

“2214b. For each mine whose working requires under-Plan of under-ground works, the mine operator must transmit to the derground Minister of Colonization, Mines and Fisheries, on or works trans-mitted to before the first day of February of each year, a complete the Minis-ter of Colo- and accurate plan, drawn up upon a scale approved of by nization, the Minister, or a certified copy of such plan, of all the Mines and underground works existing on the thirty-first day of Fisheries. December of the preceding year.

In the event of suspension of work in a mine for a pe-Id., on ces-riod of at least one month, the mine operator or his sation of the representative must forward to the Minister, within a work. delay of two months, a certified copy of the plans of the underground works existing at the date of cessation of the work.

All plans and surveys so furnished to the Minister shall Plans, etc., be considered as confidential information for the exclusive are confi- use of the inspectors of mines, except with the written dential in- permission of the mine operator or his representative.” formation.

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

C H A P. 36

An Act to assist the development of the fisheries of the Province

[Assented to, the 29th of December, 1922]

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

1. The Revised Statutes, 1909, are amended by in-R. S., 2308a.serting therein, after section tenth of chapter eighth of title to 2308ll, fourth, the following section and articles: added.

“SECTION XA

“§ 1.—*Declaratory provisions.*

“**2308a.** This section may be cited as “Maritime Short title. Fisheries Bureau Act”.

“§ 2.—*Maritime Fisheries Bureau*

“**2308b.** There shall be established in the Department Establish-

ment of Bureau. of Colonization, Mines and Fisheries, a branch under the name of Maritime Fisheries Bureau.

Superintendent; other officers. **"2308c.** The Lieutenant-Governor in Council shall appoint an officer called Superintendent of Maritime Fisheries and the other officers and employees composing the Maritime Fisheries Bureau.

Duty of Superintendent to carry out act. **"2308d.** The duty of the Superintendent of the Maritime Fisheries Bureau shall be to carry out the Maritime Fisheries Bureau Act under the control of the Minister of Colonization, Mines and Fisheries.

General duties of Superintendent of Maritime Fisheries. **"2308e.** Under the control and direction of the Minister of Colonization, Mines and Fisheries, the Superintendent of Maritime Fisheries shall have the following duties, apart from those which may be attributed to him, from time to time, by the Minister of Colonization, Mines and Fisheries, namely:

a. To see to the creation of fishermen's co-operative associations, their organization and operation;

b. To supervise the preparation and inspection of fish;

c. To see to the proper working, in so far as the fisheries of this Province are concerned, of the cold storage plants subsidised by the Government;

d. To keep statistics respecting the maritime fisheries of the Province;

e. To furnish fishermen and fishermen's co-operative associations with all the necessary information for preparing, keeping, transporting and placing of fish on the markets;

f. To co-operate with the Department of Marine and Fisheries of Canada.

§ 3 — *Sending of pupils abroad and assistance towards construction of cold storage plants.*

Authorization for certain expenditures: **"2308f.** The Lieutenant-Governor in Council may authorize the Provincial Treasurer to place yearly at the disposal of the Minister of Colonization, Mines and Fisheries, the sum of forty thousand dollars for a period of ten years, for the following objects:

For the construction etc., in the city of Quebec of a cold storage plant; 1. To aid, to the extent determined by the Lieutenant-Governor in Council, in the construction and maintenance in the city of Quebec of a cold storage plant to receive fish from the maritime fisheries of the Province; such plant shall have a capacity of at least three hundred thousand pounds, and be provided with the most suitable appliances to secure the conservation of the fish and be built ac-

ording to plans approved by the Lieutenant-Governor in Council;

2. To aid, to the extent determined by the Lieutenant-Governor in Council, in the construction and maintenance of cold storage plants in one or more places on the North Shore, on the South Shore, and the Magdalen Islands, of the capacity, according to the plans and supplied with the appliances determined by the Lieutenant-Governor in Council;

3. To aid, to the extent determined by the Lieutenant-Governor in Council, in building and maintaining one or more cold storage plants on the ships used to convey the products from the maritime fisheries of the Province;

