

# BILL

No. 31 of 1915.

An Act to govern and regulate the Driving or Trailing  
of Sheep.

(Assented to 1915.)

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

1. This Act may be cited as "*The Sheep Trailing Act.*"

2. Whenever the owner of five hundred or more sheep desires to move same on foot from one point of the province to another distant fifty miles or more, he shall send a notice of such intention to the Live Stock Commissioner of the province at least ten days before starting on the proposed move. Said notice shall set out—

- (a) The full name and address of the owner of the sheep to be trailed;
- (b) The starting point;
- (c) The objective point;
- (d) The proposed route;
- (e) The number of sheep to be trailed;
- (f) The probable date of starting;
- (g) The name of responsible person who will be in charge of the sheep:

Provided that said notice shall not be necessary where the sheep are being driven directly to market.

3. Sheep that are being driven or trailed over public roads, trails or road allowances of the Province of Alberta must be in charge of the owner, or his agent, whose duty it shall be to see that the sheep are kept moving and under the control of the herders, and that they travel a minimum total distance of five miles a day.

4. The owner, or agent of any owner of sheep which are being driven over the roads, trails and road allowances in the Province of Alberta shall keep said sheep to such roads, trails and road allowances, and any owner or agent who allows said sheep, or any of them, to enter on the lands or rights of any person holding homestead entry, patent, lease or permit shall be liable for all damage done thereon, whether said lands are fenced or not, any provision of *The Fence Ordinance* to the contrary notwithstanding.

5. When sheep that are being driven or trailed enter upon private land or land held under lease or permit they may be seized by the owner, lessee or permittee of such lands and held until all damages resulting from said entrance shall have been paid.

6. When sheep have been thus seized and the parties cannot agree on the amount of the damages, or if the amount is not paid forthwith, the person making the seizure shall report same to the nearest justice of the peace without delay.

7. The justice of the peace shall, on receiving notice of the seizure, appoint three disinterested persons to survey and assess the damage done, and upon receipt of their report shall order the payment of the amount, with costs, by the owner of the sheep or his agent to the party suffering the damage and, upon such payment, shall order the release of the sheep.

8. If the owner of the sheep or his agent refuses or neglects to pay the amount as ordered by the justice of the peace, he may order the sheep under seizure to be sold to satisfy the claim for said amount and in the order of sale may prescribe such notice to be given, such further costs to be paid and such other conditions as to him may appear just and reasonable.

9. Nothing in this Act shall prevent any person who has suffered damages because of sheep entering upon his lands from recovering compensation in any court of competent jurisdiction from the owner of the sheep through which such damage has been caused, any provision of *The Fence Ordinance* to the contrary notwithstanding.

10. Any owner or agent of any owner who rescues or attempts to rescue or interfere, directly or indirectly, with any sheep seized for damages, or with the person seizing them, shall be liable on summary conviction to a penalty not exceeding one hundred dollars and costs.

11. Any herder who permits sheep under his charge, custody or control to wander on privately owned land or lands held under lease or permit and to commit damage to crops or meadows thereon shall be personally liable on summary conviction to a fine not exceeding ten dollars for each and every offence.

12. Any person contravening any of the provisions of this Act shall be guilty of an offence and, wherein not otherwise provided for, shall, on summary conviction, be liable to a penalty not exceeding one hundred dollars and costs.

No. 31

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THIRD SESSION  
THIRD LEGISLATURE  
5 GEORGE V  
1915

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BILL

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. MR. ~~MITCHELL~~.

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EDMONTON:  
J. W. JEFFERY, Government Printer  
A. D. 1915.