

And the parties have signed, the same having been first duly read.

Given at this day of the month
of in the year one thousand eight hundred and
C. D.,

Chairman of the School-Commissioners (or Trustees)

E. F.
Teacher.

CAP. XXIII.

An act to amend the law respecting public instruction,
in so far as respects the city of Sherbrooke.

[Assented to 28th December, 1876.]

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

1. Hereafter there shall be in the city of Sherbrooke two boards of school-commissioners, and each of such boards shall be composed of five commissioners, and shall be under its own name a body politic and corporate, with all the powers and privileges of corporations. Two boards of commissioners. Corporation.

2. One of such boards shall be "The board of roman catholic school commissioners of the city of Sherbrooke," and the members thereof shall be roman catholics. The other shall be "The board of protestant school-commissioners of the city of Sherbrooke," and the members thereof shall be protestants. Roman Catholic Board. Protestant Board.

3. The members of each of such boards shall be elected by proprietors resident in the city and possessors of real estate of value sufficient to entitle them to vote at municipal elections in the city. Election of members.

4. The members of the roman catholic board shall be elected by roman catholic proprietors; and those of the protestant board by protestant proprietors. By whom elected.

5. The first election of all the commissioners shall be held on the second monday of march next; and the subsequent elections shall be held like those of the other commissioners under the general law. 1st election. Subsequent elections.

6. The present commissioners shall remain in office until the election of commissioners in virtue of the preceding section. Present commissioners.

Application
of general
law.

7. All provisions of law respecting school-commissioners and schools in general, shall apply also to each of such boards and to the members thereof, save in so far as the same be inconsistent with this act.

Division of
present prop-
erty.

8. Any property constituting the assets of the present school-commissioners, shall be valued by the city valuat-
tors.

The moneys and movables shall be divided by such valuat-
tors in equal shares between the board of the roman catholic commissioners and the board of the protestant commissioners.

Each of the immovables shall belong to that board of commissioners which shall offer the highest price therefor; provided that the first bid be the value set upon the same by the valuat-
tors.

Certificate of
adjudication
and effect
thereof.

9. Every adjudication of real estate made in virtue of the preceding section, shall be established by a certificate in duplicate, made and signed by the secretary-treasurers of the two boards of commissioners; and every certificate so made shall be an authentic title transferring the prop-
erty in the real estate therein specified.

One of the duplicates of each such certificate shall be filed in the archives of each of the two boards of commis-
sioners.

A copy of each such certificate, certified by the two secretary-treasurers, may be enregistered in the office of the proper registration division, with the same effect as if it were a deed of sale in the usual form.

Division of
government
grant.

10. The annual grant of the government of this province for the support of schools in the city of Sherbrooke, shall be divided between the board of roman catholic school commissioners and the board of protestant school-com-
missioners, according to the relative proportion of the roman catholic and protestant population of such city, and according to the then last census.

Tax estab-
lished or
altered by
Boards.

11. The two boards of commissioners may from time to time meet together and agree with respect to the estab-
lishing or altering the amount of the tax to be levied on the taxable real estate of the city for such purposes; provided that such tax be not in any case less than two mills or more than four mills in the dollar.

Notice to be
given to Sec-
Treas. of City.

12. The boards of commissioners shall be bound to in-
form the secretary-treasurer of the city of Sherbrooke, on or before the first day of april in each year, of the amount of tax required for school purposes, for the following year. In the absence of notice to such effect, the two boards of

commissioners shall be deemed as not having been able to come to an understanding.

If the two boards are unable to agree with respect to the establishment of such amount, before the first of April in each year, the tax to be levied shall be three mills in the dollar, for the year beginning on the first of July following.

13. The city council at the first session thereof, after the first of May in each year, shall, by resolution, declare the tax to be levied for the current year, and such tax shall then become due.

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 been able to come to an understanding.

15. Such tax shall be known as "the city school tax." It may be levied and recovered at the same time as the other taxes of the city, and shall further, for the purpose of the collection thereof, be deemed to be a municipal tax of the city; provided always that corporations and companies, which may have been or which shall be exempted from municipal taxes by by-law of the city council, shall nevertheless be liable for the school tax.

