

Application of penalties.

whole of such penalty or forfeiture shall belong to her majesty for the public uses of the province, unless the lieutenant-governor in council do, as he may if he sees fit, allow any portion thereof to the seizing officer or other person by whose information or aid the penalty or forfeiture has been recovered.

Appointments of officers prior to this act, and their duties, &c., to continue the same.

**63.** All commissions and appointments of revenue officers, issued or made before the passing of this act, whether before or after the Union, shall continue in force, unless and until revoked or altered by competent authority; and the nature of the duties and local extent of the powers of each office, shall, unless and until they be expressly altered, and so far as they are not inconsistent with any act of this legislature, remain the same as if granted or made under the authority of this act, subject always to the provisions and enactments thereof; and all bonds which have been given by such officers or persons, or their sureties, shall remain in full force and effect.

Con. stat. Can. c. 14 & 16 and 27 & 28 V. c. 6, partially repealed.

**64.** So much of chapters fourteen and sixteen of the consolidated statutes of the late province of Canada, or of chapter six of the acts of the legislature of the said province, passed in the session held in the twenty-seventh and twenty-eighth years of her majesty's reign, or of any other act or law in force in this province, as is inconsistent with this act or makes any provision in any matter provided for by this act other than such as is hereby made, is repealed, in so far as relates to matters subject to the control of this legislature.

Short title.

**65.** This act may be cited as "The Treasury Department Act."

## CAP. X.

An act respecting the office of Minister of Public Instruction.

[Assented to 24th February, 1868.]

Appointment of a minister of public instruction.

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The lieutenant-governor may appoint from time to time, under the great seal of the province, a Minister of Public Instruction, and all the provisions of this act shall apply to the minister of public instruction already appointed and actually in office.

His duties and functions.

The duties and functions of the minister of public instruction shall be:

**1.** All those now vested by law in the superintendent of education;

**2.** All those which shall be assigned him by his excellency the lieutenant-governor in council, respecting the formation or encouragement of art, literary or scientific associations, the establishment of libraries, museums or picture galleries by these associations, by the government or by public institutions

assisted by government, competitions, examinations, the distribution of diplomas, medals or other marks of distinction for attainment in literature, science or art, the distribution of all funds which may be placed at his disposal, by the legislature, for similar objects, and generally respecting everything which relates to the patronage and encouragement of science, letters and arts ;

3. To provide for the establishment of schools for adults and for the instruction of workmen and mechanics; and for this purpose the powers and duties of the commissioner of agriculture and of public works or part of these powers and duties in so far as regards the board of arts and manufactures and mechanics' institutes, may be, by the lieutenant-governor in council, transferred to the minister of public instruction ;

4. To collect and publish statistics and information concerning all educational institutions, public libraries, scientific and literary associations, and generally everything relating to literary and intellectual progress.

**2.** A secretary and an assistant secretary shall also be appointed to the office or department of public instruction, and all other officers who shall be required for the administration of the laws respecting public instruction ; and the nature of the functions and duties of all such officers shall be prescribed, from time to time, by the lieutenant-governor in council, and when it shall appear that certain duties and powers of the minister of public instruction cannot be fulfilled by him in person, these duties and powers may, by order in council, be assigned to the secretary, assistant secretary, or to any of the officers of the department or school inspectors ; and when such duties and powers shall have been so assigned, either by an order of a general nature, or for special cases, the signature of such functionary to whom these powers shall have been assigned, shall be with regard to such matters equivalent to that of the minister of public instruction ; but every such deputed functionary shall be held to act in conformity with the instructions and under the direction of the minister of public instruction ; and mention of such delegation in every document signed or certified by the minister of public instruction or by the secretary or assistant secretary of the department of public instruction, shall be sufficient evidence of the fact before any court of justice, till proof to the contrary.

Appointment of a secretary and an assistant secretary ; their functions and duties.

**3.** The signature of the minister of public instruction, or that of the secretary or assistant secretary of the department of public instruction, shall be proof before any court of justice, of every document certified by them to be conformable to the original, and every document certified by them to be conformable to the original shall be deemed to be so, and every document purporting to bear their signature, shall be deemed to do so till proof to the contrary be made.

Proof of documents signed or purporting to be signed by min. of pub. inst. or his secretaries.

**4.** The minister of public instruction shall be a member of the executive council, and eligible to the legislative assembly,

Min. of pub. inst. shall be a mem-

ber of the executive, and may fill other offices.

B. N. A. acts. 134.

When there is no min. of pub. inst. there shall be a superintendent of education.

Titles of secretaries in such case; and who shall do the duties of min. of pub. inst.

Min. of pub. inst. need not give security; other officers may be required to.

C. S. L. C. c. 15, s. 23 partly repealed.

or though receiving a salary may be summoned to the legislative council, and he may also fill at the same time any of the offices designated in section one hundred and thirty-four of The British North America Act, 1867; and whenever it shall not be deemed expedient to appoint a minister of public instruction, the lieutenant-governor in council may appoint a superintendent of education, who shall have all the divers powers and duties by law assigned to and imposed on the superintendent of education; and the secretary and assistant secretary of the department of public instruction, shall then be styled secretary and assistant secretary of the bureau of education; and the lieutenant-governor in council may order that the superintendent of education shall have all the powers and duties, or part of the powers and duties, mentioned in sub-sections two, three and four, of section one of this act, or order that these powers, duties and functions, shall be vested in the provincial secretary, or in some other member of the executive council.

5. The minister of public instruction shall not be bound to give security, and that part of section twenty-three of chapter fifteen of the consolidated statutes, relating to the security to be given by the superintendent of education, is repealed; and the superintendent of education, when there is one, and the secretary and assistant secretary of the department of public instruction or bureau of education, and all other officers of the said department or bureau, who shall be in any manner charged with the accounts of the said department or bureau, shall give such security, as the lieutenant-governor in council may require of them.

## C A P. X I.

An act respecting the Department of the Secretary and Registrar of this Province.

[Assented to 24th February, 1868.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Powers and duties of secretary.

1. The powers, duties and functions of the secretary and registrar of this province are as follows:

1. He has all the powers, duties and functions which were assigned, by law or custom, to the secretary and the registrar of the late province of Canada, in so far as is consistent, with the division of powers established between the governments of the dominion of Canada and of this province, by The British North America Act, 1867; and he shall also have all such powers, duties and functions, as may from time to time be assigned to him by law, or by order of the lieutenant-