

THE STOCK BRANDS ACT, 1915.

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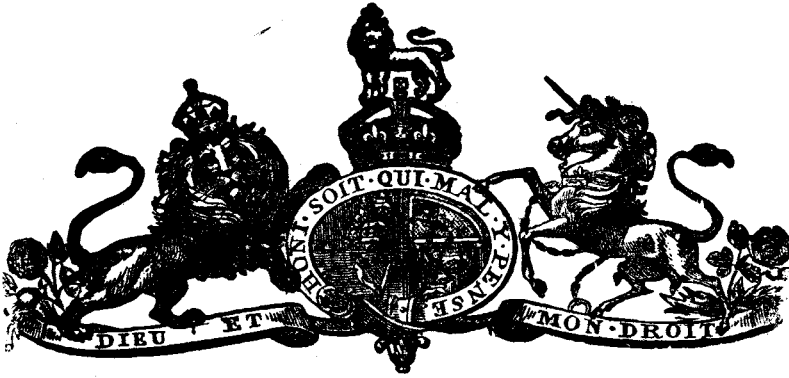
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TASMANIA

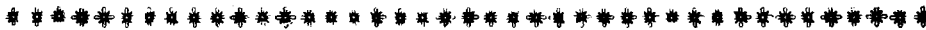


1915.

ANNO SEXTO

GEORGII V. REGIS.

No. 54.



AN ACT to provide for the Registration of ^{A.D.} 1915.
Brands on Stock, and for other purposes.
[29 January, 1916.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

PART I.

PRELIMINARY.

- 1 This Act may be cited as “ The Stock Brands Act, 1915.” Short title.
- 2 This Act shall come into operation on the First day of March. Commencement
of Act.
One thousand nine hundred and sixteen.
- 3 The Acts set forth in the Schedule (1) are to the extent therein Repeal.
specified hereby repealed.

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Interpretation.

4 In this Act, unless the context otherwise determines—

- “Appears” when used in relation to a registered brand or a registered bodybrand means—
- i. In the case of a registered earmark or firebrand—
“is branded in accordance with this Act”:
 - ii. In the case of a woolbrand—“is branded in accordance with this Act, and appears visible”:
- “Cattle” means any bull, cow, ox, heifer, steer, or calf:
- “Firebrand” means a registered bodybrand burned by any means upon the hide:
- “Inspector” means any inspector of stock appointed or acting under any Act for the time being in force relating to stock, and includes the Director of Agriculture and the Chief Inspector of Stock:
- “Minister” means the Minister of Agriculture for the time being of this State:
- “Occupier” means the owner, proprietor, or occupier, jointly or in severalty, of any run, and the manager, superintendent, or person in charge of any run:
- “Owner” means the person in whose name any registered brand is registered under this Act, or the executor or administrator of such person, or the authorised agent or manager of such person:
- “Proprietor” means the owner or proprietor jointly or in severalty of any stock, or the authorised agent or manager of such proprietor:
- “Register” means the register kept in pursuance of this Act:
- “Registered Bodybrand” means a design consisting of any letter, sign, or character (not being a numeral), or laterally arranged combination of letters (other than a monogram, but including conjoined letters), signs, and characters (not being numerals) registered as a brand under this Act:
- “Registered Brand” includes registered bodybrand and registered earmark:
- “Registered Earmark” means a design consisting of marks, to be punched or clipped in the ear or ears of any sheep, and registered as a brand under this Act:
- “Registrar” means the Registrar of Brands appointed under this Act:
- “Run” means any run, station, farm, or place where stock are or have been kept or depastured:
- “Sheep” means any ram, ewe, wether, or lamb:
- “Stock” means any cattle or sheep:
- “Stud Stock” means any pure-bred stock kept for breeding purposes, of which the pedigree for at least Three generations has been kept by, or is in the possession of, the proprietor of the stock:
- “Woolbrand” means a registered bodybrand on the wool of sheep made with any branding substance other than tar pitch, or paint.

Stock Brands.

