APPENDIX A

Convention between Her Majesty and the King and Government of Samoa for the Government of the Town and District of Apia

1879

CONVENTION

BETWEEN

HER MAJESTY

AND THE

KING AND GOVERNMENT OF SAMOA

FOR THE

GOVERNMENT OF THE TOWN AND DISTRICT OF APIA.

Signed at Apia, September 2, 1879.

Presented to both Houses of Parliament by Command of Her Majesty. 1881.

LONDON: PRINTED BY HARRISON AND SONS.
CONVENTION between Her Majesty and the King and Government of Samoa for the government of the Town and District of Apia.

Signed at Apia, September 2, 1879.

[RAfications exchanged at Muliu, August 27, 1880.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the King and Government of Samoa, being desirous to make better provision for the good government of the town and district of Apia, and the preservation of peace and good order therein, as well as for the maintenance of its neutrality, should internal disturbances unhappily take place in the Samoan State, have determined to conclude a Convention for that purpose, and have named as their Plenipotentiaries:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, &c.;

The Honourable Sir Arthur Hamilton Gordon, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Her Majesty's High Commissioner and Consul-General for the Western Pacific, Governor of Fiji; and

Alfred Percival Mandslay, Esquire, one of Her Majesty's Deputy Commissioners for the Western Pacific;

And the King and Government of Samoa;

The High Chief Malietoa Laupepa; and

The High Chief Saga:

Who having met and conferred with the Representatives at Apia of other nations having entered into Treaty relations with Samoa; that is to say, Corvetten-Captain F. Mensing, Imperial German Navy, commanding His Imperial German Majesty's gun- vessel "Albatross;" Theodor Weber, Esquire, Imperial German Consul for Samoa and Tonga; Captain R. Chandler, United States' Navy, commanding United States' ship "Lackawanna," and Thomas M. [67]

UA anagalo Lana Afioga Le Tupu o le Malo atoatoa, o Peritania Tele ma Aialani ma le Tupu ma le Malo o Samoa, ia faia ni saumiga ina ia lelei se pule le faasai ma na nuu o Apia, ia tamanu foi le felimu ma le nofo lelei, neihase ia tamanu le sa o lena laulelele pe afa i e tupu se tana i Samo. O le mea lea ua tou ai ia te i latou ona osia o se Feaagaiga faapena; o lea ua tofa foi ina ia latou laumamuina o lea mea, e—

Lana Afioga Le Tupu o le Malo atoatoa o Peritania Tele ma Aialani, &c.;

O le susuga a Sir Arthur Hamilton Gordon ua i ai le tasi ao e tofa "Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George," Komisima Sili ma Konesula Sili i le itu i hisifo o le Vasa Laaaloa o Lana Afioga, Kavana o Fiji;

Le Alii o Alfred Percival Mandslay, le tasi sui Komisima i le itu i hisifo o le Vasa Laaaloa o Lana Afioga;

O le Alii o le Hisifo Le Tupu o Samoa, ma le Malo o Samoa;

O le Alii Sili o Malietoa Laupepa; ma

Le Alii Sili o Saga;

I le na latou potopoto i Apia ma siifili fastasi ma ali tofa o iai itu malo totele, ua osia feaagaiga ma Samoa; ia Corvetten Kapitene F. Mensing o le Fua o Lana Afioga le Tupu o Siamani, e pule le manuao i lana aigiofa le tupu o Siamani "Albatross;" le Alii o Theodore Weber, Konesula o Lana Afioga le Tupu o Siamani i Samoa ma Tonga; Kapitene R. Chandler o le Fua o Le Unaita Setete, o le pule i le o le manuao Meleko "Lackawanna,"
Dawson, Esquire, Consul of the United States of America at Apia, have, in conjunction with them, agreed upon and concluded the following Articles:

ARTICLE I.

The space comprised within the following limits, that is to say, commencing at Vaioa, passing thence along the coast to the mouth of the Fuluma River, thence up the course of the River Fuluma to the point at which the Alafula road crosses such river, thence along the said road to the point where it reaches the River Vaisigo, and thence, in a straight line, to the point of commencement at Vaioa, shall constitute and be known as the town and district of Apia. The waters of the harbour of Apia are also comprehended within the district.

MATAUPU I.

O le tasi laulelele o le a faataina ma ilogina faapea o le faaiai ma nhu o Apia. O ona tusoi e amata i Vaioa i Fiaupolotu, ona ni ane lea i le matafaga e oo i le vai ua tada o Vaioa ma Fuluman, ona ul atu lea: iuta i le alava lena i le mea ua sopoa ai le vai e le alafaalava, ona ni ane lea i le alafaalava seia oo i Vaisignano, ona alii tonu lea i le mea na amata ai i Fiaupolotu. E Aofa i lea nhu o Sami o le tanagaga o Apia.

ARTICLE II.

Such town and district shall be placed under the government of the Municipal Board, consisting of those foreign Consuls resident in Apia whose nations have entered into Treaty relations with Samoa. Representatives of every such nation, having a Consul in Samoa, shall, at a future period, be added to the said Board, and shall be chosen in such manner, and exercise such functions, as may be provided by regulations to be hereafter agreed upon and published by the said Board.

MATAUPU II.

E pulea le saia ma le nhu ua tada e ni alii e tofa i lea mea; o Konesula, o nofo i Apia, o malo tetele ua osia faesaga ma Samoa. E tofa foi i se aso nisi alii o malo tetele o loo ai i o laton Konesula i Samoa e fanoopoinoa i e ua tofa nei. O le a faa'i ma faaalaalumina i se aso, e alii ua tofa nei, ni tufaono e faaonoina pe faapea. O le fiai i ia alii, po o a faa'galuega latou te faaaga i ia.

ARTICLE III.

The Municipal Board shall have power to make and enforce Regulations and Bye-laws with regard to police and good order, public works, sanitary regulations, the issue of licenses, the imposition of harbour regulations, the prevention of the sale and supply of spirituous liquors to Samoans and other islanders of the Pacific Ocean, and other matters similar, within the said district, and such regulations shall be binding upon all persons within the said district, and may be enforced by penalties not exceeding 200 dollars fine, or imprisonment with hard labour for a period not exceeding six months, or both fine and imprisonment not exceeding the before-mentioned penalties.

MATAUPU III.

E tuuna atu ai alii e pulea le faaiai o faa'i ma faaioina ni tufaono i Mataupu nei; o laeoleo, o amio a tagata, o galuega i ala, e&c., o mea e ala ai ona le tufuupu so o faamai. Latou te faaonoina foi totago e sasolo ai ona faasaaga o tagata, i nisi faiva, ma tufaono i vaa e tuutana i le tanagaga, ae, sasoma i faauina ona faatan pe fiai'ava papalagi i tagata. Samoa po o tagata o ist nhu i le Vaas Laoao, aton ma nisi Mataupu e faasaiga i lena faiai. Ia ususiai tagata uma e mau i lena, nhu i ia tufaono, e faaioina foi ia tufaono i sala i le Sili i le luma selau o tala, po o le tui i le fale pailoripe ai galuega ma ana i ni eso e le sili i masina e ono, pe faaonoipo i sala e fiai.

