

"1874. At such meeting the members who have paid Election of
their subscriptions for the current year at least one hour directors.
before the opening of the meeting, shall elect seven direct-
ors from among themselves, and appoint an auditor.

To be entitled to vote at such election, a member must Qualification
be at least 16 years of age". of voter.

3. Article 1884 of the said statutes is amended by R. S. 1884,
replacing the word "January", in the seventh line thereof, am.
by the word "February".

4. Article 1885 of the said statutes is amended by R. S. 1885,
replacing the word "February", in the fourth line thereof, am.
by the word "March".

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

CHAP. 31

An Act to amend the Revised Statutes, 1909, relating to the
Dairy Association of the Province of Quebec, and to
the manufacture of dairy products.

[Assented to 5th March, 1915]

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

1. Article 1959 of the Revised Statutes, 1909, is amend- R. S. 1959,
ed by adding thereto two new paragraphs, as follows: am.

"The association shall consist of the persons who have Who shall be
signed the declaration mentioned in this article, so long members.
as they pay the annual subscription, and of all other per-
sons who afterwards pay such annual subscription, after
having been admitted to membership in the association.

The year for which a subscription is paid, shall begin on Subscription
the first day of July, and end on the thirtieth day of June year.
following."

2. Article 1963 of the said statutes, as amended by the R. S. 1963,
act 3 George V, chapter 20, section 1, is replaced by the replaced.
following:

"1963. The association, in order to obtain a more Division of
prompt and complete diffusion of the best methods to be Province into
followed for the production of milk, the manufacture of regions.

dairy products, and, in general, the advancement of the dairy industry, may by by-law approved by the Lieutenant-Governor in Council, subdivide the Province into regions, not more than fifty in number.

Number. This number may be changed by other by-laws adopted by the association and approved by the Lieutenant-Governor in Council.

Number may be changed. Such by-laws, so adopted and approved, come into force of by-laws. from the date of their publication in the *Quebec Official Gazette*."

R. S. 1964, replaced. **3.** Article 1964 of the said statutes is replaced by the following:

Appoint-ment of cer-tain officers. **"1964.** The Lieutenant-Governor in Council may appoint inspectors-general, assistant inspectors-general, and, for each region, an inspector.

Qualifica-tions of offi-cers. Such officers must be persons of experience, who hold certificates of competency from the board of examiners mentioned in article 1966.

Duties. Their principal duties shall be to superintend the production and supply of milk, as well as the manufacture of butter or cheese in the establishments of dairy products in their respective regions, or even outside thereof if the minister so directs, the whole in conformity with the regulations made by the said association and approved by the Lieutenant-Governor in Council.

Other duties. Their other duties shall be fixed by the regulations made by the said association and approved by the Lieutenant-Governor in Council for the proper putting into execution of the provisions of this section.

Provisions applicable. Articles 2024 to 2031 inclusively shall apply to inspectors-general, to their assistants, to the inspectors, and to the persons appointed by the minister to replace them, as well as to every inspection which may be made under this article.

Regulations may be enacted, re-pealed or am-by Lt.-Gov. in C. **"1964a.** The Lieutenant-Governor in Council may, at any time, repeal or amend the regulations adopted under article 1964, and may even, on failure of the society to adopt by-laws that meet his approval, enact them on his own authority."

R. S. 1965, repealed. **4.** Article 1965 of the said statutes is repealed.

R. S. 1967, repealed. **5.** Article 1967 of the said statutes is repealed.

R. S. 1968, am. **6.** Article 1968 of the said statutes is amended by inserting therein, after the word: "cheese" in the third line thereof, the words: "and, to manufacturers of butter or cheese,

may grant certificates as testers of milk or cream or of milk and cream."

7. Article 1969 of the said statutes is replaced by the R. S. 1969, following: replaced.

"1969. The association shall hold an annual meeting, Annual meet-
ing. at the time and place selected by the board of directors, besides such meetings as may have been prescribed and determined by the by-laws.

At such annual meeting the members of the association who shall be who have paid their dues for the current year shall be entitled to vote. They shall elect a president and a vice-president, and a director to represent the butter and cheese export trade at Montreal, and a director for each of the divisions mentioned in article 1969a. Such director so elected must be a member of the association, and be domiciled in the division for which he is elected. Officers to be
elected.

"1969a. The divisions for the election of directors shall be the following: Divisions for
election of
directors.

No. of the division	Electoral districts included in the division
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- 1.—Gaspé, Magdalen Islands, Bonaventure, Matane, Rimouski.
- 2.—Témiscouata, Kamouraska, L'Islet.
- 3.—Montmagny, Bellechasse, Lévis.
- 4.—Dorchester, Beauce.
- 5.—Lotbinière, Mégantic, Frontenac, Arthabaska.
- 6.—Nicolet, Yamaska.
- 7.—Drummond, Richmond, Wolfe.
- 8.—Sherbrooke, Stanstead, Compton.
- 9.—St-Hyacinthe, Bagot, Richelieu.
- 10.—Rouville, Iberville, St-Johns.
- 11.—Shefford, Brome, Missisquoi.
- 12.—Verchères, Chambly, Laprairie, Napierville.
- 13.—Huntingdon, Beauharnois, Châteauguay.
- 14.—Saguenay, Chicoutimi, Lake St. John.
- 15.—Charlevoix, Montmorency, Québec (all the electoral districts included in the city of Quebec.)
- 16.—Portneuf, Three Rivers, Champlain.
- 17.—St-Maurice, Maskinongé, Berthier.
- 18.—Montcalm, Joliette, L'Assomption.