4. To pay the expenses of a number of pupils, not to exceed three, who will go abroad, to learn the most modern methods of fishing, preparing and conserving fish; such pupils shall be selected by the Lieutenant-Governor in Council;

5. To aid in the building and maintaining of one or more plants for the canning of fish.

“§ 4.—*Piscicultural establishments.*

“**2308g.** The Lieutenant-Governor in Council may authorize the Minister of Colonization, Mines and Fisheries to establish, at the places best suited for the purpose, piscicultural establishments built according to the plans and at such cost as he may determine. The cost of building, organizing and maintaining such establishments shall be paid out of the funds voted from time to time by the Legislature.

“**2308h.** The piscicultural establishments now built at Magog, Baldwin's Mills, St. Alexis des Monts, Lake Tremblant, Gaspé and Tadoussac are deemed to have been built in accordance with article 2308g, and the expenses of their maintenance are governed by the said article.

“§ 5.—*Fishermen's co-operative associations*

“**2308i.** The Minister of Colonization, Mines and Fisheries may authorize, under such name as its founders select, provided that it cannot be confounded with that of any other existing association, the formation, in any municipality or parish of the Province, of one or more associations whose object is the improvement and development of maritime or other fisheries, or one or more of its branches; the purchase of rigging, boats and of all articles

necessary or useful to fishermen; the buying or selling, or both, the catching, inspecting, preparing, conserving, transforming, transporting and placing on the Canadian and other markets of all kinds of fish; the building of cold storage plants and all other buildings necessary for the fishing industry; and the canning of fish, and its sale.

Composition of the association.

“**2308j.** The association shall consist of at least twenty-five persons who have signed a declaration in the form A.

Nature of the association.

“**2308k.** Each association shall be in the nature of a joint stock company, the liability of the members or shareholders being limited to the amount of their respective contributions.

Amount of shares.

“**2308l.** The amount of each share shall be ten dollars, payable in five annual instalments of two dollars, the first instalment on the date of the member's enrolment and the others from year to year at the same date. The association may, however decide, by by-law, that the shares subscribed for after its adoption shall be payable in full at once or in less than five instalments and determine the amount of each instalment. Such by-law shall not be retro-active and shall apply only to shares subscribed for after its adoption. A shareholder may, however, free himself by paying in advance, and interest may be paid to him on the sums paid in advance for the period between the date of payment and that of maturity.

Payment of certain shares.

Payment in advance.

Subscription.

No shareholder may subscribe for and hold more than one hundred shares of ten dollars.

One association member of another.

A fishermen's co-operative association may become a member of another fishermen's co-operative association, but in such event can subscribe for only one share.

Capital variable.

“**2308m.** The capital of the association shall be variable.

Transfer of shares, etc.

“**2308n.** The shares shall be in the name of the holder and be transferable on performance of the formalities prescribed by the by-laws of the association. Nevertheless they may be assigned only to a transferee accepted by the board of the association.

Declaration, how signed, etc.

“**2308o.** The declaration shall be signed in duplicate by the founders in the presence of a witness. One of such duplicates shall be sent to the Minister, who, if he thinks fit to authorize the formation of the association, shall cause to be published, without delay in the *Quebec Official Gazette*, a notice according to form B, of the formation of the association, and a notice according to form C shall be at once sent to the prothonotary of the district and to the registrar

Notice in *Quebec Official Gazette*, etc.

of the registration division in which the association is formed.

"2308p. The association shall consist of the persons Members. who have signed the declaration mentioned in article 2308j and of all who may afterwards subscribe for shares in the association.

"2308q. From and after the publication of the said no- When it be- tice in the *Quebec Official Gazette*, the association shall be- came a cor- come a corporation under the name given to it in the no- poration. tice.

With the consent of the board of management, the Mi- Change of nister of Colonization, Mines and Fisheries may change name. the name of the association by a notice published in the *Quebec Official Gazette*.

The association may acquire and hold lands, and may Acquisition sell, lease or otherwise dispose of the same, but cannot hold of lands, etc. more than five hundred acres at any one time.