ARTICLE IV.

The Municipal Board of Apia may, for the purpose of defraying expenses incurred under the above Article, levy rates upon the occupiers of houses or lands within the district of Apia, not exceeding 6 per cent. annually, on the annual assessed value of such premises as calculated on the presumed rental valuation thereof, or 1 per [67]

MATAUPU IV.

E fia'au atu ai alii e pulea le nei faaiai ma ia mafai ona faaioina o tufaono ua tada i le Mataupu i luga na, in faaonoina ni tupu e totago i lea taisaga ma lea lauata e tagata e mafai e fa'ale ma fiana i le va o tusoi o le nhu o Apia, o le sili i lea taisaga ma lea lauata i le tai lima i le selau, o tupu na tonu i se fiai i lea lauata.
cent. annually on the real value of such property.

ARTICLE VI.

All offences against the regulations of the Municipal Board, by whomever committed, shall be tried by a magistrate to be appointed by the Board.

ARTICLE VII.

Every Samoan subject charged with a criminal offence within the limits of the district of Apia, other than an offence against the municipal regulations, shall be liable to trial by the magistrate appointed under the provisions of Article V, in conjunction with a Samoan magistrate.

ARTICLE VIII.

The foregoing Articles shall in no way prejudice the territorial integrity of Samoa, and the Samoan flag shall be hoisted at such place of meeting of the Municipal Board as may be permanently adopted.

ARTICLE IX.

In case of civil war, the town and district of Apia, and the adjacent districts comprised between the boundaries of the town and district of Apia and Letogo, Tiapape Point, and Siusega shall be considered as neutral territory, and the Municipal Board may frame and issue such regulations as may be considered necessary for the support and maintenance of such neutrality.

ARTICLE X.

The present Convention shall be revised at the end of four years from its date, and if the internal state of Samoa at that time will happily admit thereof, without prejudice to the interests of foreign residents in Samoa, the powers conferred by the present Convention upon the Municipal Board of Apia shall cease and determine; and the district again pass under the control and authority of the
Samoan Government, or such other authority as may be agreed upon between the Samoan Government and the High Contracting Parties.

ARTICLE XI.

The Representatives of the Imperial German Government, in virtue of the powers accorded to them by the VIIIth Article of the Treaty concluded between His Imperial Majesty the German Emperor and the Government of Samoa on the 24th day of January last past, accede and agree to the present Convention, on behalf of the Imperial German Government, subject to the conditions of the said Article.

ARTICLE XII.

The Representatives of the United States' Government provisionally accede and assent to the present Convention, on behalf of the Government of the United States, subject to the approval of that Government.

ARTICLE XIII.

The present Convention shall be ratified, and the ratifications exchanged at Apia within one year from the date thereof.

In witness whereof we have signed the same and affixed thereto our seals.

Done at Apia this second day of September, in the year of our Lord one thousand eight hundred and seventy-nine.

(L.S.) ARTHUR GORDON.
(L.S.) ALFRED P. MAUDSLAY.
(L.S.) E. MENSING,
Cornetten-Capitain.
(L.S.) T. WEBER,
Imperial German Consul.
(L.S.) R. CHANDLER, Captain,
United States' Navy, Commanding United States' ship "Lackawanna."
(L.S.) THOMAS M. DAWSON.

Samoas, po o se isu pule e finagalo i ai le Malo Samoa ma alii o malo Tetele na osia lenei Feagaiga.

MATAUPU XI.

O alii toñia o le malo o lana Afioga le Tupu o Siamanı, i le taúa o le pule na tuuina atu ia te i lana ile Mataupu e valu o le feagaiga na osia e Lana Afioga le Tupu o Siamanı ma le Malo Samoa i le ase ia ha sefulu ma le fa o Januai na mavae nei, na talia nei ma finagalo i lenei feagaiga ona o le malo o Lana Afioga le Tupu o Siamanı e tusu ma faatunuga o lena Mataupu.

MATAUPU XII.

O alii toñia o le Malo o le Unaite Setete, ua talia i ona po nei lenei feagaiga i le taúa o le Malu o le Unaite Setete seia mana so laton finagalo pe finagalo pe le ai i Mataupu nei.

MATAUPU XIII.

E faamauma o lenei feagaiga ma tuuina atu i Apia e le tasi i le tasi a e ldi mavae le tausaga e tasi talu le ase na osia feagaiga.

E faia ma molima ai ua tusia ai o matou igoa ma tutu ai o matou faamaumaaliga.

Faia i Apia i lenei ase a lua o le masina o Setena i le tausaga o lo tatou alii e tasi le afe, valu selau, fia sefulu ma le iva.

(L.S.) MALIETOA LAUPEPA.
(L.S.) SAGA LE AUAAUA.
APPENDIX B

Municipality of Apia: Municipal Regulations 1879-1883

‘Municipality of Apia: Municipal Regulations 1879-1883’, in ‘WPHC 1/IV Prints relating to the affairs of the Samoans, 1875-1918’ WPHC 1/IV/5 (ANZ)

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MUNICIPALITY
OF
APIA.

MUNICIPAL REGULATIONS,
1879—1883.

Officers 1st June, 1883,
MUNICIPAL BOARD.

Dr. Th. CANISIUS... .... ... United States Consul
Dr. STUBBEL, ... ... ... Ger. For. Off. German Consul
W. B. CHURCHWARD, Esq. ... ... Her Britannic Majesty's Acting-Consul.
Dr. ROSS, Chas. F. NETZLER, Th. WEBER.

Treasurer ... ... ... H. M. Ruge.
Collector ... ... ... Chas. F. Netzler.
Health Officer ... ... ... Dr. Ross, M.D.C.N.
Pilot ... ... ... ... F. Axmann.
Municipal Magistrate ... ... T. S. Kelsall.
Chief of Police ... ... ... C. I. Cordts.
Police Sergeant ... ... ... J. Upsilon.

G. L. Griffiths, Printer, Black-street, Levuka.
MUNICIPAL REGULATIONS.

Concerning the Treasurer.

III.—A Treasurer shall be elected whose duty it shall be to take charge of all public monies, and to disburse them only under an order from the Municipal Board. The Treasurer shall receive as compensation for his services a commission not to exceed five per cent. of all public monies paid into the Treasury during his term of office.

LV.—The Treasurer shall receive and take charge of all monies payable to the Municipality and give receipts for the same.

