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No. 179.

3rd Session, 6th Parliament, 23 Victoria, 1860.

BILL.

An Act to amend Chapter Thirty-two of
the Consolidated Statutes of Canada, on
the subject of Agriculture.

Received and read, first time, Tuesday, 17th
April, 1860.

Second reading, Thursday, 19th April, 1860.

Mr. CAMPBELL.

QUEBEC:

PRINTED BY THOMPSON & CO., ST. URSULE STREET.

An Act to amend chapter Thirty-two of the Consolidated Statutes of Canada, on the subject of Agriculture.

IN amendment of Chapter thirty-two of the Consolidated Statutes of Canada, intituled "An Act respecting the Bureau of Agriculture and Agricultural Societies ;—Her Majesty, &c., enacts as follows :

Preamble.

1 The ninth, tenth, eleventh and twelfth sections of the said Act are
5 hereby repealed, and the following substituted for them :

Certain sections repealed.

2. The Legislative Grant for the encouragement of Agriculture shall
be eight hundred dollars for each Electoral Division comprising an entire
County; four hundred dollars for each Electoral Division comprising part
of a County, with a Town or City, or Town and City alone, and one
10 thousand dollars for each County named in sections fifty-eight and eighty-
four of the said Act; and five per cent. of the whole sum applicable to
Agricultural Societies, in either Upper or Lower Canada, shall be ap-
plied in the same section of the Province, under the authority of the
Board of Agriculture, for towards the promotion of Agricultural Instruc-
15 tion and information.

Legislative Grant.

3. All Professors of Agriculture in incorporated Colleges, Universi-
ties, or other Public Educational Institutions, shall be honorary mem-
bers, and the Chief Superintendents of Education in Upper and Lower
Canada shall be *ex officio* members of the Board of Agriculture for that
20 section of the Province in which they reside.

Honorary and *ex-officio* members of Boards of Agriculture.

4. Six Members of each Board shall retire annually and cease to be
Members thereof unless re-elected, each seat being vacated every alternate
year; but retiring Members may continue to exercise all their
functions until their successors have been duly elected, as hereinafter
25 provided, and the names of the retiring Members shall be published in
the Agricultural Journals of the section of the Province in which they
reside.

Retirement of members of the Boards.

5. Upper and Lower Canada shall each be divided into twelve Agri-
cultural Districts, designated by number as in Schedules A and B annexed
30 to this Act, and each comprising the Counties also designated in said
Schedules.

Agricultural Districts.

2. The County, Electoral Division, and Township Agricultural Soci-
eties in each District shall, at their Annual Meetings, nominate and
elect one person to be a Member of the Board of Agriculture of the
35 same section of the Province, and the Secretary of each Society shall,
within eight days after such election, forward to the Minister of Agri-
culture the name of the person chosen by such Society.

Election of members of the said Boards by such Districts.

3. In case of an equality of votes by the said Societies for two or
more persons, the Minister of Agriculture shall decide who shall be
40 Member, and he shall cause the person so elected, and the Board to
which he is elected, to be immediately notified of the result.

Equality of votes.