- 19.—Montreal (all the electoral districts included in the city of Montreal.) Laval, Jacques-Cartier, Maisonneuve and Westmount.
 20.—Terrebonne, Two Mountains.
 21.—Pontiac, Temiscaming, Ottawa, Labelle, including Abitibi.
 22.—Argenteuil, Vaudreuil, Soulanges.
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Calling of
special meet-
ing to elect
director for
a division.

“1969b. Ten or more members from one of the divisions mentioned in article 1969a, who have paid their subscription of one dollar for the current year, and who make application therefor to the secretary, at least six weeks before the general meeting, may, at a special meeting called by public notice given by the secretary of the association at least five days in advance, in the *Agricultural and Horticultural Journal* published by the Department of Agriculture, and held in such division in the week or month preceding the general meeting of the association, elect a director to represent such division on the board of directors of the association.

Notice.

The secretary shall also transmit to each of the applicants by registered letter a notice of the calling of such special meeting, at least eight days before the date fixed for the same.

Proceedings
at such
meeting.

The special meeting shall be held at the place and on the day and hour fixed by the secretary of the association, and shall be presided over by the person he shall appoint, or, in the absence of the latter, by a person chosen by the members present. Upon payment to the secretary-treasurer of the association of the amount representing the subscriptions of the voters at such divisional meeting, and upon presentation to the general meeting by at least two of such voters, of a certificate of the chairman of such divisional meeting, establishing that such director has been elected thereat, the election of such director shall be confirmed, and no other director shall be appointed for such division.

Board of di-
rectors.

“1969c. The president, the vice-president and the directors elected in the manner set forth in articles 1969 or 1969b, as the case may be, shall form the board of directors of the association.

Ex-officio
members.

The Minister and the Deputy-Minister of Agriculture shall be, *ex officio*, members of such board of directors.

Secretary-
treasurer and
other officers.

At its first meeting, which must be held on the same day as the general meeting, the board of directors shall be bound to appoint a secretary-treasurer, and such other

officers or employees as it may deem necessary to accomplish the purposes of the dairy association."

8. Article 1970 of the said statutes is amended by striking out the words: "the names of the factories, inventions, improvements and products which deserve public notice," in the fifth and sixth lines thereof.

9. Article 2031*b* of the said statutes, as enacted by the act 1 George V (1st session), chapter 16, section 1, is amended by adding thereto, at the end of paragraph 1 thereof, the words: "or of article 1964".

10. Article 2031*g* of the said statutes, as enacted by the act 1 George V (1st session), chapter 16, section 1, is replaced by the following articles:

2031*g*. 1. Every person, company or society carrying on a butter factory shall be bound to engage a head butter maker who, besides the special certificate or permit mentioned in article 2031*f*, holds a diploma or certificate as milk or cream tester, or both, issued by the board of examiners of the Dairy Association of the Province of Quebec.

2. Such butter maker so qualified shall classify the cream brought or sent to the factory by the patrons and shall divide the same into two classes, numbered respectively one and two. Class No. 1 shall consist of cream suitable for making first quality butter, and class No. 2 shall consist of all other cream accepted by the butter maker for making butter. The cream in each class shall be made into butter separately.

Each class of butter must be sold separately, and the proceeds of such sale shall be divided among the patrons according to quality, and in the proportion of the quantity of cream in each class supplied by each patron.

The cream of each patron must be brought or sent to the factory in a separate receptacle.

3. The classification, manufacture and sale above mentioned shall be so made separately, in conformity with the regulations drawn up by the inspector-general of butter factories, who is authorized to make similar regulations for butter factories, or for one or some of them, as the case may be; provided they are approved by the board of examiners of the Dairy Association of the Province of Quebec.

In default of such regulations for a factory, the classification, manufacture and sale, separately, shall not be obligatory; they shall be obligatory, however, if a factory re-

Qualified
butter-maker.

Classification
of cream.

Butter to be
made separately.

Butter to be
sold separately.

Separate receptacles for
each patron.
Regulations.

Exceptions.

ceives milk from a certain number of patrons and cream from others.

By-laws.

"2031h. Every co-operative agricultural society or other society or company which is the owner of a butter factory or cheese factory, or a butter and cheese factory, may pass by-laws with regard to the classification of milk and cream on the farms, and the manufacture and sale of butter or cheese; but such by-laws, before coming into force, must be approved by the inspector-general of butter factories or the inspector-general of cheese factories, as the case may be.

Proviso.