LVII.—The Treasurer shall not pay out any such monies except on a draft approved by the Municipal Board, or on a written order from the Municipal Board.

LVIII.—The Treasurer shall keep an account of all monies received and disbursed, which account he shall render to the Municipal Board at their meeting on the first Friday of each quarter.

Dated at Apia, Samoa, December 6th, 1879 and January 12th, 1880.

Concerning Public Houses and Intoxicating Drinks.

VIII.—No one shall have the right to sell intoxicating drinks by retail without first obtaining a license from the Municipal Board of Apia, which license shall be paid for quarterly in advance on the first day of January, April, July, and October at the rate of Ten ($10) Dollars per month, provided his sales of such drinks do not exceed Two Hundred and Fifty ($250) Dollars per month; and at the rate of Twelve ($12) Dollars per month if his sales of such drinks exceed Two Hundred and Fifty ($250) Dollars per month.

IX.—Anyone convicted of selling intoxicating drinks by retail without a license shall be fined not to exceed Fifty ($50) Dollars, and one half of the fine imposed shall be paid to the informer, or shall be imprisoned with or without hard labour not to exceed Six Weeks.

Note.—Retail means less than an original case or less than two gallons of liquor imported in bulk.

X.—Any licensed publican who shall sell or supply any intoxicating drink to a Samoan, or to any native of any of the Islands of the Pacific Ocean, shall on conviction be fined Five ($5) Dollars, or shall be imprisoned Six Days. Such conviction shall be endorsed on his license by the Magistrate, and when two such endorsements have been made thereon, the offender's license shall be cancelled immediately.

XI.—No licensed public house shall be opened to the public before 5 a.m. nor after 11 p.m. on week days; nor before 1 p.m. nor after 11 p.m. on Sundays unless a special license has first been obtained for the occasion. Any breach of this regulation shall be punished by a fine of Ten ($10) Dollars, and such breach thereof shall be endorsed on the offender's license which may be cancelled for the third offence.
XII.—Any licensed publican who shall sell or supply liquor to any person in a state of intoxication shall on conviction thereof be fined not to exceed Five ($5) Dollars, and for the third offence his license may be cancelled.

XIII.—Any person who shall sell or supply intoxicating drink to a Samoan, or to any other islander of the Pacific Ocean, shall be fined for the first offence not to exceed Five ($5) Dollars, or shall be imprisoned with or without hard labour not to exceed Six Days; for the second offence he shall be fined not to exceed Twenty-five ($25) Dollars or shall be imprisoned with or without hard labour not to exceed Thirty Days.

XIV.—Any Samoan, or other Islander of the Pacific Ocean, found intoxicated in the public highways shall on conviction be fined not to exceed Five ($5) Dollars, or shall be imprisoned with or without hard labour not to exceed Six Days.

XV.—Any person found intoxicated and disorderly on the public highways shall be fined not to exceed Ten ($10) Dollars, or shall be imprisoned with or without hard labour not to exceed Twelve Days, and shall be liable for any injury or damage done.

Dated at Apia, Samoa, December 31st, 1879.

CVIII.—Any person supplying or conveying, or causing to be supplied or conveyed, any intoxicating liquor on board of any vessel in the harbour of Apia without an order in writing signed by the Master of such vessel shall, on conviction, be fined not to exceed Fifty ($50) Dollars, or Sixty (60) Days' imprisonment. If a licensed publican or boatman be convicted of the above offence he shall be liable to have his license cancelled.

Dated at Apia, Samoa, April 1st, A.D. 1881.

Concerning Firearms.

XVI.—On and after the first day of January, 1880 the sale of firearms and ammunition is hereby prohibited without a special license from the Municipal Board. Any breach of this regulation shall be punished by a fine not to exceed Two Hundred ($200) Dollars, and one half of the fine imposed shall be paid to the informant, or by imprisonment not to exceed Six Months with or without hard labour, or by both fine and imprisonment not to exceed the above-mentioned penalties.

Concerning Trades and Professions.

XVII.—Any person following or exercising any of the professions, trades or callings enumerated in the schedule annexed to this regulation, whether jointly with any other profession, trade or calling, or otherwise, shall take out a license and pay a license fee at the rate per year set forth in said schedule. All such licenses shall on application be issued by the Municipal Board for three, six, nine or twelve months on payment in advance of the quarterly fee required in respect of each profession, trade or calling, and in all cases licenses shall date from the first day of January, April, July or October, and shall expire on the last day of March, June, September or December, as the case may be.

XVIII.—Any person exercising, following or engaging in any of the professions, trades or callings enumerated in the schedule aforesaid without a license at any time after the lapse of seven days from the first day of the months of January, April, July and October respectively shall on conviction in a summary manner forfeit a sum not exceeding One Hundred ($100) Dollars, or in default of payment shall be imprisoned not to exceed Seventy-five Days.
XIX.—There shall be five classes of licenses in general for stores.

**SCHEDULE.**

**Class I.**

All stores whose monthly sales are above Two Thousand ($2000) Dollars shall pay for a first-class license at the rate of One Hundred ($100) Dollars per annum.

**Class II.**

All stores whose monthly sales are below Two Thousand ($2000) Dollars and above One Thousand ($1000) Dollars shall pay for a second class license at the rate of Forty-eight ($48) Dollars per annum.

**Class III.**

All stores whose monthly sales are below One Thousand ($1000) Dollars and above Five Hundred ($500) Dollars shall pay for a third class license at the rate of Thirty-six ($36) Dollars per annum.

**Class IV.**

All stores whose monthly sales are below Five Hundred ($500) Dollars and above Two Hundred and Fifty ($250) Dollars shall pay for a fourth class license at the rate of Twenty-four ($24) Dollars per annum.

**Class V.**

All stores whose monthly sales are below Two Hundred and Fifty ($250) Dollars shall pay for a fifth class license at the rate of Twelve ($12) Dollars per annum.