16. Real estate belonging to religious, charitable, or educational institutions or corporations, and occupied by them for the objects for which they were established and not solely possessed for the purpose of deriving a revenue therefrom, shall be exempt from the city school tax.

17. The city school tax shall be payable by proprietors of real estate, to the exclusion of tenants. The tenant shall not be bound to reimburse the proprietor for the amount thereof unless it has been expressly stipulated.

Such tax shall not be considered as included under the name of "municipal taxes," or "city taxes," or "corporation taxes," or under the words "all taxes," in any lease passed after the coming into force of this act; but it must be expressly mentioned under the name of "the city school tax."

The usufructuary or occupant, under an emphyteutic lease shall be deemed to be the proprietor, as shall also the occupant when the proprietor is unknown.

Statement of real estate. • **18.** The city council shall cause to be drawn up by the valuator, between the first day of april and the first day of june, in each year, a statement of the real estate in the municipality.

Valuators for that purpose. The valuator of the city, for the purpose of this act shall be in equal number, roman catholics and protestants ; one roman catholic and one protestant to act as such in each ward. The appointments required therefor are hereby authorized.

Their ex-
penses. The sums paid for the salaries of the valuator and their expenses incurred in drawing up and publishing each statement, shall be deducted from the amount to be paid by the city to the boards of school-commissioners.

Contents of statement. **19.** Such statement shall show opposite the description of each lot or property the amount of the valuation thereof, the name of the owner and the sum to be levied on such lot or property for the city school tax for the year.

The amount of the valuation and the name of the owner shall be the same as stated on the valuation roll in force in the city for municipal purposes.

Statements to be divided into 4 panels. **20.** Such statement shall be divided into four distinct panels.

Panel No. 1. Panel number one shall comprise the taxable real estate belonging exclusively to roman catholics.

Panel No. 2. Panel number two shall comprise the taxable real estate belonging exclusively to protestants.

Panel No. 3. Panel number three shall comprise the taxable real estate belonging :

1. To corporations or incorporated companies subject to taxation under this act ;

2. To persons professing neither the roman catholic nor protestant religion, or whose religion is unknown ;

3. To persons who have stated their wish in writing that their property shall be entered in such panel ;

4. To commercial firms or partnerships who have not declared by their agent or by one of their members, their intention of having their property entered on the first or second panel ;

5. Lastly property belonging partially or jointly to persons, some of whom profess the roman catholic and others the protestant faith.

Panel No. 4. Panel number four shall comprise all real estate exempt from taxation, which shall be the same as that mentioned in section 41 of the act of this province 39 Vict., ch. 50.

Entry of tax-
able prop-
erties belong-
ing to reli-
gious bodies. **21.** Properties possessed for revenue purposes by religious, charitable or educational institutions or corporations, shall be entered on panel number one or panel number two according to the religious denomination to

which such institutions or corporations belong, or according to the declarations made by them to that end.

If the religious denomination is not known, and if no such declaration is made, these properties shall be entered on panel number three.

22. Every person belonging to the jewish faith and Jews. possessing real estate in the city of Sherbrooke, shall be entitled upon written application to that end, to have such real estate entered, as he may think proper, on panel number one or on panel number two.

23. Upon such statement being completed, it shall be Deposit of statement. deposited in the office of the secretary-treasurer of the city, and notice of such deposit shall be forthwith given Notice. in at least one french newspaper and one english newspaper, published in the city.

During the thirty days next after the publication of this Examination. notice, it shall be lawful for any person to examine the panels included in the statement.

24. During such delay of thirty days, either board of Complaints to be made to Sec.-Treas. of the city. school-commissioners, or any person whose name shall have been erroneously entered on any of such panels, or omitted therefrom, or who shall observe that the name of any other person has been entered by error on any of such panels or omitted therefrom, may make any complaint which he shall deem himself entitled to make on this subject, to the secretary-treasurer of the city, who shall amend and correct the panels in consequence of such complaint, if it appear to him necessary. Decision.

