

WESTERN AUSTRALIA

ANNO QUADRAGESIMO QUINTO

VICTORIÆ REGINÆ

No. 7

An Act to consolidate and amend the Laws regulating the Branding of Live Stock, and to provide for the due Registration of Brands.

[Assented to 16th September, 1881.]

WHEREAS it is expedient to consolidate and amend the laws regulating the Branding of Live Stock, and to provide for the due Registration of Brands, and to make regulations for collecting Stock on Private Lands: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

Preamble

1. This Act may be cited for all purposes as 'The Brands Act, 1881,' and shall come into operation on the first day of January, 1882.

Short title and commencement

2. From and after the passing of this Act, 'The Branding Consolidation Ordinance, 1864,' and 'The Sheep Branding Act, 1871,' and an Act intituled 'An Act to amend "The Branding Consolidation Ordinance, 1864,"' and passed in the 43rd year of Her Majesty, No. 18, shall be and the same are hereby repealed, save and except as to any act, matter, or thing already done, or any proceedings pending, or any liabilities incurred at the time of the passing hereof, under the said repealed Acts or any of them.

Repeal

3. In the construction of this Act, the following terms shall have the respective meanings hereinafter assigned to them, that is to say:—

Interpretation Clause

'Cattle' shall mean bulls, cows, heifers, oxen, steers, and calves.

'Horse' and 'Horses' shall mean horses, mares, geldings, colts, fillies, asses, mules, and ponies.

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‘Stock’ shall mean any cattle, horses, or sheep, as defined by this Act.

‘Sheep’ shall mean any rams, ewes, wethers, and lambs.

‘Brand’ shall mean any letter, sign, mark, or character impressed or made, or intended to be impressed or made upon any stock, or any numeral in conjunction with a letter or mark.

‘Owner’ shall mean any proprietor of stock, or his agent, manager, or overseer, or any person authorised to act or usually acting on the proprietor’s behalf.

‘Run’ shall mean any run, station, farm, or place where stock are kept or depastured.

‘Registrar’ shall mean the Registrar of Brands already or hereafter to be appointed.

‘Inspector’ shall mean any person who shall be appointed under this Act to be an Inspector of Brands.

Appointment of Registrar

4. It shall be lawful for the Governor to appoint a fit and proper person to be the Registrar of Brands, and in case of the death or resignation or removal of such officer from any cause, to appoint from time to time another fit and proper person to the said office, in the place of the one so dying, resigning, or removed; and it shall also be lawful for the Governor to appoint any Inspector or Inspectors of Sheep, for the time being, or such other persons as he may think fit, from time to time, to be an Inspector or Inspectors of Brands.

And Inspectors

BRANDS FOR HORSES AND CATTLE

Every owner of cattle and horses to have a brand, and to register the same by application

5. Every owner of cattle and horses not branded with a registered brand shall, as heretofore, have one brand for both cattle and horses, or a separate and distinct brand for cattle and a separate and distinct brand for horses, and shall make application as hereinafter provided to register such brand or brands (designating in such application the part of the animal marked or intended to be marked therewith), with the Registrar of Brands, in books to be kept by him for that purpose; and the said Registrar of Brands may order any owner of cattle or horses making application to have his brand or brands so registered as aforesaid, and whose proper brand or brands may be similar to any brand or brands before registered under the law heretofore in force or this Act, to make such a difference in his brand or brands as may be necessary to prevent mistake or confusion therefrom, the particular alteration in such brand or brands, however, to be determined on by the said owner, provided that the Registrar of Brands shall be of opinion that such alteration will meet the object required; and if any owner of such cattle or horses, not having a brand duly registered, shall refuse or neglect to provide himself with such brand or brands, or to make such difference, or to register the same as aforesaid within six months after receiving notice from the Registrar of Brands requiring him so to do, unless further time be given by the said Registrar upon reasonable cause shown, he shall forfeit and pay a sum not exceeding Twenty pounds, in addition to any penalty or

Under a penalty of £20

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penalties to which such owner may have rendered himself liable under the provisions of this Act.

6. Such application shall be in the form of Schedule A hereto, and shall be delivered or transmitted to the Registrar, together with such fee or fees as are by this Act prescribed, and upon the receipt of such application, together with such fee or fees, the Registrar shall, subject to the provisions of the last preceding section, register the brand or brands so applied for, and shall deliver or transmit to such person a certificate of the registration of such brand or brands in the form of Schedule B hereto.