**Special Licenses.**

<table>
<thead>
<tr>
<th>Nature of License</th>
<th>Per Annum.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney, Barrister or Solicitor</td>
<td>$60.00</td>
</tr>
<tr>
<td>Auctioneer or Commission Agent</td>
<td>24.00</td>
</tr>
<tr>
<td>Baker</td>
<td>12.00</td>
</tr>
<tr>
<td>Banks or Companies carrying on banking</td>
<td>60.00</td>
</tr>
<tr>
<td>business</td>
<td>6.00</td>
</tr>
<tr>
<td>Barber</td>
<td>6.00</td>
</tr>
<tr>
<td>Blacksmith</td>
<td>6.00</td>
</tr>
<tr>
<td>Boatbuilder</td>
<td>6.00</td>
</tr>
<tr>
<td>Butcher</td>
<td>12.00</td>
</tr>
<tr>
<td>Cargo boat or lighter, plying for hire</td>
<td>6.00</td>
</tr>
<tr>
<td>Carpenter</td>
<td>6.00</td>
</tr>
<tr>
<td>Photographer or Artist (not employed)</td>
<td>12.00</td>
</tr>
<tr>
<td>Engineer</td>
<td>12.00</td>
</tr>
<tr>
<td>do assistant</td>
<td>6.00</td>
</tr>
<tr>
<td>do apprentice</td>
<td>3.00</td>
</tr>
<tr>
<td>Pilot</td>
<td>24.00</td>
</tr>
<tr>
<td>Printing Press</td>
<td>12.00</td>
</tr>
<tr>
<td>Sailmaker (not employed)</td>
<td>6.00</td>
</tr>
<tr>
<td>Shipbuilder</td>
<td>6.00</td>
</tr>
<tr>
<td>Shoemaker</td>
<td>6.00</td>
</tr>
<tr>
<td>Surveyor of Land</td>
<td>6.00</td>
</tr>
<tr>
<td>Tailor</td>
<td>6.00</td>
</tr>
<tr>
<td>Waterman (not employed) for each boat</td>
<td>6.00</td>
</tr>
</tbody>
</table>
LXXIV.—Every Salesman, Book-keeper and Clerk, whose salary, wage, or pay does not exceed Seventy-five ($75) Dollars per month, shall take out a License, for which he shall pay Three ($3) Dollars per annum, and every such person whose salary, wages, or pay exceeds Seventy-five ($75) Dollars per month, shall take out a License, for which he shall pay Six ($6) Dollars per annum. Any violation of this and the proceeding regulation shall be punished according to Regulation XVIII. Board and lodging provided by the employer to be reckoned as salary at the rate of Thirty Dollars per month.

Unlicensed Traders.

XX.—All persons other than licensed butchers selling fresh meat within the Municipality shall pay a tax of One per cent on their sales.

Concerning Fast Riding.

XXV.—Fast riding through the streets of Apia is hereby prohibited, and the police are hereby authorised and instructed to arrest any person violating this regulation, who shall be fined not to exceed Five ($5) Dollars, or who shall be imprisoned with or without hard labour not to Six Days for each offence, and shall be liable for injury and damages done.

Concerning Animals.

XXVI.—Any person tying horses or cattle in such a manner that the animals may be on the public roads and paths, or so that the ropes may extend across said roads and paths, shall be fined not to exceed Two ($2) Dollars for each offence of each such animal, and shall be liable for injury and damages done.

XXVII.—For stray animals within the Municipality of Apia the fines shall be as follows, viz.:

- For a horse, not to exceed $5.00
- " bull " " " " 5.00
- " cow or a calf " " " " 3.00
- " big or a hog " " " " 1.00
- " sheep " " " " 0.25
- " goat " " " " 0.25

And the owner shall be liable for injury and damages done.

Concerning Public Exposure.

XXVIII.—The police are hereby authorised and instructed to warn anyone when necessary against the indecent exposure of his person in public, and against committing any nuisance in any public place under penalty of being fined not to exceed Five ($5) Dollars for each such offence, or of being imprisoned with or without hard labour not to exceed Six Days.

Concerning Public Gatherings.

XXIX.—Public assemblies of Samoans from districts outside the Tuamasaga territory will not be allowed within the Municipality of Apia without special permission from the Municipal Board. And on all such occasions the discharge of firearms is hereby prohibited when other than blank cartridges are used.
Concerning Prisoners and Deserters.

XXX.—Anyone harbouring or concealing any escaped prisoner, or deserter from a ship of war or merchant vessel shall be fined not to exceed Ten ($10) Dollars, or shall be imprisoned not to exceed Twelve Days with or without hard labour for each offence.

XXXI.—Anyone aiding a prisoner to escape or a sailor to desert from a vessel shall be fined not to exceed Ten ($10) Dollars, or shall be imprisoned with or without hard labour not to exceed Twelve days.

Concerning Assaults Upon Public Officers.

XXXII.—Anyone assaulting or in anywise molesting any member of the Municipal Board shall be fined not to exceed Two Hundred ($200) Dollars, or shall be imprisoned with or without hard labour not to exceed Six Months, or shall be fined and imprisoned not to exceed the before-mentioned penalties.

Concerning Taxes.

XXXIII.—A tax of one per cent. shall be levied on the real value of all houses and lands, except churches, hospitals and schools, within the town and district of Apia, payable to the Treasurer quarterly in advance.

LXXXIII.—So much of Regulation XXXIII. as applies to the property of Samoans, or other natives of the Pacific Ocean, is hereby repealed; and a Poll Tax of One ($1) Dollar per Annum, payable in advance, shall be levied on all male adult Samoans, or other male adult Islanders of the Pacific Ocean, resident within the Municipality.

LXXXVI.—Any person who shall neglect or refuse to comply with the provisions of Municipal Regulations XXXIII., XXXIV., and LXXXIII., shall on conviction be fined not to exceed One Hundred ($100) Dollars, or in default shall be imprisoned not to exceed seventy-five days.

XXXIV.—All male persons of the age of twenty-one years, except ministers of the Gospel, priests, teachers and representatives of foreign Governments, not paying taxes or licenses otherwise, shall pay a head tax of One ($1) Dollar each annually in advance.

Concerning Police.

XXXV.—There shall be one Chief of Police for the Municipality of Apia, and as many subordinates as may be necessary to preserve good order and to protect the lives and property of those within the Municipality.

XXXVI.—All policemen shall be appointed by the Municipal Board, and shall be subject only to their authority and instructions and hold office during their pleasure.

XXXVII.—The Chief of Police shall have the right to nominate his subordinates, but their appointment must be confirmed by the Municipal Board; or said nominations may be rejected by the Municipal Board who may then nominate and appoint such subordinate policemen as they deem most suitable.

XXXIX.—There shall be a place where the Chief of Police can be found when not on duty, and his subordinates shall report to him at such times and places as he may direct.
XL.—Any member of the police force who shall receive any remuneration, other than his salary, for any official service, shall pay the same to the Municipal Board, or be liable to be dismissed.

XLI.—Any person interfering with a police officer in the discharge of his official duties shall on conviction be fined not to exceed Fifty ($50) Dollars, or shall be imprisoned with or without hard labour not to exceed Six Weeks for each offence, or shall be both fined and imprisoned.

XLII.—Any policeman who shall leave the service without permission, or without a fortnight’s previous notice of his intention to do so, shall forfeit his wages, and may be punished otherwise.

Dated at Apia, Samoa, December 31st, 1879.

Concerning the Magistrate.