Such by-laws, among other things, may regulate:

a. The classification of the cream brought or sent to the factory into two classes, as set forth in article 2031g;

b. The manufacture into butter of the cream of both classes separately, and the separate sale of the butter so obtained;

c. The separate division of the proceeds of the sale of each class of butter among the persons entitled thereto;

d. The classification, into two separate classes, of first quality milk and cream and second quality milk and cream, the manufacture of such milk and cream into butter, the sale of the butter and the division of the proceeds of such sale in compliance with the provisions of paragraphs b and c.

Inspector-General may make by-laws if approved by board of examiners.

If the board of directors of a society or company above mentioned does not pass by-laws for the purposes above mentioned, the inspector-general of butter factories may himself make such by-laws, but in that case the by-laws made by the inspector-general must before coming into force be approved by the board of examiners of the Dairy Association of the Province of Quebec.

Powers of society.

"2031i. 1. Every co-operative agricultural society or other society or company which is the owner of a butter factory or cheese factory, or a butter and cheese factory, may:

a. Take suit in the name of the society, for all damages suffered by it, against any person bringing to the factory unwholesome or sour milk, or milk that has been skimmed, or in any way adulterated, without having given written notice thereof, in advance, to the owner or manager of the factory, whether such person is a member of the society or not;

b. Sue any person or association, for damages caused by such person or association to the society in its trade and commerce in dairy products.

Damages to be apporti-

The damages which the society may recover shall be

apportioned among its members, in proportion to the quantity of milk and cream supplied by each, during the time fixed by the board of directors, and in the manner determined by such board.

For the purposes of this article, all damages caused by any person to the patrons who are members of a society, by supplying milk that is unwholesome, or sour or skimmed, or in any way adulterated, shall be deemed to have been suffered by and shall be payable to the society, which may sue therefor, and shall distribute the amount recovered among its members in the proportion above mentioned.

2. When the society's butter or cheese maker, or the inspector of the society or the Government inspector, reports that a patron, on account of the quality of the milk or cream brought by him, causes damage to the society, the board of directors shall sue such patron for the damages incurred, unless such patron pays the damages so caused.

"2031j. The owner or manager of every butter factory, cheese factory or butter and cheese factory shall be obliged to sterilize the skimmed milk and the buttermilk and whey produced from the milk or cream brought to and worked in his factory.

He must also keep the skimmed milk and the buttermilk and whey in receptacles or vats of metal, not of wood, until sold or distributed.

However, the inspector-general of butter and cheese factories may, on account of special circumstances in which one or several factories may be situated, exempt such factory or factories from the obligation to sterilize.

The inspector-general may, at any time, put an end to such exemption by means of a notice in writing, served by registered letter or otherwise.

"2031k. All basins, utensils, cans or receptacles whatsoever, intended to hold the by-products of the milk, must be made of metal.

"2031l. Butter or cheese factories or butter and cheese factories, or condensed milk factories, or milk powder factories are subject to the inspection ordered by law and regulations.

"2031m. The inspector or an officer of the Department of Agriculture, when the proceeds of milk or cream are divided among the patrons of a butter or cheese factory or a butter and cheese factory, is authorized to examine the books of division and the accounts of the factory.

No such examination, however, is authorized when the

oned among
members.

Certain dam-
ages deemed
to have been
suffered by
the society.

Patron to be
sued in cer-
tain case.

Obligations
of owner or
manager of
factory.

Exemption
in certain
case.

Exemption
may be
ended by
notice.

Utensils etc.
to be made of
metal.

Factories
subject to
inspection.

Books and
accounts
subject to
examina-
tion.

Exception.

owner of the factory himself buys the milk or cream, for his own benefit.

Report to
Minister of
Agriculture.

Contents of
report.

"2031n. The owner and the manager of a butter or cheese factory, or of a butter and cheese factory, must, on or before the fifteenth of January, make a report to the Minister of Agriculture, showing : 1. The number of pounds of milk or cream received at the factory during the preceding year; 2. the number of pounds of butter or cheese manufactured in the establishment during the same year; 3. the number of his patrons ; 4. the amount received as the price of cheese made in his factory; 5. The amount received as the price of butter made in his factory.

Contribu-
tion to be
made by
each factory.

" 2031o. To assist in defraying the expenses of the inspectors-general, their assistants, and the inspectors or persons appointed to replace them, a sum of fifteen dollars per annum shall be paid by each butter or cheese factory or butter and cheese factory, or condensed milk or milk powder factory which is in operation at least thirty days in the year.

Date of pay-
ment.

Such sum must be paid to the Minister of Agriculture before the first of June each year, and paid over without delay, through the Department of Agriculture, to the consolidated revenue fund.

Penalty for
infringement.

"2031p. Any 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, on summary conviction before a magistrate or a justice of the peace having jurisdiction at the place where the offence was committed, or on a penal action before the circuit court having jurisdiction, to a fine of not more than twenty-five dollars, and, in default of payment of such fine and costs, to imprisonment for not more than forty days."

Coming into
force.

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