Form of application, Schedule A

Certificate of registration, Schedule B

7. The following fees shall be payable and shall be delivered or transmitted to the Registrar together with such application :—

Fees

- (a) When the application is for one brand for horses and cattle, a fee of Ten shillings.
- (b) When the application is for a separate brand for horses, and a separate brand for cattle, a fee of Seven shillings and sixpence for each brand.

8. It shall not be lawful for any person to register as a brand under this Act any numeral or numerals, except in conjunction with a letter or mark.

9. All cattle above the age of one year, and all horses above the age of two years, not branded on the hide with a registered brand, when at large in the bush, or trespassing, may be deemed wild cattle and horses. Provided always that no horses nor cattle which shall have been branded with a brand registered at the time of the commencement of this Act shall be deemed to be wild horses or cattle until after the expiration of the time allowed by the fifth section of this Act for the re-registration of such brand.

Penalty for neglecting to brand cattle and horses

10. Any person having reason to believe that any of his cattle or horses are on lands in the occupation of another may (in the event of the occupier of such land refusing permission to such person to search for the same) apply to the nearest Justices of the Peace in the Petty Sessions, who, after notice given to such occupier, shall hear such application, and anything that may be urged in opposition thereto, and shall in their discretion grant or refuse a permission to hunt and collect stray cattle and horses on such and any other lands in the occupation of any person whomsoever, upon such conditions as to such Justices may appear expedient ; such permission, if granted, shall be in writing, and shall specify such conditions as may be imposed as aforesaid, and such permission shall be signed by the Justices granting the same, and such conditions shall be signed by the said Justices and by the person applying for the permission ; and any person who shall enter upon land for the purpose of hunting, driving, or collecting any stray cattle or horses, or shall attempt to hunt, drive, or collect any stray cattle or horses thereon being, without having obtained the consent of the owner or occupier of such land, or without the written permission of such Justices of the Peace as hereinbefore provided, or who shall contravene such conditions, or any one or more of them, shall on conviction forfeit and pay a penalty of any sum not exceeding Fifty pounds.

If occupier of land refuses to give consent to hunt for cattle and horses, owner thereof may obtain permission from Justices

Penalty for hunting without consent or authority

11. It shall be lawful for any person acting under the authority in

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Justices may authorise any person to drive in unbranded cattle and horses

Justice may sell unbranded stock

Property protected if proof of ownership given

What to be deemed unbranded cattle and horses

Stock known to belong to another unavoidably driven away to be returned to land or herd from which so driven

Authorised persons driving in unbranded cattle may lodge them in public pound or private enclosure

writing of any two or more Justices of the Peace (and such Justices are hereby empowered, after giving one month's public notice of their intention so to do, to be posted at the Court House and Police Station from time to time, to grant to such persons as they think proper such authority within a certain time and district) to collect, drive, and impound all or any unbranded cattle above one year old, and all or any unbranded horses above two years old, found within the district so specified as aforesaid, and for that purpose with his horses and assistants to enter upon and pass over any unenclosed land whatever, doing as little damage as possible; and it shall be lawful for any Justice of the Peace, or for any person acting under the written authority of any Justice of the Peace, to sell the same in manner hereinafter mentioned, and the proceeds thereof, after deducting the expenses of keep and sale of such beasts, shall go and be paid, one moiety thereof, or such greater part thereof as the Governor, with the advice of the Executive Council, shall direct, to or for the use of the person having such written authority as aforesaid who collected and impounded such beasts, and the residue of such proceeds shall be paid to the use of Her Majesty, her heirs, and successors, as part of the general revenue of the Colony. Provided, however, that if at any time prior to the sale of such beasts any person shall prove, upon oath if required, and which oath any Justice of the Peace is hereby empowered to receive and administer, to the satisfaction of the Justices of the Peace under whose written authority such beasts were so collected and impounded, or other of the Justices of the Peace about to sell such beasts or order the sale thereof, his right of property in the said beasts, such beasts shall, without prejudice to the rights of any person possessing an interest therein, be given up upon payment of one pound per head and of the expenses of keep and impounding, and which sum of one pound per head shall in that case go and be applied and paid to the use of the person having, under such written authority as aforesaid, collected and impounded such beasts; and it is declared that no cattle under the age of one year, and no horses under the age of two years, shall be deemed unbranded, but all other cattle and horses not branded on the hide with a registered brand shall, for the purpose of this Act, be considered unbranded.

