

and shall in general have the same force or application as "The Quebec Controverted Elections Act, 1875."

Pending cases.

5. Sections 128*a*, 118*b* and 128*c*, added by section 3 of this act shall not apply to pending contestations.

Act in force.

6. This act shall come into force on the day of the sanction thereof.

C A P . X V .

An Act to further amend the law respecting Public Instruction.

[Assented to 24th December, 1875.]

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

I. OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

31 v., c. 10 repealed.

1. The act of this province 31 Vict., chap. 10, is repealed; and the department of public instruction is restored to the charge of a superintendent.

Superintendent.

Appointment.
Salary.

2. The superintendent of public instruction shall be appointed by the lieutenant-governor in council, shall hold his office during pleasure, shall have an annual salary of four thousand dollars, and shall give security, in conformity with the act of this province, 32 Vict., chap. 9.

Security.

Powers.

3. The superintendent of public instruction shall possess all the powers, functions, rights and obligations conferred or imposed by law, on the superintendent of education, at the time of the coming into force of this act.

Powers.

4. He shall further discharge all the duties which the lieutenant-governor in council may see fit to assign to him, respecting:

1. The establishment or encouragement of art, literary or scientific societies;

2. The establishment of libraries, museums or picture galleries, by such societies, by the government, or by institutions receiving government aid;

3. The support of competitions and examinations, and the distribution of diplomas, medals or other marks of distinction, for artistic, literary or scientific labors;

4. The establishment of schools for adults, and the instruction of laborers and artisans;

5. All which in general relates to the support and encouragement of arts, letters and science;

6. And the distribution of the funds placed at his disposal by the legislature, for each of such objects.

5. The superintendent of public instruction shall compile and publish statistics and information, respecting educational institutions, public libraries, and art, literary and scientific societies, and in general respecting all subjects connected with literary and intellectual progress.

Publication of statistics and information.

6. The superintendent shall annually draw up, in accordance with the directions of the council of public instruction, or of the committees thereof, as the case may be, a detailed statement of the sums required for public instruction, and shall submit the same to the government.

Budget of the public instruction.

7. The superintendent of public instruction, in the exercise of all his functions, is bound to comply with the directions of the council of public instruction, or with those of the roman catholic committee or protestant committee, as the case may be, in conformity with section 16 of this act.

Superintendent acts according to the instructions of the council and committees.

8. Two secretaries of the department of public instruction may be appointed, as may also all other officers required for the due administration of the laws respecting public instruction.

Secretaries and officers.

9. All documents, whether originals or copies, signed by a secretary or assistant secretary of the department of public instruction, shall be authentic, and make proof of their own contents without it being necessary to prove the signature.

Authenticity of documents signed.

10. The department of public instruction shall form part of the civil service of the province; and the lieutenant-governor in council shall designate the functionaries of such department who shall be members of the board of examiners for the civil service.

Department forms part of the civil service.

Section 4 of the act of this province 31 Vict., chap. 8, is repealed.

31 v., c. 8, s. 4, repealed.

II. OF THE COUNCIL OF PUBLIC INSTRUCTION.

11. After the coming into force of this act, the roman catholic portion of the council of public instruction, shall be composed of the bishops (ordinaries) or administrators of each of the roman catholic dioceses comprised in the province, either in whole or in part, who shall *ex officio* form part thereof, and of an equal number of other roman catholics to be appointed by the lieutenant-governor in council.

Catholic part of the council.

Delegate.

Each such bishop or administrator, if he is unable through illness or absence from the province, to be present at the meetings of the council, or at those of the committee of which he forms part, may appoint a delegate to represent him, and such delegate shall have all the rights of the person appointing him.

Protestant part.

12. The protestant portion of the council of public instruction shall be composed as provided for by section 1, of chapter 16 of 32 Victoria.

Idem.

13. Whenever the number of roman catholic members, nominated by the lieutenant-governor in council, shall be augmented by more than seven, the number of the protestant members of that council shall be augmented, in the same proportion and in the same manner.

Super. is memb. of the council and committees.

14. The superintendent shall be *ex-officio* president of the council of public instruction.

He shall be also *ex-officio* a member of each of the committees thereof, but he shall only be entitled to vote in the committee, of the religion to which he belongs.

Persons added to the protestant committee.

15. The members of the protestant committee may add to their number five persons, to assist in the labors of their committee.