5 This Act shall be divided into Eight parts, as follows:—

- Part I.—Preliminary.
- Part II.—Power of Inspectors.
- Part III.—Registration of Brands.
- Part IV.—Transfer and Cancellation of Brands.
- Part V.—Brands and Branding.
- Part VI.—Miscellaneous.
- Part VII.—Regulations.
- Part VIII.—Legal Procedure.

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Division into
Parts.

PART II.

POWERS OF INSPECTORS.

6—(1) Every inspector may—

- i. Enter upon any place, and search for and inspect any stock, branding-iron, or any other instrument for branding stock :
- ii. Seize, remove, and destroy any branding-iron or instrument which appears to him to be used or to be capable of being used for committing any offence against this Act :
- iii. Seize, remove, and impound any unbranded stock or any stock with respect to which it appears to him that any offence against this Act has been or is being committed :
- iv. Employ any person to assist him in carrying out the provisions of this Act.

Powers of
Inspectors.

(?) Any person who -

- i. Hinders or impedes, or attempts to hinder or impede, an inspector or person employed to assist him in the execution of his duty : or
- ii. Refuses on demand to produce to an inspector for inspection all branding-irons or instruments for branding used or being in any place : or
- iii. Refuses to permit an inspector to inspect any stock, or branding-iron, or instrument for branding—

shall be guilty of an offence against this Act.

PART III.

REGISTRATION OF BRANDS.

General.

7 There may be appointed from time to time, in conformity with the provisions of "The Public Service Act, 1905," a Registrar of Brands

Appointment of
Registrar of
Brands.

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Register to be kept.
Certificates.

8—(1) The Registrar shall keep in the prescribed form, a register for the registration of brands under this Act.

(2) The registration of a brand shall be effected by the entry in the register of full particulars thereof, whereupon the person in whose name it is registered shall become the owner of such brand.

(3) The Registrar shall, upon registering a brand transmit to the owner thereof a certificate to that effect in the prescribed form.

(4) Such certificate in the case of a public pound shall be transmitted to and be retained by the keeper for the time being of the pound.

Registered brand either an ear-mark or body-brand.

9 No design whatever shall be registered as a brand under this Act unless it corresponds with the definition of registered earmark or registered bodybrand, contained in Section Four of this Act.

The Registrar may modify registered brands found to be objectionable.

10 If it is found that any brand has been registered which in the opinion of the Registrar is likely to cause confusion or mislead, the Registrar shall so modify it as to obviate such likelihood, and shall give the owner thereof notice of the modification, whereupon the brand as modified shall become his registered brand.

No person to have more than One earmark and One bodymark.
Cf. N.S.W., No 35 of 1912, s. 132.

11 Not more than One earmark and One bodybrand shall be registered in the name of any person, unless he is the owner, proprietor, lessee, licensee, or occupant of more runs than One, not being adjoining runs, in which case in the discretion of the Registrar a separate earmark or a separate bodybrand or both in respect of each of such runs may be registered in his name.

Owner solely entitled to use brand.

12 The owner of any registered brand shall be the only person entitled to use such brand.

Registration of Brands already in use.

Application for and registration of brands in use before commencement of Act.

13—(1) Every proprietor using a design for branding his stock (whether in the nature of a bodybrand or an earmark) on the First day of March, One thousand nine hundred and sixteen, may, on or before the First day of May, One thousand nine hundred and sixteen, apply to the Registrar, in the prescribed form, containing the prescribed information as to his stock, to have that design registered in his name, and stating the period during which the applicant and those through whom he claims to have derived a right to be registered as the owner thereof have been using it, accompanied with the registration fee, according to the scale in Schedule (2).

(2) In the case of an application for the registration of a bodybrand, the applicant shall state upon which of the positions mentioned in Schedule (3) he intends to brand that bodybrand upon cattle whereon no registered bodybrand already appears.

Stock Brands.

14 The Registrar shall forthwith after the said First day of May, One thousand nine hundred and sixteen, proceed to deal with applications under Section Thirteen received by him on or before that day, and shall in effecting registration give preference to any applicant who proves to his satisfaction—

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Applications to be divided into two classes.

- i. That such design is, and prior to the other applicants became, registered in his name as a firebrand, pitchbrand, or ear-mark under the Act of 6 William IV. No. 17; or if such design be not registered under that Act, then:
- ii. That he or those through whom he claims to have derived a right thereto, used it before any of the other applicants, and that he and those through whom he claims to have derived such right have used it continuously ever since.