12. Any person authorised as aforesaid, who shall unavoidably drive from the land, or out of the herd of any other person, any beast other than his own, or his master's, or his employer's, or such unbranded beasts as he may be so authorised as aforesaid to drive away, and shall not drive such beasts as he has not been so authorised to drive away without delay to the nearest available stockyard, pound, stable, barn, or enclosure, or other fit and safe receptacle for cattle or horses, and shall not then and thence, unless exempted by the owner, drive back all such beasts with all possible dispatch to the land, or into the herds from which they may have been so driven as aforesaid, shall on conviction forfeit and pay a sum not exceeding Fifty pounds.

13. Any such authorised person as aforesaid may drive and lodge or cause to be driven and lodged such beasts in any public pound, or if there be none such within three miles of the place where such beasts have been collected as aforesaid, then in any private stockyard or other enclosure, with the consent of the owner thereof, and there detain them until they shall be disposed of under the provisions of this Act; provided that the person so impounding such cattle or horses shall,

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within forty-eight hours after such impounding, furnish the nearest Justice of the Peace with a written and accurate statement of the number and description of the beasts so impounded, and of the locality in which they were found; and shall during such detention treat the said beasts with all reasonable food and care, and for which food and care he shall be entitled to demand and receive out of the proceeds of the sale of such beasts if sold, or from any person proving his right of property therein as aforesaid, such fee or charge per head as the Justice of the Peace selling or ordering the sale of the said beasts shall deem reasonable, and such fee or charge however in no case to exceed the amount which shall be by law chargeable by the keeper of the nearest public pound for feeding and maintaining beasts impounded therein: Provided also, that the person so impounding any such beasts as aforesaid in any private stockyard or other enclosure shall afford access thereto at all reasonable hours to all persons wishing to inspect such beasts therein, and shall also post a written notice on the gate, or on some other conspicuous part of the said stockyard or other enclosure, setting forth an accurate description of the beasts so impounded or in his possession, and stating the day on which the same were impounded, and the locality from which they were driven, and such notice shall remain so posted until such beasts shall have been disposed of as aforesaid; and every person who shall neglect to furnish such written statements aforesaid shall, for every neglect, forfeit and pay a sum not exceeding Ten pounds.

Persons impounding to furnish Justice with list of cattle and horses impounded

14. All sales under this Act of impounded beasts shall take place, free of auction duty and auctioneer's license, on the twelfth day after the day on which notice of impounding shall have been given to a Justice of the Peace as aforesaid, and to which impounding and sale the Justice of the Peace receiving such notice shall give all publicity in his power, by directing notices thereof to be posted in such places as he may think best calculated to attain the object in view, unless such twelfth day shall happen to be on a Sunday, Christmas Day, or Good Friday, in which case such sale shall take place on the following day; and unless the sale be suspended by the order of the Justice of the Peace about to sell the said beasts, and which order he is hereby empowered to make, in which case the sale shall take place upon the day appointed anew by the said Justice of the Peace; provided that when any such delay or suspension of sale shall be made necessary in consequence of the neglect or omission of the person impounding, the costs of all further proceedings as well as of the future feeding and care of the beasts impounded until sale shall be borne by the person impounding the same; and all such sales shall take place at the Police Station nearest to the public pound, stockyard, or other enclosure where the said beasts shall have been impounded, in the presence of a police or district constable, who shall keep a register describing the marks and particulars of all beasts so sold, which register shall be open to public inspection at all reasonable times; and such sale shall commence at the hour of noon, and the said beasts shall be offered in lots to suit purchasers, and neither the person who impounded such beasts, nor the Justice of the Peace who made the order for the sale, nor the person who actually makes such sale, shall, personally, or by agent, purchase the said beasts, or any of them, upon pain that every such person so offending shall forfeit and pay, for every head of stock so purchased, any sum not exceeding Fifty pounds.

Impounded cattle and horses to be sold by Justice at noon

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BRANDS FOR SHEEP

Fire brands and
wool brands may
be registered

15. Any owner or owners of sheep may apply to the Registrar the registration, in a book to be kept by him for that purpose, of a fire brand, also of a wool brand for sheep, which fire brand shall be burnt in upon certain part or parts of the face, and the wool brand shall be stamped with pitch (or such other material as the person registering the said brand shall think fit) upon some part of the body of the sheep so to be branded; the part or parts of the face and body of the sheep on which the said fire brand and wool brand are intended to be stamped shall be described in the application hereinafter mentioned.