Such persons shall not form part of the council of public instruction, but shall have, in the protestant committee, all the powers of the members of such protestant committee.

Exclusive jurisdiction of the committees.

16. Everything which, within the scope of the functions of the council of public instruction, respects specially the schools, and public instruction generally, of roman catholics, shall be within the exclusive jurisdiction of the roman catholic committee of such council.

In the same manner, everything which within the scope of such functions respects specially the schools and public instruction generally of protestants, shall be within the exclusive jurisdiction of the protestant committee.

Donations, legacies, etc., to the committees.

17. Each of such committees may receive by donation, legacy, or otherwise *à titre gratuit*, money, or other property, and may dispose of the same in its discretion, for the purposes of instruction.

Each such committee shall possess, in respect of property so acquired, all the powers of a body politic and corporate.

Idem.

18. In the event of any person making a legacy to the council of public instruction, without stating the committee for which he designed the same, the legacy shall

belong to the committee of the religion, to which the testator belonged, at the time of his death.

If the testator belonged neither to the roman catholic religion, nor to the protestant religion, the legacy shall be divided between the two committees, in the proportion of the roman catholic and protestant populations of this province.

19. The sums of money which shall have been granted to roman catholics or protestants, for the purposes of public instruction, or any part thereof which shall have not been expended, shall remain at the credit and disposal of the committee which had the control thereof.

Surplus of the sums voted.

20. Each such committee shall have the sittings or meetings thereof separate, and it may fix their period and number, establish its quorum, settle the mode of procedure at its meetings, appoint a chairman and secretary, and revoke such appointments at pleasure.

Meetings of the committees.

21. The chairman of each committee shall have, on all questions, in which the votes are equal, a second or casting vote.

President thereof.

22. Special meetings of each of such committees may be convened by the chairman, or by the superintendent of public instruction, by notice given at least eight days in advance.

Special meetings.

If two or more members of either committee require in writing the superintendent or chairman of their respective committee, to convene a special meeting of such committee, it shall be the duty of the superintendent or of the chairman to convene it, in the manner prescribed by the provision preceding.

23. School inspectors, professors, directors and principals of normal schools, the secretaries, and the members of board of examiners, shall be appointed or removed by the lieutenant-governor in council, on the recommendation of the roman catholic or protestant committee of the council of public instruction, according as such appointments or removals respect roman catholic schools or protestant schools.

Appointment of the inspectors, principals, professors and secretaries.

24. An appeal may be had to the committee of the council of public instruction, which it concerns, from any decision or action of the superintendent of public instruction, or of any person discharging his duties by delegation or otherwise.

Appeal from the decisions of the superintendent to the committees.

25. All provisions in any act or law, inconsistent with this act, are repealed.

Repeal.

Act in force† **26.** This act shall come into force on the first day of February next.

C A P. X V I.

An Act to amend the Laws respecting Education in this Province, in so far as regards schools, in the city of Montreal.

[Assented to 24th December, 1875.]

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

\$25,000 yearly, for school houses;

1. The roman catholic school commissioners and the protestant school commissioners of the city of Montreal, notwithstanding any provision to the contrary contained in the thirty-fifth section of the act thirty-two Victoria, chapter sixteen, including therein the amounts which they are authorized to lay aside by the third section of the act thirty-fourth Victoria, chapter twelve, and of the second section of the act thirty-sixth Victoria, chapter thirty-three, may respectively lay aside a portion of these revenues not exceeding the sum of twenty-five thousand dollars per annum, to acquire real estate and to construct school houses in the said city.

Debentures.

And all the debentures which the said commissioners may hereafter issue, for the purpose of borrowing any sum of money for the purchase of land and the construction of school houses, in the said city, may be made redeemable within a period not to exceed thirty years next after the date of their issue and not afterward, and the said thirty-fifth section of the said chapter sixteen, of the act thirty-second Victoria, and the third section of the act thirty-four Victoria, chapter twelve, and the second section of the act thirty-sixth Victoria, chapter thirty-three, are in consequence hereby amended.

32 v., c. 16, s. 35, 34 v., c. 12 s. 3, and 36 v., c. 33, s. 2, amended.

Secretary and Treasurer; salaries.

2. The said roman catholic school commissioners and the said protestant school commissioners of the city of Montreal, may hereafter fix and determine the salary of their secretary-treasurer, notwithstanding any provision to the contrary; and they may also appoint a secretary and a treasurer separately and fix and determine their salary.