

CAP. XII.

An Act to amend and extend the law respecting Education in this Province.

[Assented to 24th December, 1870.]

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

Sec. 23 of Q.
32 V., c. 16
amended.

1. The twenty-third section of the act of this province, thirty-second Victoria, chapter sixteen, intituled: "An act to amend the law respecting Education in this Province," is amended in so far only as regards the amount to be paid by the corporation of the city of Montreal, for the support of schools in the said city; and hereafter the corporation of the city of Montreal shall pay for the support of schools in the said city, in lieu of a sum equal to three times the amount of the share of the government grant to the said schools of the said city, as provided in and by the said section, a sum equivalent to one-tenth of a cent in the dollar, on the total value of the real estate taxable for the purposes of the said schools in the said city.

Secs. 5, 6, 7
and 8 of 24 V.,
c. 67, not to
apply.

2. Sections five, six, seven and eight of the act twenty-fourth Victoria, chapter sixty-seven, which regulates the manner in which the council of the said city of Montreal, shall make each year the appropriations for the municipal expenditure of the said city, shall not apply to the special tax which the said corporation is authorized to levy for the support of the said schools.

School Com-
missioners
may set aside
moneys for a
certain purpose
notwithstand-
ing sec. 35 of
32 V., c. 16.

3. The said Roman Catholic and Protestant School Commissioners of the said city of Montreal, notwithstanding any provision to the contrary contained in the thirty-fifth section of the act thirty-second Victoria, chapter sixteen, may respectively set aside a portion of their revenues, not exceeding eight thousand dollars per annum, (including therein any proportion which they may have already set aside for such object,) for the purpose of acquiring real estate and constructing school houses in the said city; and all debentures which the said commissioners may hereafter issue to borrow any sum of money for the purchase of real estate and the construction of school houses in the said city may be made redeemable in the twenty years next after the date of their issue, and not afterwards; and the said thirty-fifth section of the said chapter sixteen of the said statutes is hereby in consequence amended.

Debentures
may be secured
on real estate
without regis-

4. It shall be lawful for the said commissioners to declare in and by the said bonds or debentures which they shall hereafter issue, that the same are secured by privilege

and hypothec on all the real estate then their property, and in the case in which such declaration shall have been made, the said *bons* or debentures shall be secured both as respects principal and interest on all the real estate then the property of the said commissioners, without the formality of registration in the registration office, articles 2084 and 2130 of the civil code to the contrary notwithstanding.

5. The following words: "A percentage not exceeding three per cent on the same sums received by them shall be allowed, not to exceed in all the annual sum of six hundred dollars," contained in the thirty-sixth section of the said chapter sixteen of the thirty-second Victoria hereinabove cited, are hereby repealed in so far as respects the said city of Montreal, and the following are substituted in their place and stead: "A salary not exceeding twelve hundred dollars per annum shall be allowed."

Sec. 36 of 32 V., c. 16 amended.

6. The secretary-treasurer of the school commissioners or trustees of dissentient schools, as the case may be, shall be bound to convene the annual meeting for the election of commissioners or trustees by public notice read and posted up, in the manner prescribed in and by the thirty-fourth section of chapter fifteen of the consolidated statutes for Lower Canada, and in the event of his neglecting to convene the same, he shall incur a penalty of not less than ten or more than fifty dollars, and all the provisions of the one hundred and twenty-first section of the said act shall apply to the said penalty; if there is no secretary-treasurer, or if he is absent from the municipality or incapable of acting, such section shall apply to the chairman of the school commissioners or trustees, and also in his absence to the senior commissioner or trustee.

Sec.-treasurer to convene meetings for election,

Penalty.

7. Every father, head of a family or tutor, who refuses to give to the secretary-treasurer, the information required for the census of the children prescribed by the seventy-first section of chapter fifteen of the said consolidated statutes, or who makes a false declaration, shall incur a penalty of not less than five or more than twenty-five dollars, and the provisions of the one hundred and twenty-sixth section of the said statute, shall apply to the said penalty.

Penalty for refusal to give information for census of children.

8. Sub-section two, of section thirty-four, of chapter fifteen of the consolidated statutes for Lower Canada, is amended, by striking out all the words after the word "commissioners," in the fourth line thereof, and by substituting the following words therefor: "the chairman of the school commissioners, or, in his absence, any one of the commissioners present who can read and write, chosen by the meeting, and, in their absence, any other person present who can read and write, chosen by the meeting, shall preside."

§ 2, of sec. 34, of C. S. L. C., c. 15, amended

9. Notwithstanding anything to the contrary contained in section twenty-nine of the act thirty-second Victoria,

Notwithstanding sec. 29, of 32 V., c. 16,

Jews may choose panel on which their property shall be inscribed.

chapter sixteen, any person belonging to the Jewish persuasion, and owning real estate in either of the cities of Quebec or Montreal, shall be entitled, upon his delivering to the city treasurer a request in writing to that effect, to have his real property inscribed, at his option, upon either of the panels, number one or number two, mentioned in the said section.

Declaratory provisions: Boards of School Commissioners, of Quebec and Montreal, are corporations.

And it is further declared and enacted as, follows :

10. The Roman Catholic and Protestant Boards of School Commissioners of the cities of Quebec and Montreal have always been and now are bodies politic and corporate, and as such have always enjoyed and now enjoy all the rights and privileges of corporations, under the respective names of "The Roman Catholic Board of School Commissioners of the city of Quebec or Montreal, (as the case may be,) and "The Protestant Board of School Commissioners of the city of Quebec or Montreal, (as the case may be.)"

Certain statement of the assessment board of Quebec declared valid as if made under 32 V., c. 16.

11. The statement made by the assessment board of the city of Quebec, and deposited in the office of the city treasurer of the said city, since the coming into force of the said act, thirty-second Victoria, chapter sixteen, shall be held to have been drawn up under the said act and within the time therein prescribed, and to have been and to be legal and valid to all intents and purposes whatsoever, and the said statement, anything contained in the said act to the contrary notwithstanding, shall be deemed to have applied and to apply unto the whole period of time from the coming into force of the said act until a new statement shall have been made, completed, placed in the office of the said city treasurer, and due notice thereof given according to law, and every such statement so hereafter to be made shall continue in force until a new statement has been made and completed according to law.

Statements to continue in force until new ones are made.

Sum payable by Quebec for schools is due irrespective of any tax.

12. From the time of the coming into force of the said act thirty-second Victoria, chapter sixteen, the sum payable by the corporation of the city of Quebec, for the support of the schools in the said city, under the said act, has been and continues to be payable by the said corporation, to the said Roman Catholic Board of School Commissioners of the city of Quebec and to the said Protestant Board of School Commissioners of the city of Quebec, wholly irrespective of the imposition or collection of any tax whatsoever by the said corporation.