Form of applica-
tion, Schedule C.

16. Every such application shall be in the form provided by Schedule C hereto, and shall be accompanied by a fee of Ten shillings, and thereupon the Registrar shall register the brand or brands so applied for, and shall deliver or transmit to the applicant a certificate of such registration in the form of Schedule D hereto.

Schedule D

Registrar may
require brand to
be altered

17. If at any time before or after such registration the Registrar shall find that a brand so registered or required to be registered is similar to any brand previously registered under 'The Sheep Branding Act, 1871,' or under this Act, he shall order the person last registering or applying to register such similar brand to make such a difference in his brand as may be necessary to prevent mistake or confusion therefrom; the particular alteration in such brand, however, to be determined by the person who last registered or applied to register the same, provided that the Registrar shall be of opinion that such alteration will meet the object required. And if such person shall refuse to make such difference within six months after receiving notice from the Registrar requiring him to do so, unless further time be given by the Registrar upon reasonable grounds shown, such person shall be liable to forfeit and pay a sum not exceeding Five pounds.

EARMARKS FOR CATTLE AND SHEEP

Application to
register ear-
marks

18. It shall be lawful for any owner or owners of cattle and sheep to make application to register an earmark for such cattle and sheep, or a separate earmark for such cattle, and a separate earmark for such sheep, the description of which mark or marks shall be approved of by the Registrar, who may call upon such owner or owners to make such alteration in the same as he may think necessary; Provided always that when any earmark has been registered in any district for any particular description of such stock as aforesaid, it shall not be lawful to register the same earmark for the same description of stock in the same or contiguous district to that in which such earmark has been registered; Provided always that such district shall be construed to mean the district of a Resident or Police Magistrate as at present defined by the 'Government Gazette.'

Form of appli-
cation

19. Every such application shall be in the form provided by Schedule E hereto, and shall be accompanied by such fee or fees as are by this Act prescribed therefor, and thereupon the Registrar shall register such earmark or earmarks when approved of by him as aforesaid, and

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shall deliver or transmit to the applicant a certificate of such registration in the form of Schedule F hereto.

Schedules E
and F

20. The following fees shall be payable and shall be delivered or transmitted to the Registrar, together with every such application.

Fees

- (a) When the application is for an earmark for cattle and sheep a fee of Ten shillings.
- (b) When the application is for a separate earmark for cattle, and a separate earmark for sheep, or for an earmark for cattle only, or sheep only, a fee of Seven shillings and sixpence for each earmark applied for.

21. It shall be lawful for any owner of sheep making application for an earmark for such sheep to register such earmark to be placed upon one ear for one sex and upon the other ear for the other sex ; Provided always that any such application shall be chargeable with a fee as for a single earmark only for such sheep.

Earmark may be
upon both ears

GENERAL TRANSFER AND CANCELLATION OF BRANDS

22. Any person wishing to transfer the right to his brand or brands shall make and sign a memorandum in the form set forth in Schedule G hereto (which shall also be signed by the person to whom such right is intended to be transferred) and shall transmit the same to the Registrar, together with a fee of Two shillings and sixpence, and the Registrar shall, upon the receipt of such memorandum and fee, cancel the original registration of such brand standing in the name of the transferor, and shall deliver or transmit to the transferee a certificate of transfer in the form of Schedule H hereto, and shall re-register such brand in the name of the transferee, and such transferee shall thereafter be deemed to be the person having the exclusive right to use such brand as aforesaid.

Transfer how
effected, Schedule G

Schedule H

23. The Registrar may at his discretion on the application in the form of Schedule I hereto of any person, and on payment of a fee of Two shillings and sixpence, cancel the registration of any registered brand which shall be shown to the satisfaction of the Registrar to have ceased to be used by the owner of such brand, or the owner whereof shall desire such brand to be cancelled, or shall have died, or shall have left the Colony without leaving any stock for which such brand might be required.

Cancellation of
brands, Schedule I

BRAND DIRECTORY

24. The Registrar shall keep the following registers in distinct books, that is to say :—

Books of re-
gistration to be
kept

- (1) The Register of Brands for cattle.
- (2) The Register of Brands for horses.
- (3) The Register of Brands for sheep.
- (4) The Register of Earmarks for cattle.
- (5) The Register of Earmarks for sheep.
- (6) The Register of all transfers and cancellations of registered Brands and Earmarks.