It may have business offices in various places in the Business Province. offices.

"2308r. The association shall be managed by a board Directors; of five directors, three of whom shall constitute a quorum. quorum. The directors shall remain in office until the election of etc. their successors at the annual general meeting. They shall be eligible for re-election.

They shall hold their meetings according to adjourn- Directors' ment or according to the written notice given to each of meetings. them by order of the president, or, in his absence, by order of the vice-president or of two members of the board, at least six days previous to that of the meetings. Such Form of notice may be given by registered letter addressed to each notice. director, and deposited in a post office in the Province, at least six days before such meeting.

The directors may hold their meetings at the principal Meeting place of business of the association or at any other place place. in the Province.

The directors may at any meeting adopt by-laws for By-laws of the government of the association, and amend or repeal directors. the same, provided such by-laws do not conflict with those adopted at the general meetings of the shareholders of the association.

"2308s. The association or its board of directors By-laws re- may make, amend or repeal, among others, by-laws re- sharehol- specting the admission of shareholders, the transfer of shares ders. and the maximum number of shares for which a share- holder may subscribe.

Powers of directors.

"**2308.** 1. The board of directors of the association shall, in accordance with the provisions of this section and of the by-laws of the association, administer all matters relating to the interests of the society and, among other things, may:

a. Determine the conditions of any contract, being particularly careful to see that the interests of the association are protected;

b. Borrow money, dispose of, assign or transfer, as security for any sum borrowed or any security supplied, any of the securities or property of the association, either with or without power of sale, or upon any other special conditions considered suitable and useful;

c. Acquire moveables and immoveables, and resell the same;

d. Authorize all legal and judicial proceedings;

e. Transfer, in whole or in part, to a financial institution or to any other person, upon the conditions thought proper, the instalments due or to become due upon the shares subscribed by the shareholders, as collateral security for the payment of any loan made to the association by note or otherwise. Such transfer may also be made to any person, whether he be or be not a director or officer of the association, who becomes or has become or undertakes to become surety of the association for the performance of obligations undertaken or to be undertaken by the association.

Mode of transfer.

Any transfer made in virtue of this sub-paragraph *e* may be made by notarial instrument or in duplicate before witnesses and shall be registered. It may be signified by means of a notice, drawn up according to form D, and addressed to each shareholder by registered letter. The notary or bailiff who so signifies a transfer shall draw up a report thereof, a copy or duplicate of which shall be delivered to the association. The registration certificates signed by the postmaster shall be annexed to the original of the report or to one of the duplicates, and neither the notary nor the bailiff need deliver copies of them to the association. Nevertheless the bailiff, who draws up a report, shall deliver to the transferee the duplicate to which the certificates of registration are annexed.

Registration certificates annexed to original of the report.

Notice of cancellation.

Service of same.

Any person consenting to the cancelling of any such transfer shall cause to be served upon the shareholders a notice of such cancellation. The notice of such cancellation shall be served in one or other of the manners mentioned in the preceding paragraph.

Receipt for instalments collected.

Every transferee who collects instalments in virtue of such a transfer, shall give a receipt therefor in duplicate,

one of which duplicates shall be sent to the treasurer of the association. Mention of such receipt shall be made by the treasurer in the books of the association. Mention in the books.

2. The total amount of the sums borrowed shall never exceed four times the aggregate amount of the subscribed shares and reserve fund. Total amount of sums borrowed.

"2308u. A fishermen's co-operative association may sell by auction or otherwise, by any person whether licensed or not, and without payment of the tax required by law in such case, the fish and all products therefrom which belong to it or to another fishermen's co-operative association, upon such conditions as the board of directors may determine. Auction sale of products authorized for fishermen's co-operative.

"2308v. The board of directors shall yearly elect a president and vice-president from among its members, at its first meeting following the annual general meeting. President and vice-president of board.

The president and vice-president of the board of directors shall be at the same time the president and vice-president of the association. Id., of the association.

