

BILL

No. 53 of 1917.

An Act for the Enrolment of Stallions.

(Assented to , 1917.)

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

SHORT TITLE.

1. This Act may be cited as "*The Stallion Enrolment Act.*"

INTERPRETATION.

2. In this Act, unless the context otherwise requires—^{Interpretation}
- (a) "Minister" means the Minister of Agriculture;
 - (b) "Department" means the Department of Agriculture;
 - (c) "Owner" includes a part owner and any person acting as agent for, or on behalf of any owner or part owner;
 - (d) "Stallion" includes a jack.
 - (e) "Pure-bred stallion" means any stallion registered in one of the records affiliated with the Canadian National Live Stock Records, or in case there is no such record in Canada for the breed, then in one of the records accepted as authentic by the Canadian National Live Stock Record Board, or by the Minister;
 - (f) "Grade stallion" means for the purposes of this Act any stallion other than a pure-bred stallion;
 - (g) "Board of inspection" means the members of the board for the time being appointed under this Act.

BOARD OF INSPECTION.

3. There shall be constituted and established a board^{Constitution of Board of Inspection} of inspection under this Act, consisting of the following: The Provincial Veterinarian, one member of the Alberta Horse Breeders' Association and one member of the Alberta Provincial Horse Breeders' Association.

(2) The board shall meet at such times and places as^{Payment of members of board} business may require and for attending any such meeting the members may be paid such expenses as the Minister may authorize.

(3) At any meeting of the board two members shall^{Quorum} form a quorum with full right to exercise all or any of the powers and duties of the board under this Act.

4. The powers and duties of the board shall be—^{Powers and duties}

1. To recommend the issue of certificates of enrolment under this Act;

2. To make such recommendations to the Minister respecting the passing by him of rules and regulations for the better administration of this Act.

ENROLMENT OF STALLIONS.

5. No person, or partnership, firm or corporation shall stand, travel or offer for service in the province any stallion unless and until the name, description and, if pure bred, the pedigree, of such stallion has been enrolled with the Minister under this Act, and a certificate of such enrolment has been issued as hereinafter provided. Enrolment

(2) The owner of a stallion which is not enrolled shall not have route bills or breeding cards printed or posted nor shall he advertise the services of such stallion or charge or receive service fees.

(3) For the purposes of enrolment, the owner of every stallion shall submit or cause to be submitted to the board of inspection appointed under this Act all such evidence as they may require regarding the breeding, ownership, soundness, and freedom from hereditary, infectious, contagious, or transmissible disease of such stallion. Evidence submitted to board

(4) Upon receipt of such evidence hereinbefore referred to and upon payment of the fees hereinafter provided the board of inspection may recommend to the Minister that a certificate of enrolment be issued under this Act. Recommendations of board

(5) Upon receipt of a recommendation from the board of inspection, the Minister may issue a certificate of enrolment in form A or B, C or D to the schedule, as the case may require. Minister's certificate

(6) Every certificate of enrolment so issued shall continue in force until the first day of January then next following the issue thereof or until any change of ownership prior thereto and shall thereupon cease to have effect. Life of certificate

(7) Every certificate of enrolment issued under this Act shall cease upon a change of ownership and a new certificate shall be immediately applied for by the new owner and such certificate when issued shall continue in force until the first day of January next following the issue or until any change of ownership prior thereto and shall thereupon cease to have effect. Change of ownership

(8) Any certificate under this Act may be cancelled by the Minister at any time. Cancellation of certificate

(9) The Minister shall keep a record of all certificates issued under this Act.

INSPECTION OF STALLIONS.