15 The Registrar may require, by notice in writing, any applicant under Section Thirteen to furnish to him within such time as in the notice is specified—

Registrar may require statutory declaration, &c.

- i. A statutory declaration as to the truth of the statements made in his application: and
- ii. Such further evidence in connection with his application as the Registrar may consider expedient:

and in the event of such applicant failing to comply with the notice, his application shall be deemed to have been withdrawn.

16 If the Registrar considers that any design referred to in any such application is for any reason likely to cause confusion or mislead, he shall so modify it as in his opinion the circumstances require, and shall register the design as modified as the registered brand of the applicant, and shall forthwith give him notice of such modification.

Registrar may modify brands likely to mislead.

17 The work of registering under Section Fourteen shall be completed by the Registrar on or before the Thirty-first day of May, One thousand nine hundred and sixteen, or such later date as the Minister may determine.

Such registration to be completed by 31st May, 1916.

18 The Registrar shall forthwith after the said Thirty-first day of May, One thousand nine hundred and sixteen, or such later date as aforesaid, allot to each public pound then established in this State, and shall from time to time allot to every public pound thereafter established in this State a bodybrand, and shall register the same in the name of "the keeper for the time being of ——— pound."

Allotment of brands to public pounds.

Registration of other Brands.

19—(1) Every proprietor who does not make a proper application under Section Thirteen, may submit to the Registrar a design, and apply to have the same registered as his registered brand.

Applications.

(2) The application shall be in the prescribed form, and shall contain the prescribed information as to his stock, and shall be accompanied by the registration fee according to the scale in Schedule (2).

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(3) In the case of an application for the registration of a bodybrand, the applicant shall state upon which of the positions mentioned in Schedule (3) he intends to brand that bodybrand upon cattle whereon no registered bodybrand already appears.

(4) The Registrar shall note on each application the date on which such application reached his office.

(5) The Registrar shall not deal with any application under this section until all registrations under Section Fourteen have been effected.

Not to be dealt with till registration under Section 14 effected.

No registration of confusing brands.

20 The Registrar shall deal with applications under Section Nineteen received by him as follows:—

- I. No design submitted under that section shall be registered under this Act which in the opinion of the Registrar is likely to cause confusion or mislead :
- II. The Registrar shall give preference to applications in the order in which he received them, and in the event of Two or more applications for the same design being received by him on the same day shall, in his discretion, decide in the name of which of such applicants it shall be registered.

In the event of the Registrar rejecting any application he shall forthwith give to the applicant concerned notice of such rejection and the objection thereto, and may suggest any modification of the design submitted.

If the Registrar suggests any modification, then unless within Twenty-one days of the date of such notice the applicant concerned submits to him another design for registration pursuant to Section Nineteen, and the Registrar approves thereof, the Registrar shall register the design as modified in accordance with the Registrar's suggested modification in name of the applicant.

Cf. N.S.W.,
No. 35, 1912,
s. 134.

PART IV.

TRANSFERS AND CANCELLATION OF BRANDS.

Transfer by memorandum.

21—(1) A registered brand may be transferred by the owner thereof to any other person by filing with the Registrar a memorandum of transfer in the prescribed form, signed by the transferrer and the transferee.

(2) Such memorandum shall be accompanied with a registration fee of Five Shillings, and the transfer shall not be registered if its registration involves a breach of Section Eleven of this Act.

(3) The registration of a transfer shall be effected by the Registrar cancelling the registration of the brand in the name of the transferrer, and effecting a new registration of the brand in the name of the transferee, the transfer being noted in both places in the register.

Stock Brands.

22—(1) The Registrar may on application in the prescribed form, accompanied with a registration fee of One Shilling, cancel the registration of any registered brand on the application—

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Cancellations.

- I. Of the owner of such brand : or
- II. Of any other person who proves to the satisfaction of the Registrar that the owner of such brand has ceased to use it.

(2) The Registrar may require any such application to be advertised in One or more newspapers, by and at the expense of the applicant, for such period and in such manner as the Registrar may direct.

PART V.

