

C A P. X X.

An Act to amend the law respecting agriculture and colonization with reference to farmers' clubs, and for other purposes.

[Assented to 27th February, 1893.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following article is added after article 1587 of the Revised Statutes : Art. added after R.S., art. 1587.

“ **1587a.** The Commissioner has the same rights and powers over farmers' clubs as over agricultural societies.” Powers of Commissioner over clubs.

2. The following article is added after article 1601 of the said Statutes : Art. added after R.S., art. 1601.

“ **1601a.** The Council has the same rights and powers over farmers' clubs as over agricultural societies. Powers of Council over clubs ;
As to horticultural societies and dairy associations it has the same rights and powers as are conferred upon it by paragraph 3 of article 1601. ” Over horticultural societies, &c.

3. Article 1657 of the said Statutes is amended by adding the following words thereto: “ and the grant given to farmers' clubs.” R.S., art. 1557, amended.

4. Article 1659 of the said Statutes, as amended by the act 55-56 Victoria, chapter 22, section 3, is further amended by replacing the word “ May ”, in the fourth line, by the word “ February ”. R.S., art. 1659, and 55-56 V., c. 22, s. 3, amended.

5. Article 1668 of the said Statutes is amended by replacing the word “ eighty ”, in the second line, by the word “ forty ”, and the word “ forty ”, in the third line, by the word “ twenty-five ”. R.S., art. 1668, amended.

6. The second paragraph of article 1669 of the said Statutes, as amended by the act 54 Victoria, chapter 18, section 1, is replaced by the following : R.S., art. 1669, and 54 V., c. 18, s. 1, amended.

“ The said affidavit shall be transmitted by registered letter to the Department of Agriculture and Colonization, on or before the first of September in each year; and if it be not transmitted on such date or within the following thirty days, the grant for such year may be suppressed; but it shall be the duty of the secretary of the council of agriculture to give notice, on the first day of July in each year, Affidavit for payment of annual grant.

to all the societies, by a registered letter, addressed to the secretary-treasurer of each society, that its grant for the year will not be allowed if the affidavit required by this article have not been transmitted by a registered letter to the said department as by law required.

R.S.,art. 1670, replaced. **7.** Article 1670 of the said Statutes is replaced by the following :

Division of grant between societies and clubs.

"1670. When the farmers' clubs and agricultural societies of a territorial district have subscribed a greater amount than that required to entitle them to the whole of the grant, apportioned to such division, the grant is divided between the society and the clubs in proportion to the respective subscriptions of each association.

Additional payment to societies.

There shall be further paid, to the agricultural society, the part of the grant which it would have had a right to have in proportion to its subscription and which it had not received owing to such division. Such sum shall be taken out of the unexpended balance of the fifty thousand dollars.

Out of what fund taken.

Grant to clubs not affected in certain cases.

If two or more agricultural societies are organized in one and the same county, and, on the first day of October, any one of them has not complied with article 1669, the neglect of such society shall not affect the right of the club or clubs of the same division to the provincial grant, in proportion to the amount subscribed by its or their members.

Clubs entitled to full grant if no agricultural society in division.

If in a territorial division, erected for the purposes of establishing agricultural societies, no such society exists, the club or clubs therein established and which follow the required conditions are entitled to the entire grant in proportion to the amount subscribed by their members.

If county divided and no societies or clubs in one division, payment of grant.

When a county is divided into two territorial divisions for the purposes of agricultural societies, and when in one of such divisions there exists neither club nor society entitled to a grant, the share of the grant coming to such division shall belong to the societies and clubs of the other divisions of the same county."

R.S.,art. 1071, replaced.

8. Article 1671 of the said Statutes is replaced by the following :

Application of balance of grant.

"1671. Any balance remaining available, after the first day of October, of the fifty thousand dollars appropriated for the payment, of the grant in favor of agricultural societies and farmers' clubs shall be wholly or in part applied towards the establishment of an experimental station and any other agricultural purposes, in the discretion of the Commissioner."

R.S.,art. 1672, replaced.

9. Article 1672 of the said Statutes is replaced by the following :

"**1672.** The public grant to which agricultural societies are respectively entitled shall be paid to them upon the order of the Commissioner, but whether such grants be claimed or not, he may retain twelve per cent out of each grant for agricultural purposes." How grants are paid. Deduction therefrom.

10. The following section is added to the said Statutes after the fifth section of the second part of chapter seven of title four of the said Statutes : Section added after R. S., art. 1675.

SECTION Va.

FARMERS' CLUBS.