LIX.—The Magistrate’s Court shall be open every day in the week (except Sundays, Christmas, New Year’s Day, Good Friday, Boxing Day, March 22nd, May 24, and July 4) for the hearing of cases between the hours of 10 a.m. and 4 p.m.

LX.—The Magistrate shall hand over to the Municipal Board for examination the minute book of the Magistrate’s Court at their sitting on the first Friday in each month.

LXI.—The Magistrate shall hold his Court at such place as may be provided for him.

LXII.—The Magistrate shall hold his office during the term for which he is appointed by the Municipal Board.

Concerning the Port of Apia.

LXIV.—All vessels (except those belonging to the Samoan Group and engaged in the inter-island or coasting trade,) coming into and leaving the harbour of Apia, shall take the pilot licensed by the Municipal Board.

LXV.—The Pilotage shall be at the rate of (18) Dollar per foot draught of water in, and One ($1) Dollar per foot draught of water out of port, and the Pilot may arrange with any captain for extra service, towing, use of boat, &c., &c.

LXVI.—All vessels coming into the port of Apia shall be anchored in such a position as the Pilot may direct. For mooring any vessel in the Small Harbour, or for unmooring and hauling any vessel out of the small harbour into the large, or for changing any vessel from one part of the Large Harbour to another the Pilot shall receive Five ($5) Dollars extra pay.

LXVII.—The master of any vessel desiring to change her from one place in the harbour to another shall notify the Pilot, who shall direct the removal, unless he has good and sufficient reason to the contrary.

LXVIII.—The Pilot may order the removal of any vessel so anchored as to obstruct the navigation in or out of the Harbour, or for any other good and sufficient reason; and any master of a vessel who shall refuse to comply with such order shall be liable to a fine of Ten ($10) Dollars.

LXIX.—The throwing of ballast into the harbour is hereby strictly prohibited. And all masters, or persons in command of vessels arriving in the port of Apia, and having ballast to discharge, shall notify the Pilot who will inform them where to deposit the same; and the Pilot shall take such precautions as he may deem necessary, when any vessel is receiving or discharging ballast, to prevent the same from falling into the harbour. And if any master or mate of a vessel receiving or discharging ballast
shall neglect the necessary measures to prevent the same from falling
overboard, on complaint of the Pilot a policeman shall be placed on board
such vessel at the vessel’s expense to observe and report such carelessness
or neglect, and the master of such vessel shall on conviction be fined for
the first offence not to exceed One Hundred ($100) Dollars, nor less than
Ten ($10) Dollars and costs of suit, and for each subsequent conviction
the fine shall be doubled.

LXX.—If any master or person in command of any vessel shall have
reason to complain of any action of the Pilot he shall make such complaint
to the Municipal Board.

LXXI.—A printed copy of the above regulations shall be handed by
the Pilot to the master or person in command of every vessel which he
may bring into port.

Dated Apia, Samoa, January 12th, 1880.

Concerning the City Front.

LXXV.—Since it is desirable for the Public Health that the sea-
breeze should circulate freely through the town and not be intercepted
by buildings near the water along the shore of the harbour, all persons
are hereby warned against Erecting or Repairing buildings or structures
of any kind whatever on the north or sea-side of the present public road
between the store of Thomas Troed in Matafele, and the store of Messrs.
Ruge, Hodemann and Co., Matanu, without special permission from the
Municipal Board, which permission will only be granted for the erection
of boat houses and similar small structures near the water. Any violation
of this regulation shall be punished by a fine not exceeding One Hundred
($100) Dollars, or three months’ imprisonment with or without hard
labour.

Dated Apia, Samoa, January 30, A.D. 1880.
Concerning Offences.

LXXVI.—Any person who shall commit any of the offences specified in the schedule hereto annexed shall be deemed to have committed a breach of this regulation, and shall be liable to punishment by fine or imprisonment or both of such penalties within the limits prescribed and set opposite to such offence in the said schedule.

SCHEDULE.

<table>
<thead>
<tr>
<th>Offence</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fine</td>
</tr>
<tr>
<td></td>
<td>Maximum</td>
</tr>
<tr>
<td>Burglary or housebreaking</td>
<td>$200</td>
</tr>
<tr>
<td>Breach of the peace or riot</td>
<td>$15</td>
</tr>
<tr>
<td>Language or conduct calculated to provoke a breach of the peace</td>
<td>$15</td>
</tr>
<tr>
<td>Assault (except as provided in Regulations XXXII. and XLI.)</td>
<td>$25</td>
</tr>
<tr>
<td>Challenging to fight, or two or more persons fighting.</td>
<td>$15</td>
</tr>
<tr>
<td>Keeping a disorderly house</td>
<td>$10</td>
</tr>
<tr>
<td>Petty larceny (stealing personal property under the value of fifty ($50) dollars, or theft and or receiving stolen goods.</td>
<td>$50</td>
</tr>
<tr>
<td>Malicious injury and cruelty to animals</td>
<td>$25 and damages</td>
</tr>
<tr>
<td>Malicious injury to property</td>
<td>$25 and damages</td>
</tr>
<tr>
<td>Contempt of Court</td>
<td>$10</td>
</tr>
<tr>
<td>Obscene or profane language in a public place</td>
<td>$10</td>
</tr>
<tr>
<td>Perjury</td>
<td></td>
</tr>
<tr>
<td>Illegal detention of animals or personal property</td>
<td>$5</td>
</tr>
</tbody>
</table>

Dated Apia, Samoa, February 21, A.D. 1880.
Concerning the Municipal Board.

LXXVIII.—Each of the Consuls shall appoint a representative of his nation who shall be a member of the Municipal Board, and each nation having a treaty with Samoa and a Consul at Apia, shall also be represented on the Municipal Board by one of that nation.

LXXX.—The Consular members of the Municipal Board will hereafter act as an Appellate Court, to hear all Appeals from the Magistrate's decisions, and they must approve all regulations for the Government of the Municipality before they can be issued or have any binding force upon their countrymen.

Dated Apia, Samoa, March 8th, 1880.

Concerning Trading Vessels.

LXXXIV.—The captain, owner, or supercargo of every vessel entering the waters of the Municipality for the purpose of trading shall take out a license within twenty-four hours after arrival. Licenses may be obtained from the Treasurer on payment of the sum of Ten ($10) Dollars. Any breach of this Regulation shall be punished by a fine not to exceed Two Hundred ($200) Dollars.

LXXXV.—A printed copy of the preceding Regulation shall be furnished by the Pilot to the master or supercargo of each trading vessel on her arrival in harbour.

Dated at Apia, Samoa, May 12th, A.D. 1880.

Concerning Appeals.