The board of directors shall appoint a secretary-treasurer and fix the amount of his remuneration. Sec.-Treasurer.

"2308w. The services of the members of the board of directors shall be gratuitous. The president may, nevertheless, be appointed manager of the association, and receive such remuneration as may be fixed by the board of directors unless such appointment is contrary to the by-laws of the association. Directors serve gratuitously. Manager of association receives remuneration.

"2308x. In case of a vacancy in the board of directors, the remaining members shall fill such vacancy for the remainder of the term. Filling of vacancies in board.

"2308y. 1. The general meeting shall consist of all the shareholders of the association. General meeting.

A general meeting shall be held every year on the second Thursday of January, or any other day in the month of January appointed by the directors, at ten o'clock in the forenoon, in the locality where the principal place of business is situated, or at any other place, at a spot to be indicated by the directors. It shall elect the members of the board of directors and an auditor. When and where held. Board and auditor.

The first meeting may be called at any time by two of the shareholders of the association, by means of a notice deposited in the post-office of the locality where the principal place of business is situated, enclosed in an envelope, stamped and addressed to each shareholder at least eight days before such meeting. It shall elect the first direct- First meeting. Election of

first directors, etc. ors, who shall remain in office until the election of their successors at the following annual general meeting. It shall likewise appoint an auditor.

Calling of subsequent meetings. 2. General meetings shall afterwards be called by the president or, in his default, by the vice-president, by a notice in a stamped envelope sent to each shareholder at least eight days before the day fixed for the meeting.

Provisions applicable. “**2308z.** 1. Articles 1890 and 1892 shall apply, *mutatis mutandis*, to fishermen’s co-operative associations.

Duty of informing Minister of certain facts. 2. If the meeting of the shareholders of the association for the election of directors and the appointment of an auditor is not held in the month of January, or in case the meeting has been held but no election has taken place, or in case an insufficient number of directors has been elected, it shall be the duty of the person presiding over such election, or of the secretary-treasurer of the association, to inform the Minister of Colonization, Mines and Fisheries of such facts, by letter addressed to such Minister within thirty days following the month of January. Any shareholder may give such information to the Minister. The Minister, as soon as he has knowledge of such facts, may at any time order an election, fix the date, the manner and the place of the general meeting of the shareholders, and regulate all the details necessary for such election to be held to elect the directors who should have been elected in the month of January, and to proceed with the appointment of an auditor.

Action thereon by Minister.

Vote of a shareholder. A shareholder can vote once only, whatever may be the number of his shares. To be entitled to vote, a shareholder must have paid at least one dollar on each share, and have subscribed for his share or shares at least three months before the meeting; but in the case of the first general meeting after the formation of the association, a shareholder may vote, no matter at what date previous to such meeting he may have subscribed for his share or shares.

Decisions of the general meeting. “**2308aa.** The decisions of the general meeting shall be by the majority of votes; and when the votes are equally divided, the president shall have a casting vote.

By-laws adopted at the general meeting. The general meeting may adopt by-laws for the general administration of the association and all other necessary by-laws, provided they be not incompatible with the laws of this Province.

Special general meetings. Special general meetings may also be called by the president or vice-president, as the case may be, upon a decision of the board of directors.

Accounts of “**2308bb.** The accounts of the association shall be

kept by the secretary-treasurer, under the control of the board of directors, and shall be audited by the auditor. the association.

The accounts of the association shall be closed on the thirty-first of December of every year. When closed.

After the close of the fiscal year and during the first week of January, a statement of the affairs of the association shall be prepared and attested by the secretary-treasurer. Statement at close of fiscal year.

"2308cc. Such statement must be approved by the auditor and contain: Approval of statement and contents thereof.

1. The list of shareholders on the thirty-first of December, the number of shares subscribed, and the amount paid by each shareholder;

2. A concise statement of the assets and liabilities of the association;

3. A statement of the year's operations showing the profit and loss;

4. All other information required for such purpose by the by-laws of the association.

"2308dd. The general meeting shall decide, in accordance with such statement, the amount of the profits to be allotted. Profits to be allotted.