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Quarterly statement of registered brands to be published

25. The Registrar shall, at the end of every quarter, or as soon thereafter as possible, transmit to the Government Printer, for publication in the 'Government Gazette,' a statement of all brands and earmarks respectively registered or re-registered, transferred or cancelled under this Act up to the last day of such quarter, and the names and addresses of their respective owners, and of the transferors and transferees, and of the applicants for cancellation (as the case may be); and a copy of the 'Gazette' containing a statement of the registration, re-registration, transfer, or cancellation of any brand or earmark shall, in any action, suit, prosecution, or trial, be received as *prima facie* evidence of such registration, re-registration, transfer, or cancellation.

Published statements to be received as *prima facie* evidence

Resident Magistrates to keep copies of the 'Gazettes' for inspection

26. Every Government Resident, or Resident and Police Magistrate, throughout the Colony shall keep copies of the 'Government Gazette' containing the quarterly statements of registered brands and earmarks, and such copies of the 'Gazette,' as well as the registers by this Act required to be kept by the Registrar of Brands, shall at all reasonable times and upon the payment of one shilling be open to the inspection of any person, who upon such payment shall be permitted to make copies or extracts therefrom.

Owners of brands registered at time of passing this Act may apply for re-registration of brands, Schedule A

27. Every person who is at the time of the passing of this Act the owner of a registered brand or brands for cattle and horses, or sheep, may deliver or transmit to the Registrar an application in the form of Schedule A if such application be for a brand for cattle and horses, or an application in the form of Schedule C if such application be for a brand for sheep, together with the fee hereby prescribed and payable in either case respectively; and upon the receipt of such application, together with such fee, the Registrar shall re-register the brand or brands so applied for in accordance with the provisions in this Act contained, and shall grant a certificate thereof in the form of Schedule B or of Schedule D as the case may be.

Schedules B and D

If application for re-registration be not made within six months after passing of Act, brand may be cancelled

28. If any person who is at the time of the passing of this Act the owner of a registered brand or brands for cattle and horses, or sheep, shall not deliver or transmit to the Registrar an application in accordance with the provisions contained in the preceding section, together with such fee as is by law prescribed, within the space of six months from the date of the coming into operation of this Act, or within such further time as may be granted by the Registrar, upon reasonable cause therefor being shown, it shall be lawful for the Registrar to cancel the brand or brands of such owner.

29. It shall not be lawful for any person, other than the owner of a brand which shall be registered at the time of the coming into operation of this Act, to make application to be registered as the owner of such brand under this Act, until after the expiration of six months from such period, and of such further time as may have been granted by the Registrar under the preceding section.

Penalty on owner using unregistered brand

30. Any owner of horses or cattle who shall, after the coming into operation of this Act, brand, or direct or allow to be branded, any of his horses or cattle with any registered brand (unless as hereinbefore provided) in respect of which he shall not previously have obtained a certificate of registration, shall, for every such offence, incur a penalty not exceeding Fifty pounds.

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31. Any person who shall brand, or authorise or aid or assist to be branded, any stock with any brand in contravention of any of the provisions of this Act shall on conviction, for every such offence, forfeit and pay any sum not exceeding Twenty pounds.

Penalty for branding in contravention of Act

32. If any person shall wilfully brand any stock of which he is not the rightful owner, except with the permission of such rightful owner, or shall wilfully cause, direct, or permit any stock of which he is not the owner to be branded with his brand, such person shall on conviction, for every such offence, be liable to be imprisoned for any term not exceeding Two years.

Persons branding stock not their property may be imprisoned

33. Any person who shall wilfully blotch, deface, or otherwise render illegible, or alter any brand upon any stock, or wilfully direct, cause, or permit any such brand to be blotched, defaced, or otherwise rendered illegible, or altered, shall on conviction, for every such offence, forfeit and pay any sum not exceeding Fifty pounds for every head of stock on which the brand shall have been so defaced, blotched, rendered illegible, or altered, or shall be liable to be imprisoned for any term not exceeding Six months.