LXXXVII.—After the hearing and decision of any complaint by the Municipal Magistrate every person against whom judgment is rendered shall be entitled to appeal from such decision to the Consular Members of the Municipal Board, provided always that such appeal shall be made by notice given to the Municipal Magistrate within one week from the date of such decision, provided further that in all cases where the decision appealed against imposes fine or imprisonment security shall be given by the Appellant to the Municipal Magistrate that he will comply with the decision which the Appellate Court shall pronounce upon such appeal. Upon such notice and security being given as aforesaid the execution of the decision of the Municipal Magistrate shall be postponed pending the appeal. All appeals shall be heard by the Appellate Court at as early a date as shall be possible after the date of the said notice of appeal, and all persons concerned shall be notified of such hearing. No appeal shall lie on account of any defect in form. If it shall appear to the Appellate Court that any appeal has been made upon frivolous grounds then, and in such case, payment of costs may be placed upon the Appellant by the Court. The Appellate Court may upon the hearing of any appeal re-hear the evidence adduced in the Court below or may not, and may hear fresh evidence, and may refer the case to the Magistrate for re-hearing, and may alter, amend, or annul the decision of the Magistrate. The costs of hearing an appeal shall not exceed Twenty-five ($25) Dollars.

Dated at Apia, Samoa, June 25th, 1880.
Concerning Samoan Warriors.

LXXXVIII.—In view of the present civil war in Samoa, the Municipal Board of Apia, acting under Article IX. of the Convention of September 2nd, 1879, by which they are authorised in case of civil war to “frame and issue such regulations as may be considered necessary for the support and maintenance of neutrality” within the Neutral Territory, hereby adopt as Municipal Regulations for Neutral Territory the following Regulations as promulgated by the Government of Samoa.

LXXXIX.—Una matau sa lave se tagata tau e leoa sau i tona o le Elao sa, ma ni aupega e fai ai tona.

XC.—Una fasaaina foi se tagata tau e sau fatafase voale i le Elao sa.

XCI.—Afai e iloa se tagata tau i le Elao sa, ia taofia e Leoleo, ma ia feiali i ai po lea laoa sau. Afai o se fana tani, ua lelei; ae afai o se fana fatauva, a ua le moe i le Elao sa. Afai foi o se mai ia fasiaia i le Leoleo lea mai pe moni.

XCII.—Afai ua tonu o le fana fatauva ma na le faalogo foi o ia i le faaloto o le leoleo, ia taofia e Leoleo lea tagata.

XCIII.—Afai e fasaasinoina ma na tonu na ana solia se fuaipu o lelei tulafono, e sasaalaina o ia e le sili i la lima o tanu, pe tuu i le fale puipu e le sili i aso e ono ma fagaitzego manasa, pe leai.

XCIV.—E amata ona fasaaina lelei tulafono i le vai aso e lima i le aflafi taeno.

XCV.—E le fasaaina ma na manua e aumai i le fomai.

XCVI.—E le fasaaina foi le fanaum o le ma Tapa'ina, se le maafai lava ona moe ilei, e fasa pefoi vaa e aumai ni men e a fia e le sili i tagata e toalua. Afai o se vaa tele e le sili i tagata e toafia. Ua faa e Taimua ma Faipule.

MALLETOA LAUPAPA,
Le Sui Tupu.

Dated at Apia, Samoa, December 4th, A.D. 1880.

Concerning Quarantine.

XCVII.—A Health Officer shall be appointed for the Municipality of Apia, who shall act under the Quarantine Laws passed by the Municipal Board.

CIX.—Section 1. A Quarantine Commission for the Municipality of Apia is hereby appointed, consisting of the the three Consuls, who shall give orders in regard to vessels to be kept in quarantine as each case may require.

Section 2. To prevent the introduction of infectious or contagious diseases in the town of Apia, no communication, except by signal, shall be held with or from any vessel coming from beyond Samoa into the waters of the Municipality of Apia, before the Master of each vessel has signed the Certificate and Bond hereto attached, or before the Health Officer has admitted such vessel to pratique.
Section 3. The Pilot, or his substitute, shall go to every vessel nearing this port and coming from beyond Samoa, approaching her on the windward side, taking with a yellow flag. Before boarding any such vessel he shall have a blank Certificate and Bond, in the form hereto attached, delivered to the Master. Upon completion, signing, and delivering of said Certificate and Bond, the Pilot may board the vessel, and she may enter the port.

Section 4. In case the Master declines to subscribe the Certificate and Bond the Pilot shall not go on board, but shall direct the Master to hoist a yellow flag at the fore (if there is no yellow flag on board the vessel the Pilot shall supply the same) and to remain off the port or proceed to the appointed quarantine ground or elsewhere, and anchor where the Pilot may direct, and the Pilot shall at once report to the Health Officer.

Section 5. Provided always that the Pilot may board a vessel under any circumstances if by his not doing so her safety would be endangered. Should the Pilot have been obliged to board a vessel coming from beyond Samoa the Master of which declines to sign the Certificate and Bond, then the Pilot shall order the yellow flag to be hoisted and remain on board until the Health Officer has admitted the vessel to pratique, or has disinfected the Pilot, his boat's crew, and boat, properly according to circumstances, and has given permission to the Pilot to leave.

Section 6. The Master of any vessel coming from beyond Samoa shall hoist the yellow flag immediately after being directed so to do by the Pilot, and shall keep the same hoisted until the Health Officer has admitted the vessel to pratique and ordered the yellow flag to be hauled down; and the Master or other officer of such vessel shall not allow any communication with or from such vessel except by signal or by the Health Officer until she has been admitted to pratique by the Health Officer.

Section 7. The Health Officer on seeing a vessel hoist the yellow flag or on receiving information from the Pilot, shall proceed to the vessel and approach her to windward within speaking distance. He shall then by question the Master ascertain the reason why the former declines to sign the Certificate and Bond.

Section 8. If from the answers of the Master he has good reason to suspect that the vessel has any contagion on board, he shall order the vessel to remain in quarantine, to keep the yellow flag hoisted, and he shall at once report to the Quarantine Commissioners, who shall meet as soon as possible to investigate the case and decide according to circumstances.

Section 9. If the Health Officer has good reason to believe that there is no contagion on board such vessel he may go on board and examine her Bill of Health, her log-book and journal, and inspect her crew and passengers.

Section 10. If the Health Officer finds after inspection that there is no danger of any contagion being on board, he may admit the vessel to pratique and order the yellow flag to be hauled down.

Section 11. If he finds there is danger of any contagion being on board, he shall order the vessel to remain in quarantine, to keep the yellow flag hoisted, and he shall report to the Quarantine Commissioners, taking good care after leaving the ship to disinfect himself and his boat's crew and boat, as circumstances may require, before he lands or communicates with any other vessel or boat.
Section 12. Every master and every Surgeon of any vessel which shall have sailed from a place where there shall have existed at the time of such sailing any infectious or contagious disease, or which shall have communicated otherwise than by signal with any vessel or place in which such contagious or infectious disease existed shall make a true declaration of such circumstances to the Pilot and Health Officer, who shall come on board or alongside such vessel.