BRANDS AND BRANDING.

23—(1) All sheep, except sheep under the age of Six months, and stud stock, shall be branded, and kept legibly and visibly branded, by the proprietor thereof with his registered bodybrand in the manner herein provided.

Sheep to be branded.
Cf. N.S.W., No. 35 of 1912, s. 131.

(2) The keeper of a public pound shall, on the sale of any stock which appears to him to be of or above the age of Six months, impounded in such public pound, and in no other case, brand the same with the registered bodybrand of that pound.

Pound brand to be branded on impounded stock.

(3) Such bodybrand, in the case of cattle, shall take the form of a firebrand.

Firebrand.

(4) Such bodybrand, in the case of sheep, shall take the form of a woolbrand.

Woolbrand.

24—(1) No firebrand, except on the horns, shall be less than Two nor more than Three inches in height, provided that where the brand consists of a letter within a sign, the sign may be Four inches in height.

Size of bodybrand.
S.A., 4 Geo. V. No. 1132, s. 12.

(2) No woolbrand shall be less than Two inches nor more than Four inches in height.

Ib., s. 27 and Cf. W.A., No. 61 of 1904, as amended by No 14 of 1907, s. 10.

(3) Where a firebrand or woolbrand consists of more letters, signs, or characters than One, such letters, (unless they are conjoined letters), signs, or characters shall be not less than One inch apart.

25—(1) No registered bodybrand shall be branded on cattle except in the manner hereinafter provided, and no registered bodybrand shall be branded upon any cattle except on one of the positions described in Schedule (3).

Position of brands.
Schedule (3).

(2) The provisions of the following subsections of this section, and the provisions of Section Twenty-eight of this Act, shall not apply to cattle upon the hide of which a brand or mark was burned prior to the commencement of this Act, and shall not apply to sheep upon which any brand or mark in the nature of a woolbrand was placed prior to, and is visible at the commencement of this Act, until such sheep are First shorn after the commencement of this Act. Such cattle, and until such shearing, provided that the woolbrand remains legible and visible, such sheep, shall not so far as concerns such brand or mark be deemed for the purposes of this Act to be unbranded

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(3) No registered bodybrand shall be branded upon any cattle whereon no registered bodybrand already appears except upon the position whereon the owner thereof has, in accordance with the provisions of Section Thirteen or Section Nineteen, stated his intention to brand the same, or in the case of a public pound, on the First position in the consecutive order of rotation set out in Schedule (3).

(4) Every other registered bodybrand branded upon any cattle shall be branded on the position next in such consecutive order of rotation to the last registered bodybrand which appears upon the cattle.

(5) For the purposes of this section each position in such consecutive order of rotation shall be regarded as following next after the position immediately preceding it, and the First position therein shall be regarded as following next after the last position therein.

(6) Until the whole of the positions in the said consecutive order have been utilised no registered bodybrand may be branded on a position whereon another registered bodybrand appears; in such case the same consecutive order shall be adopted, and the Second registered bodybrand on any position shall be placed directly under and at a distance of not less than One inch and not more than Two inches from the registered bodybrand already thereon.

Who may
earmark sheep.

26—(1) No person shall brand any earmark on any stock, except as provided in this section and Section Twenty-nine of this Act.

(2) The breeder of any sheep, or the proprietor at the time when they attain the age of Six months, of such sheep, may, if at the time of branding he is the proprietor of such sheep, brand such sheep with his registered earmark.

No registered
marks shall be
made except with
ear-pliers.

(3) All registered earmark brands shall be made only by a punch or pliers, the cutters of which shall be of the prescribed size and shape.

Rules of marking
registered ear-
marks.

(4) A registered earmark upon any sheep shall in every case be branded on the near or left ear of male sheep, and on the off or right ear of female sheep; and afterwards no other mark whatever shall be placed upon the ear so marked.

Stock branded not
in accordance
with Act to be
deemed
unbranded.

