,
s. 12, amend-
ed.
Notice to
sec.-treas. of
city.
- 1.** The 12th section of the act of this province, 40 Vict., chap. 23., is replaced by the following :
- “12. The boards of commissioners shall be bound to inform the secretary-treasurer of the city of Sherbrooke, on or before the first day of June in each year, of the amount of tax required for school purposes, for the following year. In the absence of such notice, the two boards shall be deemed to have been unable to agree as to the amount, and the tax to be levied shall be three mills in the dollar for the year beginning on the first day of July following.”
- Tax.
- S. 13, amend-
ed.
Resolution of
council.
- 2.** The 13th section of the same act, is replaced by the following :
- “13. The city council, at the first session thereof after the first day of June in each year, shall, by resolution, declare the tax to be levied for the current year, and such tax shall then immediately become due.”
- S. 14, amend-
ed.
Levying of
the tax by
council.
- 3.** The 14th section of the same act, is replaced by the following :
- “14. It shall be the duty of the council of the city of Sherbrooke, to cause to be levied by its secretary-treasurer, out of the taxable real estate of the municipality, the tax which shall have been determined by the two boards of commissioners, or that of three mills in the dollar, if such boards have not agreed on the amount.”
- S. 18, amend-
ed.
Statement of
the real
estate, drawn
up by
secretaries.
- 4.** The 18th section of the same act is replaced by the following :
- “18. Within ten days after the valuation roll of the city shall have been homologated by the council of the city, in each year, the secretary-treasurer of the city shall give notice thereof to the secretary-treasurer of each board of school commissioners ; and, within ten days from the receipt of such notice, the secretaries-treasurers of such boards, acting together, shall draw up a statement of the real estate in the city ”

5. The fourth sub-section of the 20th section of the same act, is replaced by the following : S. 20, sub-sec. 5, replaced.

“4. To commercial firms or partnerships who decline to declare verbally by their agent or by one of their members, their intention of having their property entered on the first or second panel.”

6. The 24th section of the same act, is amended, by adding thereto the words following : “or to a judge of the Superior Court in chambers on summary petition.” S. 24, amended.

7. The 26th section of the same act, is replaced by the following : S. 26, replaced.

“26. Nevertheless it shall be lawful for either board, or for any person, after the expiration of such delay, but at least thirty days before the third payment, which the city corporation is bound to make after the completion of such panels, to lay before the secretary-treasurer of the city any complaint which they may have in relation to such panels. Complaint laid by boards.”

Notice of such complaint shall be given three days beforehand, at the office of the commissioners whose share may be diminished by the decision of the secretary-treasurer (or by the district magistrate or judge in case of appeal) who shall have the powers mentioned in section 24 of this act. Notice to other board.

If the panels are amended, the mistake shall be rectified in the following payments for the whole year.” Mistake rectified.

8. The 29th section of the same act, is replaced by the following : S. 29, replaced.

“29. Such sum shall be paid by the corporation of the city, to the secretary-treasurer of each board of commissioners, in four equal and quarterly payments which shall fall due respectively on the first days of January, April, July and October in each year.” Tax paid in four payments.

9. The 30th section of the same act is amended by striking out the word “two,” which occurs in the first line thereof. S. 30, amended.

10. The moiety of the latest of the semi-annual payments of the city school tax, imposed in the year 1877 and payable under the said 29th section, as originally enacted, shall be due and payable to said boards on the first day of April in the present year, and the other moiety on the first day of July next ; and the first quarterly payment of the city school tax which shall be imposed during the present year, shall become due to the said boards on the first day of October in the present year. Payment of tax of 1877 ; and of current year.

Acquisition
of academy,
validated.

11. The deed of acquisition of the academy and land, passed before E. P. Felton, Notary, on the twelfth day of June, 1877, is hereby confirmed, and the same shall be a valid title to said property in favor of the board of protestant school commissioners of the city of Sherbrooke and their successors, according to the terms of said deed.

Reserve of
annual reve-
nues for
school
houses.

12. The school commissioners of the said city shall have the power of laying aside annually a portion of their revenues not exceeding one fourth, for the purchase of lots and for the construction of school houses, without any limitation as to the amount to be expended on each school house, any law to the contrary notwithstanding.

Loans for
said pur-
poses; secu-
rity.

And it shall be lawful for either of the said boards, with the approval of the Lieutenant Governor in Council, to raise loans for the said purposes, and to transfer, as security for such loans, a part of their annual claims on the corporation of said city for the following years, subject to the above limitations; and either of the said boards, with the approbation aforesaid, may raise money in advance for the said purpose, by issuing debentures of not less than \$100 each, redeemable in not more than twenty-five years, and for an amount not exceeding in the whole for any one of the said boards the sum of \$25,000, and in such case the portion of their revenues set aside annually as aforesaid, or so much thereof as they may determine, shall be applied to the forming of a sinking fund for the redemption of said debentures.

Debentures

Sinking
fund.

Debentures,
secured by
hypothec.

13. It shall be lawful for the said boards to declare in said debentures, that the same are secured by hypothec on all the real estate then their property; and in the case when such declaration shall have been made the said debenture shall be secured both as respects principal and interest on all their said real estate, without the formality of registration, articles 2084 and 2130 of the civil code, to the contrary notwithstanding.

Payment of
debentures,
made out of
sinking fund.

14. Any of such debentures may contain a stipulation to the effect that the sum annually carried to the sinking fund, established for the redemption thereof, be paid to the holder thereof, instead of being invested by the commissioners.

In any such case the debenture is not redeemable at the expiration of the term thereof, but shall be deemed to be paid and discharged in full by the payment of the interest and the sinking fund specified in such debenture.

Vacancy oc-
curring in

15. If any commissioner shall absent himself from

four successive meetings of the board to which he has been elected, after having been regularly notified of such meetings, the said board shall have power, at any meeting especially called for such purpose, to declare the seat of such commissioner vacant, and thereupon immediately, at the same special meeting, or at any subsequent meeting, the said board may nominate and elect any other qualified rate payer of said city in his place and stead, to serve for the remainder of the term for which such commissioner had been elected.

office of commissioners, as a consequence of absences at four meetings.

C A P . V I I I .

An act respecting the Registers of Civil Status.

[Assented to 9th March, 1878.]

WHEREAS it is expedient to render more easy and expeditious the keeping of registers of birth, marriage and burial; Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The duplicate registers for acts of civil status may be divided into three volumes, one for acts of birth, one for acts of marriage, and the third for acts of burial; or into two volumes, one for acts of birth and of marriage, and the other for acts of burial.

Division of duplicate registers in 3 Vols. or in 2 Vols.

Such volumes of the duplicate registers may be either blank, or may be prepared with printed forms, running consecutively through each volume; but when one volume is used for acts of birth and of marriage, the first part shall contain, in such consecutive order, the forms for acts of birth, and the last part, in the same consecutive order, the forms for acts of marriage.

Printed forms.

2. Whenever, in accordance with the provisions of chapter 76 of the Consolidated Statutes of Canada and the acts amending the same, a body shall have been delivered, before burial, to a school of medicine or to a university, an act of death shall be inscribed, by the person charged with such duty, in the duplicate registers for acts of civil status; and such act of death shall have the same effect as an act of burial and shall take the place thereof.

Act of death of a body delivered for dissection.

3. The inspector of anatomy shall be bound, within a delay of three days, to appear before the rector, curate,

Duties of the inspector of anatomy.