Section 13. Every master or surgeon of a vessel which shall have on board any person affected with any contagious or infectious disease shall declare the same to the Pilot and Health Officer, and shall not attempt to conceal from the Health officer any person so affected, and shall bring every person on board such vessel before the Health Officer at his request for inspection, and the Master of any vessel shall, on the demand of the Health Officer produce for inspection by him the log-book and journal of such vessel.

Section 14. Every person on board of any vessel arriving at the port of Apia shall answer truthfully, and without evasion, any question that may be put to him by the Health Officer or Pilot, in order to find out whether there is danger of any contagion being on board such vessel.

Section 15. No person, save as hereinbefore provided, shall approach or leave any vessel, on board of which the yellow flag is hoisted, until she has been admitted to pratique by the Health Officer and the yellow flag has been hauled down.

Section 16. A quarantine fee shall be paid by all vessels coming from beyond Samoa as follows:—Vessels whose tonnage does not exceed 50 tons, 50 cents; vessels whose tonnage is over 50 tons and does not exceed 100 tons, $1; vessels whose tonnage exceeds 100 tons shall pay $1 more for every 100 tons or fraction thereof, and such fee shall be paid to the Treasurer of the Municipality.

Section 17. Any person committing a breach of any of the above Quarantine Regulations shall, on conviction, be punished by a fine not to exceed $200 or by imprisonment, with or without hard labour, not to exceed six months, or by both these penalties.

Section 18. All expenses caused to the Municipality by any vessel with regard to Quarantine, shall be borne by such vessel, or by the Master, Owners, Agents or Consignees thereof, and such vessel or persons shall be held responsible for the recovery of such expenses.

Section 19. Should any of the statements contained in the Certificate signed by the Master of any vessel be proved to be untrue, then the Master of such vessel shall forfeit the sum stated in the Bond, or any part of such sum, according to the decision of the Quarantine Commissioners, and such sum shall be recoverable in the manner provided for by Section 17.

Section 20. All forfeits or fines levied or paid for breaches of Quarantine Regulations shall be paid to the Municipal Treasurer, to the credit of the Quarantine Fund, which shall be used by the Municipal Board to defray public expenses with regard to the public health of the Municipality.

Section 21. No owner or any person whatever on board or connected with any vessel put in quarantine, nor any person importing or exporting or intending to export any goods or cargo in any such vessel shall have any claim against the Municipality for detention or any loss or expense incurred in connection with quarantine.

Dated at Apia, Samoa, April 1st, A.D. 1881.
OXI.—The Pilot shall receive at least Five (§5) Dollars pilotage from every vessel he boards under the Quarantine Regulations.

Dated at Apia, Samoa, April 29th, A.D. 1881.

CERTIFICATE AND BOND.

I, ______________________________________________________________________________, Master of the ______________________________________________________________________________

______________________________________________________________________________ hereby most truly declare that the name of the Port at which the vessel under my command originally cleared from for the present voyage was ______________________________________________________________________________

which port I left ______________________________________________________________________________ days ago.

No epidemic or infectious or contagious disease existed at the said port or in its vicinity within a short time previous to my departure, nor has this been the case at any other port or ports at which I have since called.

No person on board my vessel has been sized by or died of any infectious or contagious disease during my present voyage, nor have I heard of any such disease on board of any vessel that I have communicated with on my way to this place.

I hereby bind myself in the sum of One Thousand ($1000) Dollars for the truth of the above statements, to be forfeited if after investigation by the Quarantine Commissioners of the Municipality of Apia any one of such statements be found to be untrue.

Given on board the ______________________________________________________________________________, this ______________________________________________________________________________ day of ______________________________________________________________________________ 188

______________________________________________________________________________ Master.

Samoan Warries.—(Continued.)

CII.—All arms found on any Samoan warrior within the Neutral Territory shall be seized by the Police, delivered to the Magistrate, and disposed of in such manner as the Municipal Board shall direct.
I Le Talitane.

CIII.—Afai o se fafine Samoa e talitane aua e tologi o ia, ona alu atu ai lea i le Ofa sa’u ma’i e mau i Apia o le atu tasi i le vai aso sa taitasi uma e mana le tusi e fana e a, o leni fai he le ma’i afi poot se ma’i fapanua. E tologi seleni e tasi teu’a fafine i le tusi. Afai se fafine e solia leni saumiga e faasalaina o ia e le sili e tala e lua sefulu ma le lima ($25) i se soliga e tasi poot tunina o ia i le fale puipui e te sili i aso e tologafulu.

Dated Apia, Samoa, March 5th, 1881.

Concerning Violations of the Neutral Territory.

CXII.—If the Consuls receive information that a violation of the Neutral Territory has been committed they shall inquire into the matter, and if after inquiry they are of opinion that such violation has been committed they shall summon the person or persons accused of committing such violation before them and try him or them in conjunction with the Native Judge. Any person convicted of a violation of the Neutral Territory shall be punished by a fine not exceeding Two Hundred ($200) Dollars, or imprisonment not exceeding Six Months with or without hard labor, or by both fine and imprisonment not exceeding the ab ovo-mentioned penalties. This Regulation shall not apply to offences against Regulations LXXXIX. to XCVI. inclusive.

Dated at Apia, Samoa, May 6, 1881.

Concerning the Use of Dynamite.

CXIV.—The use of Dynamite or other explosives within the waters of the Municipality of Apia for the purpose of killing fish is hereby prohibited. Any violation of this Regulation will be punished by a fine not to exceed Twenty-five ($25) Dollars, or thirty days’ imprisonment with or without hard labour.

Dated at Apia, August 5th, A.D., 1881.

O le Tulanso I le Tainamaite e Pana ia.

CXIV.—Ua faasaina i le sami o le Municipalite o Apia e faapa ni tainamaite po se tasi mea faapeni e fana l’ia. A’ai o se tasi tagata e solia leni tulan’ono e faasalaina o ia e le sili e tala e lua sefulu ma le lima ($25) pe tunina o ia i le fale puipui e le sili i aso e tolu sefulu (e 30), ma sai galauea mamafa, pe leai.

Ua faia i Apia i le aso e lima (e 3) o Aokuso, 1881.
Concerning Trespass.

CXV.—Any person found trespassing on and thereby doing damage to enclosed land within the Municipality of Apia shall on conviction be compelled to make good the amount of damage done and shall be fined not to exceed Twenty-five Dollars ($25) or in default be imprisoned for any time not exceeding thirty days with or without hard labor.

Concerning False Pretences.