Penalty for defacing brands on stock

34. Any person who, after the publication as hereinbefore provided of any statement in the 'Government Gazette' of the brands registered in pursuance of this Act, shall wilfully brand or direct or allow to be branded any sheep with a brand of a similar design to any registered brand of which he is not the registered owner, shall for every sheep so branded forfeit a penalty not exceeding Ten pounds.

Penalty on unauthorised person using registered brand on sheep

35. Any person who, after the publication as aforesaid of any earmarks registered in pursuance of this Act, shall in the same district for which an earmark has been registered in accordance with such provisions, or in a district contiguous thereto, wilfully earmark or direct or allow to be earmarked any sheep with an earmark of a similar design to any such registered earmark, as aforesaid, not being his own, shall for every sheep so earmarked forfeit a penalty not exceeding Ten pounds.

Penalty on unauthorised person using registered earmark on sheep

36. Any person who shall brand or mark or direct or allow to be branded or marked with the letter **S** any sheep except as required under 'The Scab Act, 1879,' or as instructed by an Inspector of Sheep, shall be liable to a penalty of not less than Five shillings nor more than Five pounds for every sheep so branded.

Letter **S** not to be used as brand for sheep

37. Any person who shall wilfully or maliciously destroy, deface, or alter any earmark, or be party to the destruction, defacement, or alteration thereof, or who shall crop or cut off more than one-third of the ear of any sheep, either straight across the ear or diagonally or otherwise, or who shall, in cutting or cropping the ear, leave less than two-thirds of the ear, shall, on conviction for every such offence, incur a penalty not exceeding Fifty pounds for every sheep with respect to which any such offence shall have been committed; or, at the discretion of the Court, such person may on conviction, for every such offence, be imprisoned with or without hard labour for any period not exceeding six months. Save as is in this section provided, nothing in this Act contained shall be construed to prevent any owner of sheep from placing his own earmark on any sheep, although such sheep

Penalty for ear-cropping sheep

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shall have been marked with the earmark of any previous owner of such sheep.

Punishment for forged or false entry made in Register or in 'Gazette'

38. Any person who shall knowingly and unlawfully insert or cause or permit to be inserted any false entry of any matter relating to any brand or earmark in any register, certificate, quarterly statements of brands, or in any extract from any register, certificate, or list or statement of brands, or who shall forge or alter or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, with intent to defraud, any such register, certificate, statement, or any extract therefrom, or that which purports to be such extract or entry, or who shall wilfully and unlawfully destroy, deface and injure, or alter, or cause to be destroyed, defaced, injured, or altered, any such brand, or earmark, register, certificate, statement, extract, or entry, or any part thereof with such intent, or who shall knowingly and wilfully with felonious intent use the brand or earmark of any proprietor without his authority shall, on conviction, for every such offence, be deemed guilty of a felony, and being convicted thereof shall be liable, at the discretion of the Court, to imprisonment, with or without hard labour, for any period not exceeding three years.

Or for fraudulent use of brand

Power of Inspector to enter on runs or property

39. Every Inspector is hereby empowered to enter upon any run or premises in order to inspect any stock, brand, or branding-iron or instrument for branding, and to take possession of and impound any stock in respect of which any breach of this Act has been committed or is being committed, and to seize and take away any branding-iron other than a branding-iron authorised by this Act, and, where necessary, to employ any person or persons to assist him in carrying out the provisions of this Act; and any person hindering or impeding or attempting to hinder or impede any Inspector in the execution of his duty, or refusing to produce any branding-iron or instrument for branding, or to permit any Inspector to inspect any stock or branding-iron or instrument for branding, shall, for every such offence, on conviction forfeit and pay any sum not less than Five pounds nor exceeding Fifty pounds.

Summary procedure for Penalties

40. All fines and penalties imposed under this Act, or under any regulation that may be made under this Act, may be prosecuted and recovered before any two or more Justices of the Peace in a summary way.

Appeal

41. If any party shall feel aggrieved by any determination or adjudication of any Justice or Justices with respect to any penalty or fine under the provisions of this Act, such party may appeal from such determination or adjudication to the Supreme Court. Provided always that notice of such appeal shall be given to the convicting Justice or Justices within three weeks, and that such appeal shall be entered for hearing within two months after such determination or adjudication.

Shortening Ordinance

42. Sections A, E, F, G, and H of the Shortening Ordinance shall be incorporated with and taken to form part of this Act to all intents and purposes, and in as full and ample a manner as if the said sections had been introduced and fully set forth herein.