- Vacancies. 4. Vacancies in either Board happening at any time through death, resignation, or otherwise, may be filled up by the Minister of Agriculture.
- First Elections. 6. The first election shall take place at the Annual Meetings in January, 1861, when six Districts, to be named by the present Board, in each section of the Province, shall each elect a Member to replace the four Members then retiring from the said Boards respectively. The other six Districts in each section of the Province, shall each elect a Member at the Annual Meeting in January, 1862, to replace the remaining four members whose term of service will then expire.
- Section amended. 7. After the word "appoint," in the 5th line of Section of the said Act, the words "a Secretary-Treasurer, or a Secretary and a Treasurer, and may pay a reasonable salary for such services," shall be added.
- Section amended. 8. After the words "adoption thereof," in the Section of the said Act, the following words be added: "and at the commencement of each year a detailed statement of receipts and disbursements made up to the 31st December of the previous year."
- Annual Fairs. 9. Each of said Boards shall hold a Fair or Exhibition, open to competitors from any part of the Province.
2. Such Fair or Exhibition shall be held annually in Upper Canada, and annually or biennially in Lower Canada.
3. The Boards of Agriculture may hold the said Fairs or Exhibitions jointly with the Boards of Arts and Manufactures or otherwise, and they may appoint a Local Committee at the place where such Fair or Exhibition is appointed to be held, and prescribe the powers and duties of the said Committee.
- Certain Sections repealed. 10. Sections thirty-four, thirty-five, thirty-six, thirty-seven and thirty-eight of the said Act, Chapter thirty-two of the Consolidated Statutes of Canada, shall be and are hereby repealed.
- Section 48 amended. 11. The word "fourth" shall be substituted for "third" in the second line of the Forty-eighth section of the said Act, and the following sub-section shall be added to the said Section:—"In case of a vacancy happening through death, resignation or otherwise, it may be filled by the Board of Directors."
- Section 49 amended. 12. All the words after "Societies" in the second line of the Forty-ninth Section of the said Act, to the word "President" in the fifth line, and all the words from "Provided" in the seventh line, to "Societies" in the ninth line of the said Section shall be repealed.
- Section 50 amended. 13. The words "to and" at the end of second line of the fiftieth Section of the said Act are hereby repealed.
- Section 58 amended. 14. After the word "has" in the sixth line of the fifty-eighth Section of the said Act, "on or before 1st July of the then current year," shall be added.
- Section 76 repealed. 15. Section seventy-six of the said Act is hereby repealed.
- Section 79 amended. 16. The words "and a Report of such Election signed by the President of the meeting, shall be forthwith sent to the Board of Agriculture, and no person shall be entitled to vote at such Election until he

has paid his subscription for the current year," shall be added to second sub-Section of the seventy-ninth Section of the said Act. And the third sub-Section of the said Section is repealed, and the following substituted, "in case of a vacancy happening through death, resignation or otherwise, it may be filled by the Board of Directors."

17. The words "Vice-President" in the first line of the eighty-fourth Section of the said Act be repealed, and after the word "has" in the sixth line, the words "on or before the 1st of July of the then current year," shall be inserted.

Section 84,
amended.

18. After the words "Dollars" in the fifth line of the proviso, to the Eighty-Fourth Section of the said Act, the words "except that the Counties of Bonaventure, Gaspé, Lotbinière, Montmorenci, Portneuf, Champlain, Nicolet, Yamaska and Verchères, shall be entitled to receive a sum not exceeding one thousand dollars on the conditions aforesaid" shall be added.

Section 84
further
amended.

19. The following proviso shall be added to the Twenty-First section of the said Act:—

Proviso add-
ed to Section
21.

"Provided always, that no property shall be sold or otherwise alienated unless by authority of the Board, granted for that purpose, at a meeting held after special notice shall have been given of the business to be transacted, and by a vote at least of two-thirds of the members present at such meeting."

20. The following section shall be substituted for the Twenty-Second section of the said Act, which is hereby repealed:—

Section 22
repealed

"The said Corporations shall respectively be composed of the Minister of Agriculture for the time being, [who shall be *ex officio* a member of each] the Professors and Lecturers on the various branches of physical science in the Chartered Universities and Colleges affiliated with Universities in Upper and Lower Canada respectively—the chief Superintendents of Education in Upper and Lower Canada respectively for the time being *ex officio*—the principal or staff officers of the Provincial Geological Survey in that section of the Province in which they may be respectively residents—the Presidents for the time being of and one delegate from each of the Boards of Trade—and the Presidents of and Delegates of each incorporated Mechanics' Institute, or of any incorporated Arts Associations, qualified as hereinafter mentioned, in Upper and Lower Canada respectively—such delegates to be chosen annually, as hereinafter provided; and any of the Faculty of any Institution of learning, of collegiate rank, composed at least of five professors or lecturers, one of whom shall be a professor or lecturer upon physical science,—may in the month of December in each year elect one of such professors or lecturers to represent such College or Faculty upon such Board, and the President or Principal of such College or Faculty shall certify to the Board the name of the Professor or Lecturer so appointed."