Within thirty days, the decision of the secretary-treasurer may be Appeal. appealed from to the district magistrate.

25. At the expiration of the delay of thirty days, the Panels in force. panels as they then are, shall avail for all school purposes in the city, for the then current year.

26. Nevertheless it shall be lawful for either board of Subsequent complaints, when admitted. commissioners catholic or protestant, or for any other person, after the expiration of such delay, but at least thirty days before the second 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.

Notice of such complaint shall be given three days be- Notice. forehand at the office of the commissioners, the share of which may be diminished by the decision of the secretary-treasurer, or of the district magistrate in case of appeal, who shall have the powers mentioned in section 24 of this act.

Error rectified.

If the panels are amended, the mistake shall be rectified in the following payment, for the two payments.

Accounts and receipts for taxes.

27. All accounts delivered to tax-payers, and all receipts given them, for the school tax, shall contain clearly and distinctly the words "panel number one, roman catholic school tax," or "panel number two, protestant school tax," or "panel number three, neutral school tax," as the case may be.

Division of tax between two boards.

28. The sum arising from the tax for school purposes shall be divided as follows:

1. An amount proportionate to the value of the property entered in panel number three, shall be divided between the board of roman catholic school-commissioners, and the board of protestant school commissioners, in the relative proportion of the roman catholic and protestant population of the city, according to the then last census;

2. The balance of such sum shall be divided between the roman catholic and protestant boards, in the relative proportion of the value of the property entered in panels number one and number two respectively.

Payments falling due.

29 Such sum shall be paid by the corporation of the city of Sherbrooke to the secretary-treasurer of each board of commissioners, in two equal and semi-annual payments, which shall fall due on the first day of january and july in each year.

Recovery in law.

30. Each of such two payments shall be exigible from the corporation when the same falls due, although the city school tax, to raise the amount thereof, has not been collected, and may be recovered with interest and costs, before any competent court, by the board of school-commissioners entitled thereto.

Accounts to be rendered to the city.

31. Every year each of the two boards shall be bound to deliver to the council a detailed account of the sums it shall have expended out of the moneys paid by the city corporation.

Monthly rate.

32. It shall be lawful for either board of commissioners to exact from the parents, tutors or guardians of children attending their schools or academies, except from those exempt through poverty, the payment of a monthly fee or rate, the amount whereof it shall have established from time to time by by-law approved by the superintendent of public instruction.

33. The report of the commissioners shall specify the Report there-
number of children receiving gratuitous instruction, and on.
number of those who pay such amount of fees.

34. The monthly school fees may be recovered from Recovery of
parents, tutors or guardians by suit before any com- monthly fees
petent court. by suit.

Nevertheless no suit shall be brought for more than one Prescription.
year's arrears, or for any sum due for more than one
year.

35. Either board of commissioners may take from the Prizes to
funds at its disposal such sum as it shall deem advisable pupils.
and expend it in prizes for the various schools under its
control.

36. The board of Protestant school commissioners is Purchase of
authorized to acquire the building of the academy now academy by
erected in the city of Sherbrooke, together with land, by Prot. Board.
entering into an agreement with the persons who sub-
scribed for its erection.

37. This act shall come into force on the day of its Act in force.
sanction.

C A P. X X I V.

An act to amend the act of this province, 39 Vict.,
cap. 33, intituled: "An act to amend and consoli-
date the various acts respecting the notarial profes-
sion in this province."

[Assented to 28th December, 1876.]

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

1. Section 13 of the act of this province 39 Vict., cap. 33, is amended, by adding at the end thereof the words 39 Vict., c. 33,
following: "and every such notary is subject of disciplin- s. 13, amend-
ary penalties." ed.

2. Section 85 of the same act is amended by inserting Sec. 85,
after the word "ballot" in the eleventh line, the words amended.
following: "such meeting shall be composed of at least Meeting.
five notaries qualified to vote thereat."

3. All deeds executed or which shall be executed by Deeds execut-
notaries, whose names were not, are not or shall not be, ed by non-
entered upon the list of practising notaries, shall be inscribed no-
aries, decla-
red valid.