The association may have a reserve fund. So long as such fund be not equal to the subscribed capital, the total amount of dividends allotted yearly shall not exceed six per cent of the paid up capital. Reserve fund. Dividends.

When the association has a reserve fund greater than the subscribed capital, it may, after having paid dividends of not more than six per cent of the paid up capital, and after having set aside for the reserve fund at least ten per cent of the profits, distribute the remainder of the profits among the shareholders in proportion to their dealings with the association upon the basis established by the association or the board of directors. Such basis may be the amount paid by each shareholder for his purchases from the association; or the amount paid by each shareholder for the preservation, preparation or transformation of the products of his fishing; or an amount equal to the value of such products; or the amount received by each shareholder for the produce of his fishing, when such produce is sold to or through the association; or the aggregate of such amounts or any of them, according to the statement and apportionment approved of by the directors, whose decision upon this matter shall be final and conclusive. Distribution among shareholders of the remainder of the profits. Basis of distribution.

A shareholder who buys from the association produce of shareholders sold to or through the association or prepared No dividend on certain purchases.

or transformed by it, shall not be entitled to dividends upon such purchases.

Examina-
tion of books
and ac-
counts. **"2308ec.** The Minister may at any time have the books and accounts of any fishermen's co-operative association examined by one of his employees.

Duty of of-
ficers there-
in. The officers of any such association shall, when required, submit such books and accounts for such examination, and shall, to the best of their knowledge, make true answer to all questions which may be put to them regarding the same or regarding the financial condition of the society.

Signature of
contracts,
etc. **"2308ff.** All contracts, notes, cheques, drafts or documents, binding the association, must be signed by the president or vice-president and by the secretary-treasurer, or by any other officers duly authorized therefor by a general or special authorization of the board of directors.

Dissolu-
tion and re-
alization of
assets. **"2308gg.** If an association ceases operations for two years, the Minister may, at the request of the board of directors, declare the association dissolved, realize its property and apply the proceeds thereof to the payment of the debts of the association and divide the balance of the assets among the shareholders in proportion to the shares subscribed and paid.

Responsibil-
ity of the
sec.-treas;
security. **"2308hh.** The secretary-treasurer of each association shall be responsible to it for all moneys received by him in his official capacity, and shall give security to the amount fixed by the board of directors, to the satisfaction of the president and vice-president.

Renewal of
security. The security shall be renewed whenever required by the association, and the bond may be according to form E.

Inspection
by share-
holders of
the books,
etc. **"2308ii.** The books and by-laws shall be at all times open to inspection by the shareholders of the association; but the association or the directors may, by by-law, decide when and on what day such inspection may be made, provided there be at least one day per month for such inspection.

Exemption
from taxa-
tion. **"2308jj.** The property of the association shall be exempt from all Government taxes.

Member-
ship in *La*
Société Co-
opérative,
etc. **"2308kk.** A fishermen's co-operative association may become a member of *La Société Coopérative Fédérée des Agriculteurs de la Province de Québec* by subscribing for one or more shares thereof, under the provisions of the

act governing *La Société Coopérative Fédérée des Agriculteurs de la Province de Québec*.

“**2308ll.** Any fishermen’s co-operative association may ^{Business} transact business with *La Société Coopérative Fédérée des* ^{with same.} *Agriculteurs de la Province de Québec*. It may purchase from it all goods and merchandise it requires for fishing and dealing in fish. It may sell fish and fish products to such agricultural association. *La Société Coopérative Fédérée des Agriculteurs de la Province de Québec* may also act as agent for any fishermen’s co-operative association for the purchase of everything necessary for a fishermen’s co-operative association and for selling the products of such association.”

2. Article 6768 of the Revised Statutes, 1909, is amended ^{R. S., 6768,} by adding the following paragraph thereto: ^{am.}

“Fishermen’s co-operative associations may, with the ^{Shares in} permission of the Minister of Colonization, Mines and ^{syndicate.} Fisheries, take shares in such syndicates.”