New Section
substituted.

21. Sections Twenty-three and Twenty-four of the said Act are hereby repealed, and the following sections substituted therefor:—

Sections 23
and 24 re-
pealed.

"The Board of Trade in each City and Town in Upper and Lower Canada respectively, shall, at its last meeting in each and every year, elect and accredit to the Board of Arts and Manufactures for Upper or Lower Canada, (according as its place of meeting is in Upper or Lower Canada) one of its body as a member thereof."

New Section.

Section 25
repealed.

New Section
substituted.

22. Section Twenty-five of the said Act is hereby repealed, and the following section substituted therefor:—

“Each Incorporated Mechanics’ Institute in Upper and Lower Canada respectively, shall, at its last meeting in each and every year, elect and accredit to the Board of Arts and Manufactures in Upper or Lower Canada, one delegate for every twenty members on its roll, being actual working mechanics or manufacturers, and having paid a subscription of at least five shillings to its funds for the year then last past; and each incorporated Arts Association in Upper or Lower Canada respectively expending not less than one-half of its annual income in the promotion of the fine or industrial arts in Canada, shall, at its last meeting in each year, elect and accredit to the Board of Arts and Manufactures for Upper or Lower Canada one delegate for every thirty members on its roll, each having paid a subscription of at least two dollars to its funds for the year then last past; but no Institute or Association shall be entitled to send more than fifteen delegates to either of the said Boards; and in case of a vacancy occurring in the representation of any Mechanics’ Institute, Board of Trade or Arts Association, entitled to send delegates to either of the said Boards, such Institute, Board or Association may, at its first meeting thereafter, elect a delegate or delegates to fill such vacancy.”

Section 26 re-
pealed.

23. Section Twenty-six of the said Act, being rendered unnecessary by other amendments, is hereby repealed.

Section 27 re-
pealed.

New Section
substituted.

24. Section Twenty-seven of the said Act is hereby repealed and the following section substituted therefor:—

“The names of the delegates so to be elected, together with the names of the Presidents of such Mechanics’ Institutes, Boards of Trade and Arts Associations, as aforesaid, shall be forthwith transmitted by the Secretary of the Board or Institute electing them to the Secretary of the Board to which they are elected, who shall thereupon inscribe their names upon the roll of the members of the said Board, for the year about to commence.

2nd. With the names of the delegates when transmitted by the Secretary of a Mechanics’ Institute or Arts Association, there shall be transmitted a statement, under the corporate seal of such Institute or Association and verified by the written declaration of the secretary transmitting the same, of the names of all the members on the roll of such Mechanics’ Institute who are working mechanics or manufacturers, who have paid subscriptions of at least one dollar each annually to the funds of such Institute, and the names of all the members on the roll of each such Art Association having paid annual subscriptions of at least two dollars each to the funds of such Association.

4th. If it appears by the said statement that any Mechanics’ Institute or Arts Association has elected too many delegates, then the Secretary of the Board shall abstain from recording any of the names of the delegates of such Institute or Association, and shall submit the matter to the Board at its first meeting, and the said Board may, if they see fit, adjudge that such Mechanics’ Institute shall not be entitled to any delegate for the year then next, or may decide by vote or ballot which delegate or delegates shall be rejected; and in this latter case the names of the remaining delegate or delegates shall be forthwith inscribed on the roll of members.

4th. The wilful making of any false statement or declaration required or authorized by this Act shall be a misdemeanor, punishable by fine, in the discretion of the Court.”

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25. The first paragraph of section twenty-eight of the said Act is hereby repealed, and the following section substituted therefor:—

Part of Section 28 repealed.

“The said Boards of Arts and Manufactures, shall meet at the cities of Toronto and Montreal, respectively, twice in every year, that is to say, on the last Tuesday in the months of January and July, if such Tuesday be not a holiday; but if it be a holiday, the meeting shall take place the next day there after, not being a holiday;”

New paragraph substituted.