§ 1.—*Formation of clubs.*

"**1675a.** One or more farmers' clubs may be formed in any territorial division, erected for the purpose of establishing agricultural societies, and such clubs enjoy all the advantages and privileges of such societies." Formation of clubs authorized.

"**1675b.** There cannot be more than one club in any parish, whatever may be the number of the municipalities in such parish, nor more than one club in every municipality in townships." One club in each parish, &c.

"**1675c.** The club must have, at least, twenty-five members who have subscribed the total amount of thirty dollars, who sign the declaration in accordance with schedule D, and transmit the same to the Commissioner of Agriculture, who, if he deems expedient to authorize the formation of such club, immediately causes a notice for the formation of such club to be published in the Quebec Official Gazette." Formalities of organization.

The club is composed of the persons who have signed such declaration as long as they continue to pay an annual subscription, and of all persons who, in future, shall pay such annual subscription. Who compose club.

The amount of the annual subscription to become a member of the club is fixed at one dollar, but members may subscribe more if they wish so to do. Annual subscription.

§ 2.—*Corporate powers of clubs.*

"**1675d.** From and after the publication in the Official Gazette of the notice of the formation of the club, the latter is a corporation under the name of "Farmers' Club of the parish of" (or the municipality of, as the case may be). Clubs to be corporations. Name.

The club has the power to acquire and possess lands for holding exhibitions, for establishing an agricultural school, Corporate powers.

or a model farm, and may sell, lease, or otherwise dispose of the same, but cannot own more than two hundred acres at a time.

§ 3.—*Union of clubs.*

Clubs may unite their funds, &c.

“ **1675e.** Several clubs or one or more clubs, and one or more agricultural societies, may unite their funds or part of their funds for the purposes set forth in articles 1629 and 1675g.

Conditions of union.

“ **1675f.** No such union can be formed unless the proceedings intended to effect it, the programme of operations for which it is made, and the period of its duration, have been previously submitted to the Commissioner of Agriculture and approved by him.

Number of members in such case.

Each club belonging to such union may have a number of members less than twenty five and its subscription may be less than that above specified.

§ 4.—*Objects and powers of clubs.*

Powers of clubs:

“ **1675g.** Clubs have all the powers conferred upon agricultural societies by article 1640, and they shall further:

May procure books, &c.

1. Procure books, reviews and newspapers treating of agricultural subjects for the use of their members;

May promote experiments in farming, &c.

2. Promote and favor experiments in farming, manure, and improved agricultural machinery and implements, encourage the study of the best methods of fattening cattle, the production of milk, the manufacture of butter and cheese, and the improving and draining of lands.

Clubs may have improved breeds of animals sold by auction, without paying duties, &c.

“ **1675h.** Any agricultural club may have animals of improved breed sold by auction or otherwise, by a person who has no license, and without paying the duties required by law; provided the purchasers undertake to keep such animals within the territorial district of the club, during such time and upon such conditions as the club may determine.

§ 5.—*Funds of clubs.*

Funds to be expended for objects provided by this section.

“ **1675i.** The funds of clubs, derived from subscriptions of members and public grants, shall not be expended for any object inconsistent with the provisions of this section.

No expenditure for refreshments, &c., to be incurred.

“ **1675j.** The preceding article shall be interpreted in such manner as to prohibit all expenditure of the funds of the said clubs for refreshments, feasts, entertainments, or anything similar thereto.

§ 6.—*Organization of exhibitions and competitions of clubs.*

“**1675k.** Each club, union of clubs or of societies and clubs, established as hereinbefore set forth, may, from time to time, hold an exhibition of agricultural produce, farm stock and other objects relating to agriculture, and also of articles of domestic and manufacturing industry and works of art, and also organize competitions in regard to the best cultivated farms, in accordance with the plan which the Council of Agriculture shall prescribe.

The Council or the Commissioner of Agriculture may, nevertheless, require or permit such clubs to do whatever they may deem most calculated to promote the interest of agriculture.

“**1675l.** Prizes shall be awarded at the said exhibitions, for the best agricultural and industrial productions exhibited, and for superior farm stock with respect to their economical or other qualities, in the manner prescribed by the officers and directors of each club, after notice thereof shall have been posted up.

“**1675m.** Articles 1645, 1646 and 1647 apply to exhibitions and competitions organized by clubs.

§ 7.—*Meetings of clubs and elections of directors.*

“**1675n.** An annual general meeting of the members of every club shall be held on the second Wednesday in December in each year, and, in the territorial districts where there is no club, a meeting for the formation of a club may be held on the same date.

