

actual population of such School Municipality at the time, according to the best evidence he shall be able to procure, whenever he shall be of opinion that the said census would not be a fair basis of apportionment.

XV. Whenever any School Commissioner, Trustee, or Secretary-Treasurer, after his dismissal, resignation or ceasing to hold office, shall detain any book, paper or thing belonging to the School Commissioners or Trustees of any Municipality, he shall thereby incur a penalty of not less than five dollars nor more than five pounds for each day during which he shall retain possession of any such book, paper or thing after having received a notice from the Superintendent of Schools requiring him to deposit the same in the hands of some person mentioned in such notice; and the said penalty shall be recoverable with costs before any Court of competent civil jurisdiction, in the name of the Superintendent of Schools, and the same when levied shall be paid into the hands of the said Superintendent, and shall form part of the unexpended balance of the Common School grant, and be dealt with accordingly.

Penalties on persons retaining books, &c., from School Commissioners.
How recovered and applied.

XVI. And inasmuch as it will be conducive to the furtherance of Education in Lower Canada to establish therein a Council of Public Instruction,—the Governor shall have authority to appoint not more than fifteen and not less than eleven persons (of whom the Superintendent of Schools for Lower Canada shall be one) to be a Council of Public Instruction for Lower Canada, and such persons shall hold their office during pleasure, and shall be subject to all lawful orders and directions in the exercise of their duties, which shall from time to time be issued by the Governor in Council.

Council for Public Instruction for Lower Canada.

XVII. The Superintendent of Schools shall provide a place for the meetings of the Council of Public Instruction, shall call the first meeting thereof, and may call a special meeting at any time by giving due notice to the other Members; the expenses attending the proceedings of the said Council shall be defrayed and accounted for by the Superintendent of Schools as part of the contingent expenses of the Education Office; a Recording Clerk to the said Council shall be appointed by the Governor in Council, and such Clerk shall enter all its proceedings in a book to be kept for that purpose, and shall, as may be directed, procure the requisite maps, books and stationery, and shall keep all the accounts of the said Council.

Place of meeting and expenses.
Recording Clerk: his duties.

XVIII. Five members of the said Council at any lawful meeting thereof, shall form a quorum for the transaction of business; and it shall be the duty of the said Council,—

Quorum.
Duties of Council.

1. To appoint one of its members to be Chairman thereof, and with the approval of the Governor in Council to establish the time of its meetings and its mode of proceeding; the Chairman shall

Appointment of Chairman.