3. The Revised Statutes, 1909, are amended by adding ^{R. S., am.,} therein after article 2308ll, as enacted by section 1 of this ^{forms added} act, the following forms: ^{after art.} ^{2308ll.}

FORMS

“A.—(Article 2308j)

“Memorandum of Association

“The undersigned declare that they become members of a fishermen’s co-operative association with limited liability, under the name of the “^{Fishermen’s Co-operative Association”} having its principal place of business at ^{in the county of} and that they subscribe the number of shares respectively set opposite their names.

Dated ^{this} ^{one thousand nine} day of the month of ^{hundred and}

Witnesses	Names	Surnames	Residences	Occupations	Number of shares of \$10.00

"B.—(Article 2308o)

"Notice of the Formation of Fishermen's Co-operative Association Published in the Quebec Official Gazette

"Notice is hereby given that a fishermen's co-operative association has been formed in the county of (or as the case may be) under the name of the "Fishermen's Co-operative Association" and that its principal place of business will be in

(Signature)

Minister of Colonization, Mines
and Fisheries

"C.—(Article 2308o)

"Notice to the Prothonotary and Registrar

"Notice is hereby given that a fishermen's co-operative association has been formed in the county of (or as the case may be) under the name of the "Fishermen's Co-operative Association" and that its principal place of business will be in the

(Signature)

Secretary.

“D.—(Article 2308t)

“Notice of transfer

“To _____, of the
parish of _____, member of
the _____ Fishermen’s Co-operative
Association

Sir,

You are hereby notified by Mr. _____
notary (or bailiff) of _____ that by an instrument
executed before Mr. _____ notary, (or in duplicate
before witnesses) the _____ day of the month
of _____ 19____, the _____ Fishermen’s Co-opera-
tive Association has transferred to
of _____, the sum of _____ being the second,
(or third as the case may be) instalment upon the shares in
the capital stock of the said association for which you have
subscribed. This transfer is thus made as collateral secur-
ity for the payment of a loan (or for the giving of security)
which the said _____ has made or given or under-
taken to make or give.

This transfer was registered in the registry office for the
county of _____ on the _____ day of the
month of _____ 19____.

Dated at _____, the _____ day of _____ 19____.

(Signature)

Notary (or Bailiff).

“E.—(Article 2308hh)

“Surety Bond

“Province of Quebec. {

“We _____ of
residing in the _____
and _____ residing in the _____
of _____, bondsmen of
secretary-treasurer of the “_____ Fishermen’s Co-opera-
tive Association” do acknowledge ourselves to be res-
pectively indebted to the said association, hereof accept-
ing through the president and vice-president thereof, in
the sum of _____ dollars, for the use and benefit of
the said association.

And we hereby jointly and severally bind ourselves, our heirs and assigns, one of us alone for the whole amount, without division or discussion, for the faithful and full payment of the sum above mentioned in accordance with article 2308hh of the Revised Statutes of Quebec, 1909.

The conditions of this surety bond are as follows:

Should the said _____ well and faithfully fulfil all the duties and obligations imposed on him in his capacity of secretary-treasurer of the Co-operative Association in the county of _____ (*or as the case may be*), and employ the moneys coming into his hands for the purposes and in the manner indicated by the board of directors of the association, and according to law, and render a faithful and honest account of the said moneys and of his operations as secretary-treasurer, then the present surety bond shall be null and void; but, otherwise, it shall remain in full force and effect for the purposes of article 2308hh of the Revised Statutes of Quebec, 1909.

Done and attested at	}	(Signature)	Bondsman.
this day		(Signature)	
of	19 .		

Accepted by	{	(Signature)	President of the	Association
(Signature)		(Signature)	Vice-president of the	Association

Coming
into force.

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

C H A P. 37

An Act to amend the Revised Statutes, 1909, respecting
the Department of Public Works and Labour

[Assented to, the 29th of December, 1922]

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

R. S., 2359,
am.

1. Article 2359 of the Revised Statutes, 1909, is amended by striking out the words: "and countersigned by the secretary", in the third and fourth lines thereof.