

UNEDITED

# *The Agisters and Livery Stable Keepers Act*

*being*

Chapter 333 of *The Revised Statutes of Saskatchewan, 1965*  
(effective February 7, 1966).

FOR HISTORICAL REFERENCE ONLY

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

## Table of Contents

1	Short title
2	Interpretation
3	Lien on animals and effects
4	Animals and effects detained and sold
5	Application of proceeds of sale
6	Balance of proceeds of sale
7	Stable to be cleansed and disinfected

## CHAPTER 333

### An Act respecting Agisters and Keepers of Livery, Boarding and Sales Stables

#### Short title

1 This Act may be cited as *The Agisters and Livery Stable Keepers Act*.

R.S.S. 1965, c.333, s.1.

#### Interpretation

2 In this Act:

##### “agister”

(a) “**agister**” means a person other than a livery, boarding or sales stable keeper who, for a money consideration or its equivalent, feeds, grazes, stables, boards or cares for animals;

##### “boarding stable keeper”

(b) “**boarding stable keeper**” means a person who, for a money consideration or its equivalent, stables, boards or cares for animals;

##### “livery stable keeper”

(c) “**livery stable keeper**” means a person who for a money consideration or the equivalent thereof carries on the business of letting or hiring out carriages, sleighs or other vehicles, or horses or other animals, whether with or without vehicles, and whether accompanied by an employee of the livery stable keeper or not;

##### “sales stable keeper”

(d) “**sales stable keeper**” means a person who stables, boards or cares for animals other than his own, with the intention of selling or disposing of them, and who receives or is to receive payment for such services whether in the nature of a commission or otherwise.

R.S.S. 1953, c.298, s.2; R.S.S. 1965, c.333, s.2.

#### Lien on animals and effects

3 Every agister, livery stable, boarding stable or sales stable keeper shall have a lien on the animals and effects hereinafter mentioned for the value or price of food, care, attendance or accommodation furnished for those animals or effects and in addition to all other remedies provided by law may detain in his custody and possession any animal, vehicle, harness furnishings or other gear appertaining thereto and the personal effects of any person who is indebted to him for feeding, grazing, stabling, boarding or caring for such animal.

R.S.S. 1953, c.298, s.3; R.S.S. 1965, c.333, s.3.

#### Animals and effects detained and sold

4(1) Every agister, livery stable, boarding stable or sales stable keeper who has exercised the right of detention by this Act provided shall keep in his possession and be responsible for the proper care of any animal or effects detained by him for the full period of the detention, unless they are sooner released.

(2) If the owner does not reclaim the animals and effects so detained by paying the indebtedness in respect thereof within one month from the commencement of such detention, the person detaining may sell them or cause them to be sold by public auction on giving two weeks' notice of sale by advertisement in the newspaper published nearest to the place where the animals are detained, or, if more newspapers than one are published in the same locality, then in either one, and by posting notices of the intended sale in the nearest post office and in the stable or, in the case of an agister, at the place where the animals are detained, stating, if known:

- (a) the names of the owner and the person who brought the animals or effects to the stable or other premises;
- (b) the amount of indebtedness and charges for detention;
- (c) a description of the animals and effects; and
- (d) the name of the seller.

R.S.S. 1953, c.298, s.4; R.S.S. 1965, c.333, s.4.

#### **Application of proceeds of sale**

**5** The proceeds derived from the sale shall be applied:

- (a) in paying the expenses incurred by the detention, advertising and sale;
- (b) in paying the debt for which the detention was made;

and the surplus, if any, shall on application be paid to the person entitled thereto.

R.S.S. 1953, c.298, s.5; R.S.S. 1965, c.333, s.5.

#### **Balance of proceeds of sale**

**6** If the owner does not apply for it within one month from the day of sale, the surplus shall be handed over to the Provincial Treasurer to be kept by him in a special trust account for one year, after which time if the owner does not appear or claim the amount so kept it shall be paid over and belong to the consolidated fund.

R.S.S. 1953, c.298, s.6; R.S.S. 1965, c.333, s.6.

#### **Stable to be cleansed and disinfected**

**7(1)** Every livery stable, boarding stable and sales stable keeper shall every year, in the month of April, thoroughly cleanse all the stalls, mangers and feed boxes in his stables by washing them with soap and hot water and applying immediately afterwards to every part thereof either:

- (a) a whitewash prepared by mixing burnt lime and water at the rate of five pounds of lime to five gallons of water and adding one pound of carbolic acid; or
- (b) some other disinfectant approved for such use by the Veterinary Director General.

(2) Every keeper of a livery stable, boarding stable and sales stable shall, when so requested by the council of the city, town, village or rural municipality in which the stable is located, cleanse all stalls, mangers and feed boxes in his stable in the manner provided by subsection (1).

(3) A stable keeper who fails to carry out the provisions of this section is guilty of an offence and liable on summary conviction to a fine of not more than \$10 for the first offence and not more than \$25 for each subsequent offence.

R.S.S. 1953, c.298, s.7; R.S.S. 1965, c.333, s.7.