

Bill No. 20 of 1932.

A BILL RESPECTING FODDER RELIEF.

NOTE.

This Bill authorizes the Provincial Treasurer, with the approval of the Lieutenant Governor in Council, to expend public moneys for the purpose of paying for fodder supplied to farmers in necessitous circumstances in pursuance of the other provisions of the Bill, between first day of September, 1931, and the thirty-first day of May, 1932, and sets out the conditions under which fodder may be supplied and the manner in which payment is to be made therefor.

The Government, upon filing a notice of lien, obtains a first charge upon all the live stock of the person furnished with fodder and all increases of such live stock and any other live stock subsequently acquired by him.

The Bill contains provisions ordinarily found in a Bill of this nature for enforcing payment of the amount of advances and makes it an offence for any person who obtains any fodder pursuant to the Bill to dispose of the same in any way whatsoever other than for the purpose of feeding his own live stock without the consent of the Minister.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 20 of 1932.

An Act respecting Fodder Relief.

(Assented to _____, 1932.)

HIS 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 Fodder Relief Act.*"
- 2.** With the approval of the Lieutenant Governor in Council, the Provincial Treasurer is hereby authorized to expend out of the General Revenue Fund without any further or other appropriation than is provided by this Act, such sums of money as may be required for the purpose of paying for fodder provided between the first day of September, 1931, and the thirty-first day of May, 1932, to farmers in necessitous circumstances in pursuance of the other provisions of this Act.
- 3.** Any person who is actively engaged in farming within the Province, and who is the owner of any work horses, dairy cattle, poultry and swine, or any of them, and who is unable out of his own resources to obtain the fodder necessary for the purpose of feeding his said live stock at any time or times between the first day of September, 1931, and the thirty-first day of May, 1932, may become an applicant for relief pursuant to the provisions of this Act.
- 4.** Any applicant for relief shall negotiate the terms of an agreement with the person from whom he proposes to obtain the supply of the fodder which he requires for the purpose of feeding his said live stock within the period aforesaid and shall then apply to the Department of Agriculture for assistance in the form and in the manner from time to time prescribed by the Minister of Agriculture who may in his discretion either grant the application wholly or in part or may refuse the same.
- 5.** Upon the application being granted, the Minister shall issue his certificate in duplicate and shall deliver the same to the person who has agreed to supply fodder to the applicant and in such certificate the Minister shall state the amount of the fodder of which he authorizes delivery to be made to the applicant and the price thereof.

6.—(1) The person authorized to supply an applicant with fodder shall upon shipment thereof by rail make a draft payable thirty days after sight through a chartered bank upon the applicant for the amount of the agreed price for such fodder together with freight and the ordinary and usual banking charge.

(2) Upon the applicant accepting the draft, and upon the bank delivering the bill of lading to the applicant and obtaining his receipt therefor, and upon the subsequent delivery by the bank to the Government of the draft accepted in manner aforesaid, the Government will pay to the bank forwarding the draft the amount due thereon.

7. The person authorized to supply an applicant with fodder upon making shipment or delivery thereof to the applicant in any manner otherwise than by rail shall obtain from the applicant a receipt for such fodder and shall make a draft payable thirty days after sight through a chartered bank upon the Provincial Treasurer for the amount of the agreed price for such fodder and shall forward the receipt with the draft, and thereafter the Provincial Treasurer being satisfied that such fodder has been delivered in conformity with the authority in that behalf and to the other provisions of this Act will accept and pay the said draft.

8.—(1) The Minister shall within thirty days after paying any draft on account of fodder supplied pursuant to this Act send to the Clerk of the Registration District for bills of sale established under *The Bills of Sale Act, 1929*, in which the applicant resides, a notice in writing setting out the name and address of the applicant and the amount of his indebtedness on account of fodder supplied to him under this Act, and it shall be the duty of the said Clerk, without fee, to file the said notice and make an entry in a book to be kept by him for that purpose at his office of all such notices received by him setting forth the name of the applicant, the date of the filing of the notice and the amount of the applicant's indebtedness, and such book shall be open to inspection by the public without fee during the usual office hours.

(2) In the case of any fodder supplied pursuant to this Act before the day upon which this Act comes into force, the Minister shall send notice thereof to the Registration Clerk in the manner aforesaid within thirty days after the day upon which this Act comes into force.

(3) In case such notice is not filed within the time aforesaid, the same may be filed at any time thereafter and the omission to file a notice shall not invalidate the charge by this Act given to the Provincial Treasurer except only as to interests acquired *bona fide* without notice and for value in live stock subject to the said charge after the expiration of the said period of thirty days and before the day upon which the notice is actually filed.

9. Every applicant who receives any fodder pursuant to this Act shall pay to the Minister of Agriculture the amount of the purchase price thereof together with freight and other charges on or before the first day of November, 1932, together with interest from the date of payment by the Government to the bank until repayment thereof at the rate of six per centum per annum.

10. The Government shall in respect of every sum paid by it for the purchase price of fodder together with freight and other charges have a charge for the amount of all sums so paid together with interest and costs upon all the live stock of every kind and description owned by the applicant at the time of the first delivery to him of any fodder under this Act and all increases of such live stock and any other live stock at any time thereafter acquired by him, which charge shall have priority over all other charges, liens or interests therein of whatsoever nature and howsoever and whensoever created.

11. If at any time any seizure is made of any live stock which is charged with the payment of any money to the Government pursuant to this Act or if the Minister deems, for any reason whatsoever, that any of the live stock so charged is about to be disposed of or dealt with in any manner calculated to prejudice the charge given pursuant to this Act or that the security of the Government is in jeopardy, the Minister may by writing under his hand demand the repayment forthwith of all sums owing by any applicant pursuant to this Act and immediately thereupon such sums shall become forthwith due and payable.

12. Any person who obtains any fodder pursuant to the provisions of this Act who disposes of the same in any way whatsoever other than for the purpose of feeding his own live stock, without the consent in writing of the Minister, shall be guilty of an offence and shall be liable upon summary conviction therefor to a penalty of not less than two hundred dollars and costs and in default of payment forthwith to imprisonment for a term of not more than six months.

13. If default is made by any applicant in the due payment of any sums owing by him pursuant to this Act, whether the same are demanded or not, the Minister may by warrant under his hand direct any person or persons named therein to seize any of the live stock so charged as aforesaid and to sell the same or so much thereof as may be sufficient to realize an amount equal to the amount so owing to the Government together with the costs of seizure and sale, and every such seizure and sale shall be conducted in

such manner as the Minister may direct and none of the provisions of *The Extra-Judicial Seizures Act* shall apply thereto.

14. The Lieutenant Governor in Council may from time to time make regulations as to the manner in which any matter or thing authorized by this Act shall be carried out and the forms to be used in relation thereto.

15. The Minister may from time to time by writing authorize any person or persons he may think fit to exercise any of the functions, powers and duties which are by this Act vested in or imposed upon the Minister.

16. This Act shall come into force on the day upon which it is assented to and upon so coming into force shall be deemed to have been in force at all times from and after the first day of September, 1931.

SECOND SESSION
SEVENTH LEGISLATURE
22 GEORGE V
1932

BILL

An Act respecting Fodder Relief.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. HOADLEY

EDMONTON:
W. D. McLEAN, KING'S PRINTER