



CHAPTER 16.

An Act to provide for the Conservation of Useful Domestic Animals.

[Assented to 24th March, 1920.]

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

1. This Act may be cited as the “Domestic Animals Conservation Act.” Short title.

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

Interpretation.

“Domestic animals” shall mean any horses, cattle, sheep, swine, or goat:

“Minister” shall mean any member of the Executive Council of British Columbia.

3. Where any domestic animals have been abandoned or are neglected by their owner, or are found under such circumstances that they are likely to suffer from want of care or feed, any Minister, if he deems it to be in the public interest, may cause those domestic animals to be taken possession of and properly cared for and fed in such manner and for such time as he may consider necessary; and all expenses incurred under this Act shall be paid out of the Consolidated Revenue Fund.

Conservation of domestic animals.

4. The Crown in right of the Province shall have a lien on all domestic animals taken possession of under this Act for the amount of the expenses incurred, including all expenses of taking possession of them, and of transporting, caring for, and feeding them, and of every notice, advertisement, and sale in respect thereof under this Act. The lien shall have priority over all other claims, liens, or encumbrances in respect of such domestic animals, whether arising before or after the incurring of the expenses.

Lien for expenses.

Right of owner to recover possession.

5. The Minister may retain possession of the domestic animals subject to the lien until all the expenses incurred are paid in full; but the owner or any person otherwise entitled to possession of them may obtain possession at any time prior to sale under section 6 upon payment to the Minister of the full amount of the expenses incurred up to the time of payment, or by furnishing security for such payment to the satisfaction of the Lieutenant-Governor in Council.

Enforcement of lien.

6. (1.) The Minister may enforce the lien by sale of the domestic animals at public auction, subject to the provisions contained in this section.

Demand for payment.

(2.) The Minister shall first cause notice in writing to be given to the owner of the domestic animals, if known to the Minister, and to every person known to him as having or claiming to have any interest in them, demanding payment of all expenses incurred up to the time of payment. The notice shall be given in such manner as the Minister may direct, and shall name a date on or before which the payment shall be made, which date the Minister shall fix after taking into consideration all the circumstances surrounding the case.

Advertisement of sale.

(3.) Where the expenses incurred are not paid in full within the time named in the notice, or where no owner or person having or claiming to have any interest in the domestic animals is known to the Minister, the Minister may cause the domestic animals to be advertised for sale at such time and at such place in the Province as he may direct. The advertisement of the sale shall be published in such form and for such time as the Minister may direct in a newspaper published or circulating in the locality where the sale is to be held, and by handbills posted in that locality.

Terms of sale.

(4.) The sale shall be for cash.

Disposition of proceeds of sale.

7. From the proceeds of the sale the Minister shall satisfy the lien of the Crown, including the expenses of notice, advertisement, and sale, and shall pay over the balance of the proceeds (if any) to the person entitled thereto.

Report and return.

8. Any action taken by any Minister under the provisions of this Act shall be fully reported by such Minister to the Deputy Provincial Secretary, and the Provincial Secretary shall during each session of the Legislature submit a report containing a summary of all actions taken under this Act during the previous year ending December thirty-first.

Retrospective application.

9. This Act shall be retrospective in its operation, and shall apply in respect of all expenses incurred by any Minister in the taking possession of, transportation, care, and feeding of any domestic animals, whether before or after the passing of this Act.

VICTORIA, B.C.:

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