WILLIAM C. F. ROBINSON,
GOVERNOR.

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SCHEDULES REFERRED TO

SCHEDULE A (Sections 6 and 27)
'THE BRANDS ACT, 1881'

Application for Horse and Cattle Brand

To the Registrar of Brands.

SIR,
I enclose, herewith, the authorised fee of _____ shillings, and request that you will allot and register to me a brand for horses and cattle (or a separate brand for horses, and a separate brand for cattle), as shown in the Schedule underwritten :—

Name of applicant	Run or farm on which the brand is to be used, and district	Single brand for horses and cattle, with position described	SEPARATE BRANDS, WITH POSITION DESCRIBED	
			Horses	Cattle

I declare that the several matters and things contained in the above application are true to the best of my knowledge and belief.

Dated the _____

Signature of Applicant.

SCHEDULE B (Sections 6 and 27)
'THE BRANDS ACT, 1881'

Certificate of Registration of Horse and Cattle Brand

No. _____ Date _____
This is to certify that the brand (or brands) described in the margin hereof was (or were) this day duly registered as the brand (or brands) of for horses and cattle (or for horses and cattle respectively), in the terms of the above-named Act.

Registrar.

SCHEDULE C (Sections 16 and 27)
'THE BRANDS ACT, 1881'

Application for Brand for Sheep

To the Registrar of Brands.

SIR,
I enclose, herewith, the authorised fee of _____ shillings, and request that you will allot and register to me a brand as shown in the Schedule underwritten.

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Name of Applicant	Description and position of brand	Whether of pitch or what material	Name and address of run

I declare that the several matters and things contained in the above application are true to the best of my knowledge and belief.

Dated the _____

Signature of Applicant.

SCHEDULE D (Sections 16 and 27)

'THE BRANDS ACT, 1881'

Certificate of Registration of Sheep Brand

This is to certify that the Sheep Brand mentioned in the margin hereof was this day duly registered as the brand of _____, in the terms of the above-named Act.

Registrar.

SCHEDULE E (Section 19)

'THE BRANDS ACT, 1881'

Application for Earmark

To the Registrar of Brands.

Sir,

I enclose, herewith, the authorised fee of _____ shillings, and request that you will allot and register to me an earmark for cattle and sheep (or a separate earmark for cattle, and a separate earmark for sheep, or a separate earmark for cattle only, or for sheep only, as the case may be), as shown in the Schedule under-written :—

Name of Applicant	Run or farm on which earmark is to be used, and district	Description and position of earmark, and for what stock, and if on one or both ears		
		Cattle and Sheep	Cattle	Sheep

I declare that the several matters and things contained in the above application are true to the best of my knowledge and belief.

Dated _____

Signature of Applicant.

The Brands Act, 1881

SCHEDULE F (Section 19)
' THE BRANDS ACT, 1881 '

Certificate of Registration of Earmark

No.
This is to certify that the earmark (or earmarks) described in the margin hereof was (or were) this day duly registered as the earmark (or earmarks) of for cattle and sheep (or for cattle and sheep respectively, or for cattle only, or for sheep only, as the case may be), in the terms of the above-named Act.

Signature of Registrar.

SCHEDULE G (Section 22)
' THE BRANDS ACT, 1881 '

Application for Transfer

To the Registrar of Brands.

We, the undersigned, being the registered owner and intended transferee of the brand mentioned in the margin hereof, do hereby request that you will transfer the said brand to the undersigned ; and we enclose herewith the sum of shillings as the authorised fee for such transfer.

Signature of Owner.
Signature of Transferee.

Signature of Witness.

SCHEDULE H (Section 22)
' THE BRANDS ACT, 1881 '

Certificate of Transfer

No. Date
This is to certify that the brand mentioned in the margin hereof was this day, transferred from , of , to of .

(Signed) Registrar.

SCHEDULE I (Section 23)
' THE BRANDS ACT, 1881 '

Application for Cancellation of Registration

To the Registrar of Brands.

SIR,
I enclose, herewith, the authorised fee of shillings, and request that you will cancel the registered brand as shown in the Schedule underwritten. (Here state grounds for cancellation.)

The Brands Act, 1881

Name of Applicant for cancellation	Brand required to be cancelled	Run or farm on which the brand was used	Name of registered owner of brand

I declare that the several matters and things contained in the above application are true to the best of my knowledge and belief.

Dated the

Signature of Applicant.
