

REPRINTED BILL.

BILL

No. 15 of 1924.

An Act for the Enrolment of Stallions.

(Assented to , 1924.)

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*, 1924."

INTERPRETATION.

2. In this Act, unless the context otherwise requires,—

- (a) "Department" shall mean the Department of Agriculture;
- (b) "Grade stallion" shall mean any stallion other than a pure-bred stallion;
- (c) "Minister" shall mean the Minister of Agriculture;
- (d) "Owner" shall include a part owner and any person acting as agent for or on behalf of any owner or part owner;
- (e) "Pure-bred stallion" shall mean a 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.

3. No person, partnership, firm or corporation shall stand, travel or offer for service any grade stallion within the Province.

ENROLMENT OF STALLIONS.

4.—(1) No person, partnership, firm or corporation shall stand, travel or offer for service in the Province any stallion, or charge or receive service fees for any stallion, unless such stallion is a pure-bred stallion and unless and until the name, description and the pedigree of such stallion has been enrolled with the Minister under this Act, and a certificate of such enrolment has been issued in form A in the schedule to this Act.

(2) Every certificate of enrolment issued under this Act shall continue in force until the first day of January next following the issue thereof, or until any change of ownership prior thereto and upon such date or change it shall cease to have effect.

(3) Upon a change of ownership a new certificate shall be immediately applied for by the new owner.

(4) Any certificate issued under this Act may be cancelled by the Minister at any time.

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

5.—(1) The Minister shall appoint inspectors of stallions, who shall make a thorough inspection of stallions submitted for enrolment under this Act and report their findings to the Minister.

(2) In particular, every inspector shall report any and every grave defect of conformation in any such stallion, and (if such there be) any bone-spavin, bog-spavin, ring-bone, side-bone, or curb, apparently due to defective conformation or structural weakness, and any cataract, amaurosis, periodic opthemia (moon-blindness), laryngeal hemiplegia (roaring or whistling), chorea (spring-halt) or St. Vitus' Dance, or any other condition rendering it, in the judgment of the inspector, unfit for breeding purposes.

(3) Every enrolled stallion shall, until it is nine years of age, be subject to inspection every three years.

(4) Upon evidence being forwarded to the Department that a horse enrolled as sound has become unsound, an official examination may be made, and if the unsoundness be established, the certificate shall be returned forthwith to the Department and cancelled.

(5) The preceding subsections of this section shall not become operative until the first day of May, one thousand nine hundred and twenty-six, and prior to that date the Minister shall have power to determine whether any stallion shall or shall not be inspected before enrolment.

INSPECTION.

6.—(1) Every stallion imported from outside the Province shall be kept at the residence of its owner or other place in the Province at which it is first delivered, and shall not stand, travel or be offered for service until it has been inspected and enrolled under the provisions of this section.

(2) The Minister upon receiving notice that any such stallion has been imported from outside the Province shall cause the stallion to be thoroughly examined and shall, upon receiving the report of such examination, direct the stallion to be enrolled, if it appears that the animal does not suffer from any hereditary defect mentioned in subsection (2) of section 5.

(3) The cost of inspection and enrolment under the provisions of this section shall be borne by the owner of the stallion.

(4) The preceding subsections of this section shall cease to be operative upon the thirtieth day of April, one thousand nine hundred and twenty-six.

EVIDENCE.

7.—(1) In the case of a pure-bred stallion recorded in the Canadian National Live Stock Records, 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.

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

8. The owner of every stallion standing or travelling for service shall make reports, verified by affidavit, and in such form as the Minister may require, to the Department—

- (a) on or before the thirty-first day of December in each year of the number of mares served by the said stallion during that year; and
- (b) on or before the thirty-first day of May in the following year, the number of mares that proved to be in foal from the services referred to in such previous report.

9. In case of the 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 Department.

10.—(1) The person in charge of every stallion travelling shall carry with him and produce for inspection when required so to do, the certificate of enrolment issued under the provisions of this Act.

(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 of such stallion.

(3) The issuing of any poster or other advertisement which does not contain a copy of the certificate of enrolment or which contains any illustration, pedigree or other matter which is untruthful or misleading, shall constitute an offence under this Act.

11. The owner of any stallion siring a foal shall, until the foal reaches the age of two years, have, without registration, a lien on the foal for the amount of the fees unpaid in respect of the service of the mother of the foal.

12.—(1) At any time during the currency of such lien the aforesaid owner may direct the sheriff of the district to seize and sell the foal by public auction for the amount of such service fees, or any part thereof remaining unpaid.

(2) A notice of such sale shall be posted up at least ten days before the date thereof, in three public places in the vicinity of the residence of the owner of the foal.

(3) The proceeds of the sale shall be applied in payment of the amount due for service fees and the expenses of the seizure and sale, and the residue, if any, shall be paid to the owner of the foal.

(4) No sale effected under the authority of this section shall be subject to the provisions of *The Extra-Judicial Seizures Act*.

13. The lien upon any foal hereby provided for shall be deemed to have arisen and been created at the time of the service in respect of which it arises, and during its currency shall have priority over all other claims or liens upon or rights in such foal, howsoever arising.

14. If the service fees hereinbefore mentioned are not paid at the time of service, and the mare served is sold or removed out of the Province before foaling, such fees shall become due and payable upon the date of such sale or removal.

15. The fees to be paid to the Department under this Act shall be as follows:

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.

16. The violation of any of the provisions of this Act shall be an offence for which the offender shall be liable on summary conviction to a penalty of not less than twenty-five dollars nor more than one hundred dollars and costs, and in default of payment forthwith after conviction to a term of imprisonment not exceeding one month.

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

18. *The Stallion Enrolment Act*, being chapter 68 of the Revised Statutes of Alberta, 1922, is hereby repealed.

19. This Act shall come into force on the day upon which it is assented to.

SCHEDULE

FORM A.

(Section 4)

ENROLMENT CERTIFICATE OF PURE-BRED STALLION.

The pedigree certificate of the.....stallion
.....No.....owned by.....
of.....has been examined and it is hereby
certified that the said stallion is recorded in the Canadian
National Live Stock Records or is registered in a stud-book
recognized by the Canadian National Live Stock Records
Board, (or, has been approved by the Minister as a pure-
bred stallion, *as the case may be*) and is allowed to stand
for public service in the Province of Alberta, and is granted
this certificate.

.....
Minister of Agriculture.

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

No. 15.

FOURTH SESSION
FIFTH LEGISLATURE
14 GEORGE V
1924

BILL

An Act for the Enrolment of
Stallions.

Received and read the

First time

Second time

Third time

HON. MR. HOADLEY.

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A.D. 1924