27—(1) For the purposes of this Act any stock branded after the commencement of this Act with any brand or mark (whether or not a registered brand) not in accordance with the provisions of this Act or with a registered bodybrand in the form of a woolbrand which is not kept clearly legible and visible shall, so far as concerns that brand, or mark, or woolbrand, be deemed to be unbranded, but—

- i. The ear whereon such brand or mark appears shall not again be available for branding: and
- ii. The position being one of the positions described in the schedule applicable to such stock, whereon such brand or mark appears, shall not again be available for branding unless and until the whole of the positions described in the said schedule have been utilised, or the animal being a sheep, has been shorn.

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(2) Any stock bearing a brand or mark whether or not a registered brand which has been altered, blotched, defaced, or rendered illegible, and all stock of which either ear has been branded, marked, sliced, cut, or cropped contrary to this Act, shall be deemed to be unbranded.

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Stock on which brand has been altered or blotched to be held to be unbranded.

28 The owner of the registered bodybrand which appears legible and visible last in the consecutive order of rotation applicable thereto upon any head of cattle, shall *prima facie* be the proprietor of such head of cattle. The owner of the registered earmark which appears on any sheep shall *prima facie* be the proprietor of that sheep.

Prima facie evidence of ownership.

29—(1) The person branding the First registered bodybrand upon any head of cattle may brand by burning One or Two of the numerals 2, 3, 4, 5, 6, 7, 8, 9 directly under, and at a distance of not less than One inch nor more than Two inches from that brand, for reference to any stud or herd book containing a description of such cattle; such numerals shall not exceed Three inches in height.

Person first branding cattle may imprint a numeral under his bodybrand.

(2) The breeder of any sheep or the proprietor at the time when they attained or attain the age of Six months, of such sheep may, if at the time of branding he is the proprietor of such sheep, mark on the off or right ear of his male sheep, and on the near or left ear of his female sheep, any mark for reference to any stud or flock book containing a description of such sheep or age, distinctive or sale mark: Provided that all such marks shall be made only by a punch or pliers, the cutters of which shall be of the prescribed size and shape.

Earmarking sheep for reference to any stud or flock book.

30 Except as provided by Section Twenty-nine of this Act, no person shall—

No brand to be used unless registered.

- i. Mark, brand, or use upon stock any brand or mark other than his registered brand:
- ii. Use, or attempt to use, or permit or suffer to be used, or have in his possession or upon his premises any branding-iron, pliers, or any other instrument for branding stock by which any brand other than his registered brand may be impressed or marked upon stock.

31 If any person—

Offences.

- i. Brands any stock with a registered brand without the authority of the owner of that brand:
- ii. Brands any stock with an unregistered brand, or mark, except as provided in Section Twenty-nine:
- iii. Blotches, defaces, or otherwise renders illegible, or alters any brand or mark, whether or not a registered brand, upon stock:
- iv. Marks any stock on the ear, or mutilates, crops, slices, or in any other manner cuts the ears of any stock, except as provided by this Act:
- v. Causes, directs, or assists in, or permits, or suffers any such thing as aforesaid:

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vi. In any other way fails to comply with or offends against any of the provisions of this part of this Act—
he shall be liable to a penalty of not less than Five Pounds and not exceeding Fifty Pounds.

PART VI.

MISCELLANEOUS.

Brands directory
to be compiled.

32—(1) The Registrar shall, as soon as possible after the First day of July, in the year One thousand nine hundred and sixteen, and thereafter from time to time whenever required by the Minister cause a Brands Directory, containing full particulars to date of all the brands registered and uncanceled, and of all transfers and cancellations entered in the register to be compiled and gazetted.

(2) The Registrar shall, after the publication of a Brands Directory, at the end of every quarter, or at such longer intervals as the Minister may deem proper, cause a supplemental directory, containing full particulars to date of all brands registered, transferred, or cancelled, not contained in the Brands Directory and supplementary directories already published, to be compiled and gazetted.

Poundkeepers
and others to keep
copy of directory
and "Gazettes"
open to inspection.

33—(1) Every poundkeeper, inspector, and member of the Tasmanian police force in charge of a police station, shall keep copies of—

- i. The latest edition of the Brands Directory, and
- ii. Every supplemental directory, and
- iii. All regulations under this Act ;

and shall permit a search by any person without fee, in all or any such documents at all reasonable hours.

