

March 18, 1974

The Driftpile Band of Indians

By-Law 101 - 13 - 3 - 74

Being a By-Law to provide for the control of domestic animals running at large on the reserve.

WHEREAS Paragraph (e) of section 80 of the Indian Act empowers the council of a band to make By-Laws respecting the protection against and prevention of trespass by cattle and other domestic animals, the establishment of pounds, the appointment of pound-keepers, the regulation of their duties and the provision for fees and charges for their services;

AND WHEREAS it is deemed to be expedient to control the movement of domestic animals on the Reserve;

NOW THEREFORE the Council of the Driftpile Band of Indians enacts as a By-Law thereof the following:

In this By-Law,

- (a) "Council" means the Council, as defined in the Indian Act, of the Driftpile Band of Indians;
- (b) "Reserve" means the tract of land set apart by her Majesty within the defination of the Indian Act, for the use and benefit of the Driftpile Band of Indians know as the Driftpile Indian Reserve No. 150.

1. No person shall permit any ass, boar, bull, bullock, calf, cow, goat, jackass, ponies, lamb, mule, ox, pig, sow, or horse owned by or reputed to be in his care or possession, run at large on any part of the Driftville Indian Reserve in the Province of Alberta, and any such animal so found at large on the Reserve shall be liable to be impounded as here in after proved.
2. The Chief or some person duly appointed by the Council of the Band shall be Pound-keeper for the Reserve and such Pound Keeper shall supply sufficient feed and water to any animal impounded as provided by Section 4.
3. The Pound Keeper shall keep a book in which he shall record a description of all animals impounded, with the date of impounding, damage claimed (if any), date redeemed or sold, and disposal of proceeds.
4. Anyone finding an animal running at large on a Reserve, contrary to the provisions of section 1 may deliver the same to the Pound whether the name and address of the owner or the reputed owner of such animal shall be known or not, and for so delivering none shall be entitled to remuneration as follows:
 - (a) For delivery of each horse, cow, or bull\$5.00
 - (b) For delivery of each other animal.....\$3.00
5. The Pound Keeper shall, within two days after the impounding of any animal, post a notice of same in at least three conspicuous places on or adjoining the Reserve, and may advertise the same in two successive issues of the local newspaper (if any). If the owner or person reputed to have charge of the animal is known, the Pound Keeper shall notify such owner or person in writing.
6. The owner or any person having any animal in his care and possession may redeem any impounded animal by payment of fees and damages as provided in section 7.
7. The following fees and damages (if any) shall be recovered by the PoundKeeper , together with the remuneration mentioned in section 4, before releasing the impounded animal from the pound.
 - (a) for receiving into pound each horse, cow, or bull.....\$5.00
 - (b) for receiving into pound each animal.....\$2.00 but not more than \$10.00 for one impoundment.

- (c) For the maintenance of each horse, cow, or bull.....\$1.00a day
- (d) for the maintenance of each other animal\$1.00 a day
- (e)for notifying the owner or reputed person to have charge of the animal or animals impounded.....\$1.00
- (f) for advertising ... actual cost;
- (g) for posting of animals impounded, each notice to include all animals impounded at time of seizure..... actual cost;
- (h) for posting notices of sale, each notice to include all animals impounded at time of seizure actual cost;
- (I) for each mile necessary to travel in performace of his duties;
- (j) for selling impounded animals Full amount realized;
- (k) for damage done by an animal at large, the amount of actual damage assessed which shall be paid to the person entitled thereto;

8. When an animal has not been redeemed from the pound within two days after notice of impoundment has been given as provided for in section 5, the said animal shall be sold by public auction after such notice of sale has been posted for three days in three conspicuous places within reasonable distance of the said pound, and at such sale the Pound Keeper or an auctioneer chosen by him shall be autioneer, The place and time of the sale shall be advertised on the poster.

9. The proceeds of any impounded animal sold as provided by section 8, shall after deducting fees charges and Damage (if anv) as provided by section 4 and 7, be paid to the owner, or if not, claimed at the time of such sale, shall be held by the Council of the Band, and any money as paid shall be returned to the owner of the animal sold on satisfactory evidence being furnished as to ownership and application therefore being made to the Council within three months from the date of sale; otherwise such proceeds shall be placed to the credit of the funds to the Band.

10. Any one found guilty to damage of the pound, or defacing of such notices which have been posted, may be charged of an offense and liability to a fine or imprisonment, or both.

Approved and passed at a duly convened meeting of the Council of the Driftpile Band of Indians this 18th day of March 1974.

"ORIGINAL SIGNED BY"

Eugene Laboucan

Roger Okimaw

William Bellerose

Oliver Chalifoux