“**1675o.** Such meeting shall be convened by notice posted up or read at the church doors, or at any other public place in the territorial district of the organized or projected club, at least eight days before such meeting, by order of the president of the club or, in his absence, of the vice-president of the society; and, in districts where no club has yet been organized, the same shall be done by order of the mayor or a councillor of a municipality, and the person who shall have called the said meeting shall be entitled to preside at the said meeting until a president is elected.

“**1675p.** At such meeting the club elects seven directors, who must be chosen from amongst the members of the club.

“**1675q.** At its first meeting after the annual general meeting, or on the day of the annual meeting, if all the direc-

tors are present, the board of directors elects a president and a vice-president from amongst the directors, and a secretary-treasurer, who must be taken from outside of the board of directors, and who, after his election, does not form part of such board.

Meeting for the formation of clubs, &c.

" **1675r.** The meeting for the formation of a club or the election of directors of a newly organized club, may be held at any time after notice published in the manner indicated in article 1675o ; but no club is entitled to any share of the grant for the year during which it was organized unless the organization and election of directors have taken place before the first of May of such year.

Proviso as to clubs not organized, &c., before the first of May.

Powers of officers and directors.

" **1675s.** The officers and directors of each club shall, during the year immediately following the annual meeting, and until the election of their successors, exercise all the powers conferred on the club by this section.

Vacancies.

In case of vacancies during the year among the officers or directors, such vacancies shall be filled up by the board of directors.

Calling of meetings of board, &c.

" **1675t.** They shall hold their meetings according to the terms of the adjournment, or to a notification in writing, forwarded to each of them by order of the president, or, in his absence, by order of the vice-president, or of the president *pro tempore*, three days at least before the day fixed for the holding of such meeting.

Quorum.

" **1675u.** At any meeting four shall form a quorum.

Power to make by-laws.

" **1675v.** The officers and directors shall have full power, at every meeting, to make regulations and by-laws for the government of the club, and to modify and repeal the same ; provided, always, that such regulations and by-laws be consistent with those published by the Council of Agriculture, and be submitted in every case for the approval of the Commissioner of Agriculture.

Two meetings to be held during the year, with lectures.

" **1675w.** The directors shall call at least two general meetings of the members during the year, at which lectures shall be given on agriculture, and at one of them the prizes and rewards shall be distributed which have been obtained at the exhibitions or competitions organized by the club.

Public to be admitted. Report of such meetings to be sent to Commissioner.

The public shall be admitted to such lectures. During the fifteen days following such meeting, the president and secretary shall sign and transmit to the Commissioner of Agriculture a report setting forth the date of the meeting, the name of the lecturer or lecturers, the subjects dealt with, and the approximate number of persons present.

In default of such meetings being held the provincial grant may be refused.

Suppression of grant if meetings not held.

" **1675x.** The directors shall draw up and submit, at the annual meeting, a detailed report of their operations during the year that is about to end, declaring and shewing the names of all the members of the club, the amount subscribed and paid by each of them, the names of all persons to whom prizes shall have been awarded, the amount of each of such prizes, and the name of the article or head of cattle for which the prize was awarded, the number and date of the general meetings, the name of the lecturer or lecturers, the subjects treated and the approximate number of persons present, together with such other remarks on the agriculture of the county and the improvements, which either have been or may be introduced into the same, as the board of directors is in a position to offer.

Annual report and what to contain.

" **1675y.** They shall further submit, at the said meeting, a detailed statement of the receipts and expenditure of the club during the year.

Statements of receipts, &c.

" **1675z.** The said report and statement, when approved by the meeting, shall be entered in the journal of the club kept for such purpose, which entry shall be signed by the president, or vice-president, as faithful and correct, and a copy thereof, attested by the president, vice-president or secretary, for the time being, shall be transmitted to the Commissioner, on or before the first day of January following.

Copy of report, &c., to be sent to Commissioner.

§ 8.—*Miscellaneous.*

" **1675aa.** To render the control to be exercised by the Council of Agriculture and the Commissioner over clubs more efficient, the board of directors of each of them shall be bound, on or before the first of February of each year, to adopt a scheme of operations for the year, and to transmit the same to the Commissioner.

Programme of operations to be submitted to Commissioner and when.

No portion of the moneys belonging to a club can be employed in the payment of any salary or allowance, but the secretary-treasurer may be allowed a sum not exceeding seven per cent upon all moneys expended by the club under the present section, in lieu of all salary and allowances for stationery and other contingent expenses.

No salaries to be paid.

Percentage allowed to secretary-treasurer.

