

The Council of the Onion Lake Band of Indians at a meeting held April 12, 1960 (date) makes the following by-law pursuant to paragraph (e) and paragraph (r) of Section 80 of the Indian Act.

By-law No. 3

A by-law to provide for the protection against and prevention of trespass by cattle and other domestic animals, the establishment of a pound, the appointment of a poundkeeper, the regulation of his duties and the provision for fees and charges for his services on the Onion Lake Indian Reserve in the Provinces of Saskatchewan and Alberta.

1. With the coming into force of this by-law, the by-law providing for the protection against and prevention of trespass by cattle and other domestic animals on the Onion Lake Indian Reserve in the Provinces of Alberta and Saskatchewan, otherwise known as By-law No. 2, and made by the Onion Lake Band of Indians pursuant to paragraphs (e) and (r) of Section 80 of the Indian Act at a meeting held August 23, 1954, shall cease to be in force.
2. In this by-law,
 - (a) "Band" means the Onion Lake Band of Indians;
 - (b) "Council" means the Council of the Band;
 - (c) "animal" means a domestic animal and includes any ass, boar, bull, bullock, calf, cow, goat, heifer, horse, jackass, lamb, mule, ox, pig, ram, sheep, sow, or stallion;
 - (d) "pound" means an enclosure kept on the Reserve for the purposes of this by-law;
 - (e) "poundkeeper" means a person appointed by the Council for the purposes of this by-law;
 - (f) "Reserve" means the Onion Lake Indian Reserve.
3. No person shall permit any animal owned by him or in his possession to run at large on any part of the Reserve, and any such animal found at large on the Reserve shall be liable to be impounded.
4. Where any person finds an animal running at large on the Reserve, he may deliver such animal to the pound and he shall be entitled, for delivering such animal, to receive the following fees payable by the owner or from the proceeds of the sale of the animal as provided in this by-law:



- (a) For the delivery of each stallion, jackass or bull \$10.00.
 - (b) For the delivery of any other animal not referred to in paragraph (a) \$.50, but not more than \$3.00 for any one impoundment.
5. The poundkeeper shall supply sufficient feed and water to any animal impounded.
6. (1) The poundkeeper shall, within two days after the impounding of any animal, post a notice of such impoundment in at least three conspicuous places on or adjoining the Reserve, and may advertise such impoundment in two successive issues of a local newspaper.
- (2) Notwithstanding sub-section (1), where the owner of any animal impounded is known to the poundkeeper, he shall notify such owner in writing of the impoundment.
7. The owner of any impounded animal shall pay to the poundkeeper the following fees and charges:
- (a) For receiving into pound each stallion, jackass or bull \$.50,
 - (b) For receiving into pound any other animal not referred to in paragraph (a) \$.50, but not more than \$2.50 for any one impoundment,
 - (c) For the maintenance of each stallion, jackass or bull \$.75 a day but not to exceed \$15.00 for each stallion, jackass or bull so maintained,
 - (d) For the maintenance of any other animal not referred to in paragraph (c) \$.30 a day but not to exceed \$12.00 for each animal so maintained,
 - (e) For notifying the owner pursuant to section 6 (2) \$.10,
 - (f) For advertising - actual cost,
 - (g) For posting a notice of impoundment \$.35,
 - (h) For each mile necessarily travelled in performance of his duties \$.10.
8. Where the owner of any impounded animal has paid the fees and charges provided for in this by-law he shall be entitled to redeem such animal from the poundkeeper.
9. Where any animal has not been redeemed from the poundkeeper within 20 days after notice of impoundment has been given as provided for in section 6 such animal shall be sold by public auction after the notice of such auction has been posted for 14 days in 3 conspicuous places within reasonable distance of the pound, and at such auction the poundkeeper or a person chosen by him shall be auctioneer, and such auction shall be held at the pound.

10. The auctioneer shall be entitled to receive a fee of $2\frac{1}{2}\%$ of the amount realized from the sale of any animal.
11. (a) Where any animal is sold at an auction the poundkeeper shall deduct from the proceeds of the sale the auctioneer's fee and the fees and charges payable by the owner of such animal under this by-law and remit such fees and charges to the persons entitled thereto.
(b) The poundkeeper shall pay the remaining proceeds of the sale to the owner of the animal sold.
(c) Where the owner does not claim the remaining proceeds of the sale the poundkeeper shall deliver such proceeds forthwith to the Superintendent of the Meadow Lake Indian Agency.
(d) Where the owner makes application to the Superintendent for the proceeds within 3 months from the date of the sale the Superintendent shall pay the proceeds to such owner and obtain a receipt for such proceeds from the owners.
(e) Where the owner does not make application within the period specified in paragraph (d) the Superintendent shall credit or cause to be credited the proceeds to the funds of the Band.
12. No person shall interfere with or attempt to interfere with the poundkeeper in performing or attempting to perform his duties under this by-law.
13. No person other than the poundkeeper shall release any animal from the pound except with the written consent of the poundkeeper.
14. No provisions contained in this by-law shall be construed as preventing any person from taking action to recover damages caused by any animal running at large on the Reserve from the owner of such animal.
15. Any person who violates any of the provisions of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$100 or to imprisonment not exceeding 30 days or to both fine and imprisonment.

Chief: Robert Chief

Ernest Wilkerson
Councillor

Wilfred Chocoma
Councillor

Wilfred Carter
Councillor

Louis Harper
Councillor

Councillor

Councillor