And sub-section 2 of the said Section is amended, by striking out the word “quarterly” in the last line.

26. The word “regular” shall be substituted for the word “quarterly,” in the first line of section 29, and the word “Council” be substituted for the words “sub-committee,” in the fifth line. Sub-section 2 of the said section, is hereby repealed, and the following substituted therefor:—“The President and Vice-President shall be *ex officio* members of such Council, and the Secretary and Treasurer shall be *ex officio* members of such Council, when elected or appointed from among the members of the Board, and not receiving any salary for their services: and a majority of the members of such Council shall be a quorum for the transaction of business,”

Section 29 amended.

And the following Proviso shall be added to the said sub-section:—“Provided always, that the said Boards, or either of them, may at any time, if they shall see fit so to do, by a By-law for that purpose, appoint some fit and proper person, whether a member of such Board or not, to be the Secretary of said Board, at such salary, and upon such terms as to the said Boards, or either of them, may seem proper, and may remove such Secretary, from time to time, and may appoint another in his stead and place; and the said Boards, or either of them, may, in their discretion, require the said Secretary, so to be appointed as aforesaid, to discharge the duties of Treasurer for the said Board, in addition to the duties pertaining to the office of Secretary, and the Secretary and Treasurer of the said Boards, or either of them, shall be *ex officio* members of the Council, if chosen from among the Board, and not receiving any salary for services.”

In sub-section 3 of the said section, the word “quarterly” in the fourth line, shall be repealed, and the word “regular” substituted.

27. The words “for women” in the fourth line of the 1st sub-section of section 31, shall be repealed, and in the third sub-section of the said section, the word “Mechanical,” before “Arts,” in the third line, shall be repealed,—And the following words added at the end of the said subsection, “in such manner and place, as the said Boards may, from time to time direct.”

Section 31 amended.

28. All Mechanics’ Institutes and Arts Associations receiving grant of money from the Government, shall be placed under the general supervision of the Boards of Arts and Manufactures for Upper and Lower Canada, respectively, in like manner as the County Agricultural Societies are placed under the supervision of the Boards of Agriculture; and the said Boards shall receive from the Government, and pay over to the respective Mechanics’ Institutes and Arts Associations, any grants of money to which they may be entitled: And it shall be lawful for each Board to retain, for the use of the “Provincial Exhibition” Association, and pay over to the Treasurer thereof, one-tenth part of all such grants; and no Mechanics’ Institutes or Arts Associations in Upper or Lower Canada shall be entitled to receive any grant of money from the Government, unless such Institute or Association has become incorporated under the general “Act for the Incorporation and better management

Boards of Arts and Manufactures to have supervision over Mechanics’ Institutes, &c.

of Library Associations and Mechanics' Institutes, 14 and 15 Victoria, cap. 86," or by a special Act of incorporation; nor unless such Institute or Association shall have transmitted to the respective Boards of Arts and Manufactures for Upper and Lower Canada, a properly certified copy of its annual Report for the past year: And it shall be the duty of the respective Boards of Arts and Manufactures to send Agents to visit each incorporated Mechanics' Institute and Arts Association in Upper and Lower Canada, respectively, whose duty it shall be to ascertain and report on the progress each Institute or Association is making in carrying out the objects for which the grants from the Government are made; and no Association or Institute shall be called a Mechanics' Institute within the meaning and provision of this Act, unless it shall have at least twenty members enrolled as working mechanics or manufacturers, and paying a subscription of at least five shillings each per annum to its funds: And it shall be lawful for the Boards of Arts and Manufactures for Upper and Lower Canada, respectively, by resolutions of such Boards or the Councils thereof, to unite for the purpose of holding one Exhibition of the products of Canadian industry, under the joint direction of the Councils of the two Boards; and nothing herein contained shall prevent the said Boards, or either of them, from holding Exhibitions of the products of Arts and Manufactures in Canada, apart from the annual Exhibitions of the products of Agricultural industry, held under the auspices of the Agricultural Associations in each year.