6. The Minister may appoint inspectors of stallions and it shall be the duty of such inspectors to make a thorough examination of the stallion submitted for enrolment under this Act and report findings to the board of inspection; and in particular every inspector shall report any and every grave defect of conformation found respecting such stallion, or of its being affected with bone-spavin, bog-spavin, ring-bone, side-bone, curb (when any such unsoundnesses are apparently due to defective conformation or structural weakness), cataract, amaurosis, periodic ophthalmia (moon-blindness), laryngeal hemiplegia (roaring or whistling), chorea (spring-halt) or St. Vitus' Dance, or to any other condition or cause in the judgment of the inspector is unfit for breeding purposes. Inspection of stallions

(2) All stallions shall be subject to inspection for the breeding season commencing with the year 1918 and every three years thereafter until nine years of age, except as provided in section 6, subsection 3, of this Act. Commencement of inspection

(3) Upon sufficient evidence being forwarded to the department to the effect that a horse enrolled as sound has become unsound, an official examination may be made and the previously issued certificate shall be delivered forthwith to the department and cancelled.

FEES.

7. The fees to be paid to the department under this Act shall be as follows: Fees

For inspection of stallion.....	\$5.00
For certificate of enrolment.....	2.00
For duplicate certificate.....	1.00
For transfer.....	1.00
For renewal.....	1.00

and shall form part of the general revenue fund of the province.

EVIDENCE.

8. In the case of a pure-bred stallion recorded in the Canadian National Live Stock Records, the board of inspection under this Act or the Minister may accept as evidence of breeding and ownership a certificate of registration issued by the Canadian National Live Stock Records Board showing the applicant for enrolment under this Act to be the recorded owner, and in the case of a pure-bred stallion not so recorded a certificate of registration of any foreign society recognized by the Canadian National Live Stock Records Board as authentic or any other document as the board may deem sufficient evidence of breeding and ownership. Evidence

(2) In case of disputed ownership, or where a vendor refuses or is unwilling or unable or neglects to execute a proper transfer, the board may accept such evidence of ownership as to it seems sufficient. Disputed ownership

(3) In the case of a grade stallion a signed statement shall be submitted to the board of inspection by the owner giving such information as he may be able to give regarding the breeding or ownership, verified by affidavit, stating that such information to the best of his knowledge is correct and that he is the owner of the stallion. Affidavit of verification

9. In the case of death, or removal to a point outside the province, of an enrolled stallion the owner of the stallion shall forthwith give notice thereof to the board. Death or removal of stallion

10. The owner of any stallion shall post up and keep posted up during the whole of the season during which such stallion stands, travels or is offered for service, in a conspicuous place, both within and upon the outside of the main door leading into every stable or building where the said stallion stands regularly for service, a copy of the certificate of enrolment of such stallion issued under this Act. Posting copies of certificate

(2) A copy of the certificate of enrolment of any stallion shall also be included in and form part of any newspaper or other printed advertisement advertising such stallion.

(3) Every poster issued shall contain a copy of the certificate of enrolment printed in bold face and conspicuous type and the issuing of any poster which does not contain a copy of the certificate of enrolment or which does contain any illustration, pedigree or other matter which is untruthful or misleading, shall constitute an offence under this Act.

11. The Minister may, subject to the approval of the ^{Regulations} Lieutenant Governor in Council, make rules and regulations for the better carrying out of the provisions of this Act and may cancel, alter and amend the same as he may deem expedient.

12. Violation of any of the provisions of this Act shall ^{Penalties} be an offence and the offender shall be liable on summary conviction to a penalty of not less than \$25 nor more than \$100 and costs and in default of payment forthwith after conviction to a term of imprisonment not exceeding one month.

13. The owner or agent of an owner of any stallion ^{Lien for service} holding a certificate of enrolment as a pure-bred stallion may file in the office of the registration clerk of the registration district for chattel mortgages and bills of sale or other personal property in which the owner or person in charge of any mare upon which such stallion performs service resides, within twelve months after such service is performed, a statutory declaration setting forth—

1. The amount of service fee;
2. That the same is unpaid;
3. The fact of such service;
4. A reasonable description of such mare; and
5. The name and residence of the owner of such mare.

(2) For filing such statutory declaration the registration clerk shall be entitled to a fee of ten cents.

