

# BILL

No. 34 of 1911.

An Act respecting Gophers.

(Assented to 1911.)

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

## INTERPRETATION.

1. In this Act unless the context otherwise requires the expression—

1. "Department" means the Department of Agriculture;
2. "Minister" means the Minister of Agriculture;
3. "Inspector" means any inspector appointed under this Act;
4. "Occupant" means a person occupying or having the right to occupy any land;
5. "Owner" includes every person who has any estate or interest in land, or who has any right to be vested with such an estate or interest.

2. The Minister may from time to time appoint such inspectors and other officers as may be required to carry out the provisions of this Act, fix their remuneration and define their duties.

3. The Minister may empower local improvement districts or rural municipalities to appoint such inspectors within their boundaries.

4. Every owner or occupant of land shall destroy all gophers thereon.

5. Any inspector shall have the right to enter upon any land to inspect it for gophers and anyone obstructing him in the discharge of his duty shall be guilty of an offence and liable to a penalty not exceeding \$25 and costs, and any inspector finding gophers may notify the owner—

- (a) To proceed to destroy the gophers by poison, by trap or by whatever expedient may be the custom in the locality.

6. Any inspector finding gophers living on occupied lands shall notify the owner thereof to destroy such gophers within ten days from the date of such notification.

7. Any inspector finding gophers living on unoccupied lands shall notify the owner by registered letter addressed to his last known address, if any, to destroy such gophers within ten days of such notice.

8. Any inspector finding gophers living on any railway fire guard, right-of-way, or any earth-work, or any unoccupied lands owned by or forming part of the land grant to any railway

company shall notify the roadmaster or foreman of that section, or the nearest station agent, either personally or by registered letter to destroy such gophers within ten days from the date of such notice.

**9.** Any person to whom notice has been duly given under any of the preceding sections who neglects to carry out the provisions contained therein shall be guilty of an offence and on summary conviction thereof shall be liable to a penalty not exceeding \$50 and costs.

**10.** In case gophers are not destroyed on any land pursuant to any notice given by an inspector under this Act or in case the name or address of the owner of such land is unknown, the said inspector or any person or persons directed by him may forthwith enter upon the land and destroy such gophers in such manner as the inspector may see fit.

**11.** The amounts expended in the work performed under the next preceding section may be recovered from the owner or occupant of the land by action in the name of the Attorney General or the inspector, or by distress by the inspector or his agent of any chattels on the land.

**12.** Any local improvement district or rural municipality may contract to undertake the destruction of gophers at a given price per acre.

**13.** Any owner or occupant of land who has made a contract with a local improvement district or rural municipality according to section 7 shall be free from all responsibility which shall devolve upon such local improvement district or rural municipality.

**14.** In districts where there exists no local improvement council or rural municipality this Act may be declared inoperative by the Lieutenant Governor in Council.

**15.** The Department of Agriculture shall from time to time issue instructions relating to the destruction of gophers.

**16.** Compliance with the instructions issued under section 12 by any owner or occupant of land shall release such owner or occupant from any charge under this Act.

**17.** Fines collected for infractions of this Act shall become the property of the local improvement district or rural municipality in which the offence was committed.

No. 34

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THIRD SESSION  
SECOND LEGISLATURE  
2 GEORGE V  
1911

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**BILL**

An Act respecting Gophers.

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Received and read the

First time .....

Second time .....

Third time .....

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A. BRAMLEY-MOORE

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EDMONTON:  
JAMES E. RICHARDS, Government Printer  
A.D. 1911