(2) Every poundkeeper, inspector, or member of the Tasmanian Police Force who fails to comply with any of the requirements of this section shall be guilty of an offence against this Act.

Owners mustering
sheep in certain
cases to give
notice to
neighbours.

34—(1) Every proprietor possessed of Fifty or more stock, shall give the occupier of any run adjoining his run who has Fifty or more stock not less than Twenty-four hours' nor more than Five clear days' notice in writing of any muster intended to be made by such proprietor on his own run for the purpose of branding or marking any stock, except in the case of a muster solely for the purpose of branding or marking under Section Twenty-nine, and shall permit the said occupier or his employees to attend at any such muster :

Provided that any such proprietor may, with the consent of any such occupier, omit such notice.

(2) Any person failing to comply with any provision of this section shall, for every such offence, be liable to a penalty not exceeding Ten Pounds.

Stock Brands.

35—(1) Any person having reason to believe that any stock of which he is the proprietor are on the run of another person may (whenever the occupier of such run refuses permission to such person to search for the same) apply to a justice, who, after notice given to such occupier (if any), may grant a permission to enter on such run, and search for, collect, and remove therefrom all such stock thereon, upon such conditions as to such justice seems expedient.

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Justice may grant permit to hunt for stock.

(2) Such permission shall be in writing, signed by the justice, and shall specify the conditions imposed, and subject to such conditions, may authorise the person therein mentioned, with necessary assistants and horses, to enter and search on such run and collect and remove therefrom all unbranded stock thereon of which he may be the proprietor.

36 If any person purchases privately or by public auction any stock, he shall within Ten days after the removal of such stock brand the same except such as are stud stock or are under the age of Six months with his registered bodybrand, and shall give notice within Forty-eight hours to the nearest inspector or a member of the police force when he intends so to brand such stock.

Person purchasing stock to brand same and give notice to inspector.
Section 19 of 39 Vict. No. 20.

Such notice shall be in writing, signed by him, setting forth the name and address of the person from whom such stock were purchased, also the number and description of all such stock and the time and place proposed for branding same.

Any person who refuses or neglects to comply with this section shall incur a penalty of not less than Two pounds and not exceeding Twenty Pounds.

37 No person shall brand or assist in branding any stock, or cause or direct any stock to be branded, without causing notice of such branding to be given to an inspector or some member of the police force at least Twenty-four hours before the branding takes place.

Notice of brandings to be given.
6 Will. IV.
No. 17, s. 7.

Such notice shall set forth the description and number of all such stock and the time and place proposed for branding the same.

Any person who refuses or neglects to comply with the provisions of this section shall incur a penalty of not less than Two Pounds and not exceeding Twenty Pounds.

The provisions of this Section shall not apply to branding or marking under Section Twenty-nine of this Act.

33 When any stock are impounded in a public pound, the pound-keeper shall forthwith—

When stock impounded, notice to be given to owners or supposed owners thereof,

- i. Send notice thereof to the owner of the registered brands which appear on such stock, and when the poundkeeper has any reason to suppose that such stock belong to a person other than the owner of any of the said brands, such poundkeeper shall also send notice of the impounding to that person: and

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- ii. Send to the Chief Inspector of Stock a description of the impounded stock, and of all brands or marks whether or not registered brands which appear thereon.

Every poundkeeper who neglects or delays to send any such notice or description shall be guilty of an offence against this Act.

Punishment for forged or false registrations, directory or other matter in this Act referred to.

39 Any person who—

- i. Knowingly inserts, or causes or permits to be inserted, any false entry of any matter relating to any registered brand in any register, certificate, brand directory, supplemental brand directory, or in any extract therefrom: or
- ii. Forges, or alters, or offers, utters, disposes of, or puts off, knowing the same to be forged or altered, any such register, certificate, directory, supplemental directory, or any extract therefrom, or that which purports to be such extract or entry: or
- iii. Wilfully destroys, defaces, injures, or alters, or causes to be destroyed, defaced, injured, or altered, any such register, certificate, directory, supplemental directory, extract, or entry, or any part thereof: or
- iv. Knowingly and wilfully uses a registered brand without the authority of the owner of that brand—

shall, on conviction for any such offence, be deemed guilty of a misdemeanour, and being convicted thereof shall be liable to imprisonment for any period not exceeding Three years.

