

**"1786.** The Minister of Agriculture shall have charge Carrying out of act.  
of the carrying out of this act."

**2.** This act shall come into force on the day of its Coming into force.  
sanction.

## CHAP. 34

An Act to amend the Revised Statutes, 1909, respecting  
the manufacture of dairy products

*[Assented to, the 3rd of April, 1925]*

**HIS MAJESTY**, with the advice and consent of the  
Legislative Council and of the Legislative Assembly  
of Quebec, enacts as follows:

**1.** Article 2031c of the Revised Statutes, 1909, as enact- R. S., 2031c,  
ed by the act 1 George V (1910), chapter 16, section 1, is repealed.  
repealed.

**2.** Article 2031d of the Revised Statutes, 1909, as en- R. S., 2031d,  
acted by the act 1 George V (1910), chapter 16, section 1, replaced.  
and amended by the acts 7 George V, chapter 24, section  
2; 10 George V, chapter 26, section 2, and 11 George V,  
chapter 37, section 7, is replaced by the following:

**"2031d.** No person, society, company or corporation Prohibition  
shall carry on a butter factory, or cheese factory, or fac- to carry on  
tory for the manufacture of condensed or powdered milk, certain  
without having previously obtained from the Minister of business  
Agriculture permission to carry on such business, and such without per-  
permission shall not be granted except on a report pro- mission.  
duced and signed by the inspector-general of butter and  
cheese factories, or one of the sub-inspectors-general.

The applicant may appeal from the decision of the Min- Appeal.  
ister to the Lieutenant-Governor in Council, whose deci-  
sion shall be final."

**3.** Article 2031f of the Revised Statutes, 1909, as enact- R. S., 2031f,  
ed by the act 1 George V (1910), chapter 16, section 1, am.  
and as amended by the act 10 George V, chapter 26, sec-  
tion 3, and as replaced by the act 11 George V, chapter 37,  
section 9, is amended:

*a.* By striking out the words: "from and after the 1st  
of January, 1924", in the sixth and seventh lines of the  
first paragraph thereof;

b. By adding thereto, after the fourth paragraph thereof, the following paragraph:

Head butter  
or cheese  
maker.

"No one may act as head butter or cheese maker in any factory, whose proprietor, manager or operator has not complied with the requirements of article 2031*d*."

R. S., 2031*p*,  
replaced.

**4.** Article 2031*p* of the Revised Statutes, 1909, as enacted by the act 5 George V, chapter 31, section 10, and amended by the acts 10 George V, chapter 26, section 5, and 11 George V, chapter 37, section 14, is replaced by the following articles:

Penalty for  
infringement.

"**2031*p*.** Every person infringing any of the provisions of this section or of any regulation adopted under any act respecting dairy products and their manufacture shall be liable, for each offence, to a fine of not more than one hundred dollars and costs, and, in default of payment in full of such fine and costs, to imprisonment for not more than forty days.

Suits for re-  
covery of  
fine.

"**2031*pa*.** Any suit or action for the recovery of such fine may, at the option of the plaintiff, be instituted before the Circuit Court or the Magistrate's Court, or before a justice of the peace or a magistrate. Such suit or action may be taken by any person of the age of majority, in his own name.

Provisions  
applicable  
before jus-  
tice of peace  
or magis-  
trate.

"**2031*pb*.** If the suit or action be instituted before a justice of the peace or a magistrate, the provisions of Part 1 of the Quebec Summary Convictions Act shall alone be applicable.

Id., before  
the Circuit  
or Magis-  
trate's  
Court.

"**2031*pc*.** Whenever the suit or action is instituted before the Circuit Court or the Magistrate's Court, it shall be governed by the procedure established, for actions intervening between lessor and lessee, under articles 1150 to 1162 of the Code of Civil Procedure; and, if the fine imposed exceeds the sum of forty dollars, the judgment which imposed it shall be executory against the immoveables of the defendant, in default of sufficient moveable property, and the articles of the Code of Civil Procedure which govern the execution of judgments rendered by the Circuit Court shall be applicable.

Coercive im-  
prisonment.

"**2031*pd*.** Whenever coercive imprisonment is exercised before the Circuit Court or the Magistrate's Court it shall be granted by one of the judges of the Superior Court or of the Circuit Court, or by the magistrate, or by the clerk of the Circuit Court or of the Magistrate's Court, upon summary petition alleging that the defendant has

not paid the fine and costs of suit in full. It shall not be necessary to give notice to the defendant of such petition.

**"2031<sup>pe</sup>**. If the proprietor of the factory where the offence was committed is a society, company or corporation, the president of the society, company or corporation, or, if the office of president is vacant, the manager of the factory, may be prosecuted and shall be personally liable for the fines and penalties which may be imposed for any infraction of this section, even if such infraction has been committed by some other person and it cannot be proved that the latter acted under and according to the orders of the president or manager. Persons liable for fines, etc.

The judgment rendered against the president or the manager upon suit brought for such infraction may be executed on the moveables or on the moveable and immovable property of the society, company or corporation, as the case may be, according to law, and the president or manager sentenced by such judgment shall be liable to the imprisonment hereinabove enacted in default of payment of the fine and costs." Execution of judgment.

**5.** This act shall come into force on the day of its sanction. Coming into force.

## C H A P. 35

An Act to amend the Revised Statutes, 1909, respecting  
the basis of payment for milk and cream in dairy  
product factories

[Assented to, the 3rd of April, 1925]

**H**IS MAJESTY, with the advice and consent of the  
Legislative Council and of the Legislative Assembly  
of Quebec, enacts as follows:

**1.** Article 2031<sup>aa</sup> of the Revised Statutes, 1909, as R.S., 2031<sup>aa</sup>, enacted by the act 11 George V, chapter 40, section 1, is replaced by the following articles:

**"2031<sup>aa</sup>**. Every person committing an offence under any provision of this section or under any regulation made thereunder shall be liable, for each offence, to a fine of not less than five dollars nor more than one hundred dollars and costs, and, on failure to pay in full such fine and costs, to imprisonment for not more than forty days. Penalties.