

No. 12 of 1878.

## AN ORDINANCE RESPECTING THE MARKING OF STOCK.

[Passed, 2nd August, 1878.]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:—

1. In this Ordinance, the word "mark" shall mean brand or mark, and the word "stock" shall include any horse, mule, ass, swine, sheep or goat, as well as any neat cattle or animal of the bovine species.

2. The Lieutenant-Governor may, whenever he thinks it desirable that the provisions of this Ordinance should apply to any part of the North-West Territories, set apart, by proclamation, any portion thereof to form and be known as a stock district, and designated by a number, commencing with "one," and so on as different districts are so set apart, and this Ordinance shall apply only to stock districts so set apart.

3. Upon the receipt of such proclamation by the Stipendiary Magistrate within whose judicial district such stock district is formed, he shall cause copies of the same to be posted up in three public places in the stock district aforesaid.

4. Upon the publication of such proclamation the office of such Stipendiary Magistrate shall be a general office for the recording of marks in his judicial district, and the Clerk (hereinafter called the Recorder) of Stipendiary Magistrate shall be the official required to record the same.

5. The Recorder, upon the application of any person, desiring a recorded mark, shall designate the particular mark to be used by such applicant, and define the place and position it shall occupy on the animal; consulting always the choice or convenience of applicants, so far as may be, without interfering with previously recorded marks.

6. The Recorder shall keep a record of all marks, with the name and residence of the persons owning the same, in a book suitable for that purpose (which book shall be free to the inspection of all persons interested), and he shall furnish to any person on application, a certified copy of any mark so recorded, which certificate shall be deemed evidence in law.

7. The Recorder shall, on the first day of every month, send to the Stipendiary Magistrate resident at Battleford a copy of each mark which has been recorded by him during the preceding month, upon receipt of which the last-named Stipendiary Magistrate shall compare each mark so received with those previously received by him, and if he finds that any of them are the same or so closely resemble others already received as to be mistaken therefor, he shall return such copy to the Recorder with a notification to that effect; and the Recorder, upon receiving such notification, shall notify the owner, who shall have no further claim upon the said mark; otherwise the Stipendiary Magistrate shall file in his office, and enter in a book to be kept for that purpose, every copy so received, which book and copies shall be open to the inspection of all persons desiring the same.

8. Any person using a like mark in the position or place recorded by another, shall be liable, on conviction in a summary manner before a Justice of the Peace, to a fine of not more than fifty dollars, and in default of payment of such fine, to imprisonment not exceeding forty days, for each offence.

9. It shall, and it is hereby made the duty of every person who sells stock of any kind to another party, to "vent" his mark by inverting the original mark either close to or upon the original mark, said vent mark may be at least one-half the size, but of the type of the original mark, and the venting of such original shall be *prima facie* evidence of sale or transfer.

10. The following fees shall be payable to the officials mentioned in this Ordinance:—