" **1675bb.** Clubs shall be bound, under pain of the suspension, and even of the withdrawal, of the provincial grant established in favor thereof, to act in conformity with all rules which the Commissioner shall lay down respect-

Clubs subject to orders of Commissioner, &c.

ing their report, statement of accounts, and scheme of operations, so far as they are not incompatible with the by-laws adopted by the Council of Agriculture.

Scheme of operations not to be altered without leave.

The scheme of operations of each club, when once adopted, with or without alteration, by the Commissioner, shall not be changed without his authorization.

Convocation of special general meetings and subjects for discussion thereat.

“**1675cc.** Whenever the president of a club shall be required in writing so to do by at least ten members, he shall convene a general meeting of the members of the club, by specifying in the notice of such meeting, the end and object thereof; and, at the said meeting, no other subjects shall be considered but those for which the same was convened.

Officers, &c., to give information required by Commissioner or Council, &c.

“**1675dd.** The officers and directors of clubs shall reply to the inquiries of, and furnish such information as the Council of Agriculture or the Commissioner may, from time to time, require, by letter, circular or otherwise, regarding the condition of agricultural interests in their territorial district, and shall comply in general with the by-laws of the said Council and the recommendations of the Commissioner.

Responsibility and security of secretary-treasurer.

“**1675ee.** The secretary-treasurer of every club shall be responsible to such club for all moneys by him in such capacity collected, and shall be bound to furnish to the club security to the extent of four hundred dollars, to the satisfaction of the president and vice-president of the club; and he shall not draw any moneys from the Commissioner, until he shall have previously transmitted to him a copy of the surety-bond

Renewal of security.

The security of the secretary-treasurer shall be renewed whenever required by the club, and shall be in the form indicated in schedule E of this section.

Decision of contestations of elections.

“**1675ff.** Contestations of the elections of the officers of clubs shall be referred to the Commissioner, and be by him decided, without appeal.

New elections.

The Commissioner has power to order new elections, whenever he deems it advisable to annul contested elections, to determine the date, the manner and place of holding the general meeting of the members, and to regulate all details in connection with such new elections.

Decision of disputes, &c.

“**1675gg.** All disputes relating to any matters connected with such societies or clubs, which arise between clubs, or between clubs and societies or the members and officers of any club, which cannot be settled by the said club, shall be likewise submitted to the decision of the Commissioner, which shall be final.

" **1675hh.** Whenever contestations or disputes arise, as provided for in the two preceding articles, the Commissioner shall have the right to summon witnesses for either or both parties, to fine them in case of default, to condemn the party in default to the payment of costs and to certify the amount thereof, which shall be recoverable by action before any competent court.

Power of Commissioner on contestations.

Fine on witnesses.

The said fine is recoverable before any justice of the peace, and payable to the club, party to the said contestation.

Recovery of fines.

The party petitioner, complainant or plaintiff shall, together with the petition, plaint, or declaration, deposit with the secretary of the Department of Agriculture and Colonization, a sum of fifty dollars, which sum, if the action, plaint or proceedings be maintained, shall be returned to him, and if the action, plaint or proceeding fail, then the said sum shall be employed, in whole or in part, in the payment and satisfaction of the costs ; in default of such deposit being made, the petition, plaint or declaration shall not be received.

Deposit to be made by petitioner.

" **1675ii.** Every club is entitled to an annual grant equal to twice the amount subscribed and paid by its members, taken from the sum of fifty thousand dollars devoted by article 1667 to the payment of grants to agricultural societies.

Grant to clubs.

" **1675jj.** The aggregate of the grants to the societies and clubs or to the clubs alone of a territorial division shall not exceed in any year the amount granted in each division erected for the establishment of agricultural societies.

Total grants limited.

" **1675kk.** No grant can be given to a club unless thirty dollars have been subscribed and paid to its treasurer by at least twenty-five members.

Conditions of payment of grant.

" **1675ll.** The grant shall be due and payable to each club, so soon as the report, statement of accounts and scheme of operations thereof, shall have received the approval of the Commissioner, and so soon as the president and secretary-treasurer or any other officer of the club shall have transmitted to the Commissioner an affidavit, in the form of schedule F of this section, sworn to before a justice of the peace, setting forth the members then forming part of the club, whose subscriptions for the current year have been paid into and are in the hands of the treasurer.

Payment of annual grant.

The said affidavit shall be sent by registered letter to the Department of Agriculture and Colonization, on or before the first of September in each year ; if it be not transmitted at such date or within the thirty days following, the grant for that year may be suppressed ; but it shall be the duty of

Affidavit required.

the secretary of the Council of Agriculture to give notice, on the first day of July in each year, to all clubs, by a registered letter addressed to the secretary-treasurer of each such club, that its grant for the year will not be allowed, if the affidavit required by this article have not been transmitted by registered letter to the said department, as by law required.

