

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

“**2031pe.** 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]

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

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

“**2031aa.** 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.

Institution
of suits.

"2031ab. 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.

"2031ac. 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.

"2031ad. 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
imprison-
ment.

"2031ae. 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.

If the prop-
rietor of the
factory is a
company,
etc.

"2031af. 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.

Execution
of judgment.

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.”

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

C H A P. 36

An Act to amend the act respecting the Roads Department

[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. Section 23 of the act 13 George V, chapter 34, is replaced by the following: 13 Geo. V,
c. 34, s. 23,
replaced.

“**23.** If a municipal corporation which has passed a resolution under section 22 of this act or under section 21 of the act 3 George V, chapter 21, takes under its charge the roads of the municipality which it governs, it shall by the by-law, adopted for the purpose, enact and subsequently put into operation the necessary measures to indemnify the ratepayers who have already paid or are now paying and shall continue to pay during a fixed term the taxes and assessments under the above mentioned resolutions.” Enactments
by municip-
ality res-
pecting
roads.

2. Section 31 of the said act is amended: 13 Geo. V,
c. 34, s. 31,
am.

a. By replacing the word: “three”, in the thirteenth line thereof, by the word: “two”;

b. By replacing the word: “three”, in the fifteenth line thereof, by the word: “two”.

3. Section 32 of the said act is amended: 13 Geo. V,
c. 34, s. 32,
am.

a. By replacing the word: “three”, in the thirteenth line thereof, by the word: “two”;

b. By replacing the word: “three”, in the sixteenth line thereof, by the word: “two”.

4. Section 95 of the said act is amended by replacing the word: “three”, in the fourth line thereof, by the word: “two”. 13 Geo. V,
c. 34, s. 95,
am.

5. Section 37 of the said act is replaced by the following: 13 Geo. V,
c. 34, s. 37,
replaced.

“**37.** If a municipal corporation which has passed a by- When a cor-