Persons branding stock not their property may be imprisoned.

40 Any person who wilfully brands, or causes, directs, or permits to be branded with his own registered brand, any stock of which he is not the rightful proprietor shall be guilty of a misdemeanour, and liable, on conviction, for every such offence, to be imprisoned for any term not exceeding Three years.

PART VII.

REGULATIONS.

Regulations.

41 The Governor may make regulations dealing with—

- i. Applications for, and registration of brands:
- ii. Transfer and cancellation of registered brands:
- iii. The form of books to be kept by the Registrar:
- iv. The compilation and publication of the Brands Directory and supplemental directories, and the charge payable for copies thereof:
- v. The manner in which all registered brands shall be branded and made:

Stock Brands.

- vi. Any matter in connection with which the expression "prescribed" is used in this Act, and for any purpose for which regulations are contemplated by this Act: A.D. 1915.
- vii. All other matters which the Governor deems expedient or necessary for the proper carrying out of this Act.

PART VIII.

LEGAL PROCEDURE.

42 A certified copy of the Brands Directory or Supplemental Directory, under the hand of the Registrar, containing a statement of the registration, transfer, or cancellation of any registered brand shall in any action, suit, prosecution, or trial be received as *prima facie* evidence of such registration, transfer, or cancellation. Published statements to be received as *prima facie* evidence.

43 Any person failing in any respect to observe the provisions of this Act shall be guilty of an offence against this Act, and any person guilty of an offence against this Act, or of a breach of any regulation made thereunder, for which a penalty is not specially provided, shall be liable, upon conviction in a summary way, to a penalty not exceeding Ten Pounds. Mode of prosecuting offences against this Act. 19 Vict. No. 8.

44 Any person who refuses or neglects or delays to give any information with respect to any stock prescribed to be given for the purposes of this Act, or wilfully makes any false statement, or gives any incorrect or misleading information with respect to such stock, shall, on conviction for every such offence, be liable to a penalty not exceeding Twenty Pounds. Penalty for not giving information.

45 All information for offences against the provisions of this Act or the regulations, and all penalties, fines, and sums of money imposed or made payable by or under the provisions of this Act or the regulations may be heard, determined, recovered, and enforced in a summary way by and before a police magistrate in the mode prescribed by "The Magistrates Summary Procedure Act," the provisions of which Act shall apply. Procedure. 19 Vict. No. 8.

46 If the magistrate before whom any person is brought, charged with an offence punishable under this Act on summary conviction, is of opinion that there ought to be a prosecution for felony or misdemeanour, such magistrate may abstain from adjudicating in a summary manner thereon, and deal with the case as one to be prosecuted at a general gaol delivery in the Supreme Court. Magistrate's discretion to send summary cases for trial.

47 All fees payable to the Registrar under this Act shall, when received, be paid by him into the Treasury, and form part of the Consolidated Revenue. Appropriation of fees.

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SCHEDULES.

(1)

Sect. 3.

ACTS TO BE REPEALED.

Date and Number of Act.	Title of Act.	Extent of Repeal.
6 William IV. No. 17.	“ An Act for the Prevention of Sheep and Cattle Stealing, and for Abolishing the Punishment of Death in such cases ”	Sections 4 and 7
39 Vict. No. 20.	“ The Stock Act.”	Section 19

(2)

Sects. 13 and 19.

SCALE OF FEES FOR REGISTRATION OF BRANDS.

	s.	d.
For one head of stock, and not exceeding 50 head of stock.....	1	6
For 51 head of stock, and not exceeding 100 head of stock.....	2	6
For 101 head of stock, and not exceeding 500 head of stock.....	5	0
For 501 head of stock, and not exceeding 1000.....	7	6
And for every additional 1000 head of stock or part of 1000.....	2	6

(3)

Sec. 25.

POSITION AND ORDER OF ROTATION OF FIREBRANDS.

First position.....	Near cheek
Second position	Near neck
Third position	Near shoulder
Fourth position	Near thigh
Fifth position	Off thigh
Sixth position	Off shoulder
Seventh position ..	Off neck
Eighth position	Off cheek