Mechanics' Branch of certain Institutes, &c.

29. There may be formed in connection with any Rural Institute, or any Literary or Benevolent Association, a Mechanics' branch thereof, by twenty members thereof or any greater number, who shall be working mechanics or manufacturers, and who shall subscribe at least one dollar each annually to a fund specially devoted to maintain a reading-room, library, lectures or classes adapted to the instruction of artizans or manufacturers: And such Mechanics' branch of such Institute or Association, may affiliate themselves with the Board of Arts in that portion of the Province in which such Institute or Association is formed, and elect a delegate or delegates to represent it therein, in the same manner as a Mechanics' Institute may do: Provided always, that together with the certificate of the election of such delegate or delegates, and the list of members election, there is produced a statement or declaration from the proper officer, that the special fund has been altogether devoted to one or more of the objects above-named; And provided further, that the President of any such Institute or Association shall not be entitled to be a member *ex-officio* of said Board, by reason of the application of such branch.

Unions of Institutes for Electoral Districts.

30. There may be formed, with the assent of the Board of Arts and Manufactures for either Upper or Lower Canada, at any city or town designated by such Board, a union of Institutes, to include all Institutes existing or to be formed at places within such electoral or other districts, and to be governed by such officers appointed or elected under such By-laws as may be formed by such Boards, or either of them, for the better regulation and government of such unions of Institutes: And such unions may affiliate themselves to the one or other of such Boards, in like manner and upon the same basis as single Institutes may do; and the Boards of Arts and Manufactures, or either of them, may delegate to such unions, or any of them, such powers with respect to the regulation of classes, the delivery of lectures, the formation of Museums and schools of design, and of free libraries, and the expenditure of moneys granted to such Boards for these purposes, as such Boards or either of them, may from time to time determine, by By-laws or resolutions in that behalf.

SCHEDULE A.

The Agricultural Districts in Upper Canada shall consist of the following Counties respectively :

- No. 1. Essex, Kent, Lambton and Elgin.
- “ 2. Middlesex, Perth and Huron.
- “ 3. Oxford, Waterloo, Brant and Norfolk.
- “ 4. Haldimand, Lincoln, Wentworth and Welland.
- “ 5. Wellington, Halton and Peel.
- “ 6. Bruce, Grey and Simcoe.
- “ 7. York and Ontario.
- “ 8. Durham, Northumberland, Victoria and Peterboro’.
- “ 9. Hastings, Prince Edward, Lennox and Addington.
- “ 10. Frontenac, Renfrew, Lanark and Leeds.
- “ 11. Carlton, Grenville and Dundas.
- “ 12. Stormont, Russell, Prescott and Glengary.

SCHEDULE B.

The Agricultural Districts in Lower Canada shall consist of the following Counties respectively :—

- 1st. Saguenay, Chicoutimi and Charlevoix.
- 2nd. Montmorenci, Quebec, Portneuf, Champlain and City of Quebec.
- 3rd. Saint Maurice, Maskinongé, Berthier, Joliette, Montcalm, Assomption and Town of Three Rivers.
- 4th. Terrebonne, Hochelaga, Jacques Cartier, Laval, Vaudreuil, Soulanges and Two Mountains
- 5th. Argenteuil, Ottawa and Pontiac.
- 6th. Huntingdon, Beauharnois, Laprairie, Napierville, St. Jean, Iberville and Chambly.
- 7th. Vercheres, Rouville, Richelieu, St. Hyacinthe and Bagot.
- 8th. Yamaska, Nicolet, Drummond, Arthabaska, Richmond and Wolfe.
- 9th. Brome, Stanstead, Shefford, Sherbrooke, Compton and Missisquoi.
- 10th. Levis, Dorchester, Beauce, Bellechasse, Megantic and Lotbinière.
- 11th. Montmagny, L’Islet, Kamouraska and Temiscouata.
- 12th. Rimouski, Gaspé and Bonaventure.