Division of grants between societies and clubs.

"**1675mm.** When the clubs and agricultural societies of a territorial division have subscribed a greater amount than that required to entitle them to the whole grant apportioned to such division, the grant is divided between the societies and the clubs in proportion to the respective subscriptions of each association.

Additional payment to society.

There shall be further paid, to the agricultural society, the part of the grant which it would have had a right to have in proportion to its subscription and which it had not received owing to such division. Such sum shall be taken out of the unexpended balance of the fifty thousand dollars.

Out of what fund taken.

Grant of societies not affected in certain cases.

When two or more agricultural societies are organized in the same county, and when, on the first day of October, one of them has not complied with article 1669, the negligence of such society shall not affect the right of the club or clubs of the same division to the provincial grant in proportion to the amount subscribed by its or their members.

Grants to clubs if there are no societies.

If, in a territorial division erected for the establishment of agricultural societies, no such society exists, the club or clubs established therein and which follow the required conditions are entitled to the whole of the grant in proportion to the amount subscribed by their members.

Payment of grant if county is divided, and there is no society or club in one of the divisions.

When a county is divided into two territorial divisions for the purposes of agricultural societies, and when in one of such divisions there is neither club nor society entitled to the grant, the share of the grant coming to such divisions belongs to the societies and clubs of the other division of the same county.

How grants are paid.

"**1675nn.** The public grants to which agricultural clubs are respectively entitled shall be paid to them upon the order of the Commissioner ; but, whether such grants be or be not claimed, he may retain twelve per cent out of each grant, for agricultural purposes.

Deduction therefrom.

Payment of debts due by societies.

"**1675oo.** The Commissioner of Agriculture may apply, in whole or in part, the grant of one or more clubs, organized in the territorial division in which an agricultural society exists, to the payment of the debts due by such society at the time of the organization of such club or clubs.

“ **1675pp.** Every municipality, incorporated by special charter or otherwise, may grant moneys or lands as aid to an agricultural club. Municipalities may grant aid to clubs.

“ **1675qq.** If a club neglects, for two years, to comply with the requirements of the present section, the Commissioner may declare it dissolved, realize its property and employ the proceeds in paying the debts of such club, and use the surplus of the assets over the liabilities for encouraging agricultural institutions, and for promoting the general interests of agriculture in the county in which such club existed.” Dissolution of clubs in certain cases.

SCHEDULE D.

We, whose names are subscribed hereto, agree to form ourselves into a club, under the provisions of the law respecting Agriculture and Colonization, to be called The Farmers' Club of the parish (or municipality, *as the case may be*) of _____ ; and we hereby severally agree to pay to the treasurer yearly, while we continue members of the club, the sums opposite our respective names, and we further agree to conform to the rules and by-laws of the said club.

Names.	\$	cts.

SCHEDULE E.

Province of }
 Quebec. }

We _____ residing in _____
 and _____ residing in _____
 bondsmen of _____ secretary-treasurer of the
 Farmers' Club of _____ respectively acknowledge
 ourselves to be indebted to the said club, accepting hereof

through its president and vice-president, in the sum of four hundred dollars currency for the use and profit of the said club;—And, by these presents, we bind ourselves, jointly and severally, our heirs and successors, one of us for the whole, without division or discussion, to the faithful and complete payment of the above-mentioned sum, in accordance with article 1675*ee* of the Revised Statutes.

The present bail-bond is made subject to the following conditions, viz :

In case the said should well and truly fulfill all the duties and obligations imposed on him in his capacity of secretary-treasurer of the Farmers' Club of and should apply the moneys in his hands for the purposes and in the manner indicated by the board of directors of the said club and according to law, and should render a faithful and honest account of the said moneys and of his operations as such secretary-treasurer, —then, and in such case, the present bail-bond shall be void and of no effect ; but, in the contrary case, it shall remain valid and binding for the purposes of article 1675*ee* of the Revised Statutes.

Done and attested at	}	Bondsman
this day		
of , 18 .		Bondsman

Accepted by

{	President of Agricultural Club of the
	Vice-President.

SCHEDULE F.

FORM OF AFFIDAVIT.

We, the undersigned, president *or* vice-president, and secretary-treasurer of the Farmers' Club of
 declare on oath that *(here state the names of all*
the members of the club with the sums paid by each opposite
to their respective names), members of the said club, have