14. The owner of such stallion upon filing such statutory declaration and complying with the provisions of this Act shall have a lien for the amount of said service fee and costs upon the colt or filly the offspring of any such stallion by reason of the service in respect of which such statutory declaration is filed, which lien shall take and have priority over any and all writs of execution, chattel mortgages, bills of sale, claims and encumbrances whatsoever.

15. If payment of the service fee is not made before the first day of January in the year following the year in which the colt or filly is born, the owner of said stallion or his duly authorized agent may at any time before the first day of May following take possession of the colt or filly upon which he has such lien as aforesaid wherever the same may be found and may proceed to sell the same by public auction after giving the person in whose possession the said colt or filly was when taken ten days' notice in writing of such intention to sell, which notice may be effectually given to such person by delivering the same to him personally or by posting it upon the door of such person's last known place of residence in the Province of Alberta.

16. The proceeds of sale shall be applied first in payment ^{Sale proceeds} of the reasonable expenses of the taking of possession giving of notice and conduct of sale, not in any case to exceed \$10.00 in all, and next in payment of said service fee, and the balance shall be paid forthwith by the owner of the stallion to the person from whose possession such colt or filly was taken.

REPEAL.

17. *The Horse Breeders' Ordinance*, being chapter 23 of ^{Repeal} the North-West Territories Ordinances, 1903 (First Session), and amendments thereto, is hereby repealed.

18. This Act will come into force on the first day of January, 1918.

SCHEDULE.

FORM A.

DEPARTMENT OF AGRICULTURE.

ENROLMENT CERTIFICATE OF PURE-BRED STALLION.

No.....
The pedigree certificate of the.....stallion
.....No.....owned by.....
of.....has been examined by the board of
inspection, and it is hereby certified that the said stallion
is registered in a stud-book recognized by the Canadian
National Live Stock Records Board, and has been examined
by a duly appointed veterinary inspector, is found to be
free from hereditary unsoundness, and is allowed to stand
for public service in the Province of Alberta.

.....
Minister of Agriculture.

Issued at Edmonton, Alberta, this.....day of.....,
19.....

FORM B.

DEPARTMENT OF AGRICULTURE.

ENROLMENT CERTIFICATE OF STALLION PURE-BRED BUT
UN SOUND.

No.....
The pedigree certificate of the.....stallion
.....No.....owned by.....
of.....has been examined by the board of
inspection, and it is hereby certified that the said stallion
is registered in a stud-book recognized by the Canadian
National Live Stock Records Board, and has been examined
by a duly appointed veterinary inspector, is found to be

suffering from hereditary unsoundness, known as.....,
but is allowed to stand for public service in the Province
of Alberta.

.....
Minister of Agriculture.

Issued at Edmonton, Alberta, this.....day of.....,
19.....

FORM C.

DEPARTMENT OF AGRICULTURE.

ENROLMENT CERTIFICATE OF GRADE STALLION.

No.....

The breeding of the grade stallion.....
has been examined by the board of inspection, and it
is hereby certified that the said stallion has been examined
by a duly appointed veterinary inspector, is found to be
free from hereditary unsoundness, and is allowed to stand
for public service in the Province of Alberta.

.....
Minister of Agriculture.

Issued at Edmonton, Alberta, this.....day of.....,
19.....

FORM D.

DEPARTMENT OF AGRICULTURE.

ENROLMENT CERTIFICATE OF UNSOUND GRADE STALLION.

No.....

The breeding of the grade stallion.....
has been examined by the board of inspection, and it is
hereby certified that the said stallion has been examined
by a duly appointed veterinary inspector, is found to be
suffering from hereditary unsoundness, known as.....
but is allowed to stand for public service in the Province
of Alberta.

.....
Minister of Agriculture.

Issued at Edmonton, Alberta, this.....day of.....,
19.....

No. 53.

FIFTH SESSION
THIRD LEGISLATURE
7 GEORGE V
1917

BILL

An Act for the Enrolment of Stallions.

Received and read the

First time

Second time

Third time

HON. MR. MARSHALL.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER.
A.D. 1917