

THE REGISTRATION OF LIVE-STOCK BRANDS ORDINANCE, 1928.

Western Samoa.—No. 3, 1928.

AN ORDINANCE made by the Administrator of the Territory of Western Samoa, with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Act, 1921.

Title.

1. This Ordinance may be cited as the Registration of Live-stock Brands Ordinance, 1928.

Definition.

2. For the purposes of this Ordinance—

“Brand” means a distinct and plain mark burnt with a branding-iron into the skin of not less than two inches in length; to which may be added an ear-mark made by cutting, splitting, or punching the ear, but so that in no case shall more than one-fourth of the ear be removed; or a tattoo-mark imprinted on any part of the skin, or a metal clip affixed to the ear:

“Stock” means any horse, mare, gelding, colt, filly, foal, ass, mule, bull, cow, ox, steer, heifer, calf, sheep, goat, or pig of any age, and includes the carcass or any portion of the carcass thereof respectively.

Owner of brand to register same.

3. (1) Every owner of stock whose brand has not been registered shall apply to the Director of Agriculture for a brand for registration by him, and shall on such application deposit two correct copies or impressions of his brand on the form supplied to him for the purpose.

(2) There shall be paid by the owner of every brand to the Director of Agriculture a fee of two shillings for the registration of the same.

- (3) Every owner who neglects to register his brand shall be liable to a fine not exceeding five pounds.

Branding not compulsory.

4. Nothing in this Ordinance shall be construed to oblige any one to brand stock.

Similar brands not to be registered.

5. (1) The Director of Agriculture shall not register any brand which in his opinion is likely to lead to mistakes or confusion.

(2) If any two owners of stock have the same or similar brands, the Director of Agriculture may require the owner of the brand last registered to alter his brand.

(3) Any owner who refuses or neglects to alter his brand accordingly when duly required to do so, and afterwards uses the said brand, shall be liable to a fine not exceeding twenty-five pounds.

Using another person's brand.

6. (1) After any owner of stock has registered a brand no other person in Western Samoa shall, without the authority of such stockowner, brand any stock with the same brand, or with any brand bearing the same mark, or one so nearly similar as in the opinion of the Director of Agriculture to be not easily distinguishable therefrom, or make or cause to be made any branding-iron bearing the same or a nearly similar brand as aforesaid.

(2) Every person who offends against this section shall be liable to a fine not exceeding fifty pounds and not less than five pounds.

Brand evidence of ownership.

7. The mark or impression of any registered brand on any stock shall be *prima facie* evidence of the ownership of the said stock by the person in whose name such brand is registered.

Defacing brands.

8. Every person who destroys, defaces, or alters the brand on any stock, or is a party to the destruction, defacement, or alteration thereof, unless he is the lawful owner of such stock, is liable to a fine not exceeding fifty pounds and not less than five pounds for each head of stock in respect of which such offence has been committed, or at the discretion of the convicting Judge to imprisonment with hard labour for a period not exceeding two years.

Using unregistered brand.

9. Every person who brands any stock with a brand which is not registered, or of which he is not the registered owner, is liable to a fine not exceeding ten shillings and not less than one shilling for each head of stock in respect of which such offence has been committed.

Assented to this 20th day of April, 1928.

[L.S.]

J. W. HUTCHEN, Acting Administrator.

THE PETROLEUM ORDINANCE, 1928.

Western Samoa.—No. 5, 1928.

AN ORDINANCE made by the Administrator of the Territory of Western Samoa, with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Act, 1921.

Title.

1. This Ordinance may be cited as the Petroleum Ordinance, 1928, and shall come into operation on a date to be notified by the Administrator in the *Western Samoa Gazette* and being not less than six calendar months from the date of this Ordinance.

Interpretation.

2. In this Ordinance—

“Petroleum” means and includes petroleum, rock-oil, Rangoon oil, Burmah oil, and any product of them and any oil made from petroleum, coal, schist, shale, peat, or other bituminous substance or product of them, and which has been imported into the Territory in separate receptacles otherwise than in bulk: Provided that all such products of petroleum as have a true flashing-point of not less than 160 degrees Fahrenheit shall be excluded:

“Place” means and includes any house, storehouse, warehouse, shop or other building, cellar, yard, or wharf:

“Person” includes a firm and an incorporated company:

“Territory” means the Territory of Western Samoa.

Vessels having petroleum on board.

3. (1) Every vessel carrying a cargo consisting wholly or in part of petroleum, and entering the Port of Apia as defined in the Samoa Customs Consolidation Order, 1923, from any port beyond the Territory, shall conform to such instructions in respect to the position at which she is to be moored as may from time to time be issued by the Harbourmaster.