CXVI.—Every person who shall obtain from any other person with intent to defraud any chattel, money or valuable security shall be liable on conviction to a fine not exceeding One Hundred Dollars ($100) or to imprisonment with or without hard labor not exceeding One Hundred and Twenty Days or to both such fine and imprisonment.

Dated at Apia, Samoan, February 6, 1882.

Concerning the Magistrate.

CXVIII.—The Municipal Magistrate shall be authorised to punish refractory prisoners either by a prolongation of their imprisonment or by corporal punishment, the latter not to be inflicted without the consent of the Consuls.

CXIX.—The Magistrate shall not try cases in which he is interested. In such cases he will inform the Consul who will appoint a Magistrate "ad hoc."

Dated at Apia, Samoan, June 2, 1882.

Concerning Weedings.

CXX.—All occupiers of houses in the town and villages of the district of Apia have to weed and keep clear the space between their houses and the public roads.

They shall also keep in sanitary condition their entire premises.

The Chief of Police will see that this is carried out.

Any offender shall be liable to be punished by a fine of not more than $10 or imprisonment for not more than Twelve Days or by both of such penalties.

Dated Apia, 1st September 1882.

Concerning Public Roads.

CXXII.—All public roads, that existed on the 2nd of September, 1879, shall be considered as still open for public use.

Anyone having closed such a road shall immediately reopen the same or prove his right to close it to the satisfaction of the Municipal Board.

Dated Apia, 5th January, 1883.

Concerning Registration of Land Sales.

CXXIII.—Persons buying or selling taxable real estate within the Municipality of Apia, shall record the same in the office of the Secretary of the Board.
Any breach of this regulation will be punished by a fine not exceeding §25.

Dated Apia, 2nd February, 1883.

Concerning Public Nuisances.

CXXIV.—All public nuisances shall be removed.

1.—Anything endangering the safety of public life, health, private or public property shall be considered a public nuisance, and as such be subject to immediate removal on the unanimous order of the Municipal Board.

2.—The Magistrate shall give notice in writing to the proprietors or occupants of any property on which a public nuisance is, to remove the same.

3.—If the removal be not made within a reasonable time, the Magistrate will enforce this regulation by a fine not exceeding Twenty-five Dollars ($25) or in default of payment by imprisonment not exceeding Thirty Days with or without hard labor and he will order the removal of the nuisance at the expense of the persons so fined or imprisoned.

4.—Any resident of this Municipality may make complaint of public nuisances in writing to the Secretary of the Board who will communicate the same to the Board in session, which will empower the Magistrate to order the removal thereof, if proved to be such.

Dated Apia, Samoa, 16th March 1883.

Concerning Obstacles.

CXXV.—All trees or other obstacles that fall or have fallen across the public roads shall be removed as soon as possible by the owner or occupier of the land from which they fell.

Dated Apia, Samoa, 26th March, 1883.

Concerning Wrecks.

CXXVI.—Everything belonging to the ships wrecked in the harbour and saved or drifted on shore, or picked up in the water, is to be reported in the Court House to Mr. Chas. Netzler, who will keep a register of the articles saved and of the persons who saved them. Every one who saves anything and reports, and delivers it up will be entitled to salvage money.

The amount of salvage money has to be agreed upon between the owner and person who saved the goods.

If such an agreement cannot be arrived at, then the amount payable shall be decided by a judgment before the owners Consul and the judge appointed by the Samoan Government.

Any one keeping in his possession goods saved without reporting them will be prosecuted.

Dated Apia, Samoa, 26th March, 1883.
APPENDIX C

Municipality of Apia: Municipal Regulations
1879-1886

'Wasp Reg: Apia, 1879', in 'Prints relating to the affairs of the Samoans, 1875-1918' WPHC 1/IV/5 (ANZ)
MUNICIPALITY

OF

APIA.

MUNICIPAL REGULATIONS,

1879—1886.

MUNICIPAL BOARD.

March, 1886.

Dr. STUEBEL, ................ Imperial German Consul General.

WILFRED POWELL Esq. ........ Her Britannic Majesty's Consul.


Messrs H. Martin RUGE, S. DEAN, J. E. V. ALVORD.

Treasurer ................ H. Martin Ruge.

Collector ................ Municipal Magistrate.

Health Officer ............... Dr Ross M. B.

Pilot ......................... A. SCHMIDT.

Municipal Magistrate .. T. MABEN.
MUNICIPAL REGULATIONS.

Concerning the Treasurer.

III.—A Treasurer shall be elected whose duty it shall be to take charge of all public monies, and to disburse them only under an order from the Municipal Board. The Treasurer shall receive as compensation for his services a commission not to exceed five per cent of all public monies paid into the Treasury during his term of office.

LVI.—The Treasurer shall receive and take charge of all monies payable to the Municipality and give receipts for the same.

LVII.—The Treasurer shall not pay out any such monies except on a draft approved by the Municipal Board, or on a written order from the Municipal Board.

LVIII.—The Treasurer shall keep an account of all monies received and disbursed, which account he shall render to the Municipal Board at their meeting on the first Friday of each quarter.

Dated at Apia, Samoa, December 6th, 1879 and January 12th, 1880.

Concerning Public Houses and Intoxicating Drinks.

VIII.—No one shall have the right to sell intoxicating drinks by retail without first obtaining a licence from the Municipal Board of Apia, which licence shall be paid for quarterly in advance on the first day of January, April, July, and October at the rate of Ten (10) Dollars per month, provided his sales of such drinks do not exceed Two Hundred and Fifty (250) Dollars per month; and at the rate of Twelve (12) Dollars per month if his sales of such drinks exceed Two Hundred and Fifty (250) Dollars per month.

IX.—Any one convicted of selling intoxicating drinks by retail without a licence shall be fined not to exceed Fifty (50) Dollars, (and one half of the fine imposed shall be paid to the informer,) or shall be imprisoned with or without hard labour not to exceed Six Weeks.

Note.—Retail means less than an original case or less than two gallons of liquor imported in bulk.

X.—Any licensed publican who shall sell or supply any intoxicating drink to a Samoan, or to any native of the Islands of the Pacific Ocean, shall on conviction be fined Five (5) Dollars, or shall be imprisoned Six Days. Such conviction shall be endorsed on his license by the Magistrate, and when two such endorsements have been made thereon, the offender's license shall be cancelled immediately.

XI.—No licensed public house shall be opened to the public before 5 a.m. or after 11 p.m. on week days; nor before 1 p.m. nor after 11 p.m. on Sundays unless a special license has first been obtained for the occasion. Any breach of this regulation shall be punished by a fine of Ten (10) Dollars,
Dollars, and such breach thereof shall be endorsed on the offender's license which may be cancelled for the third offence.

XII.—Any licensed publican who shall sell or supply liquor to any person in a state of intoxication shall on conviction thereof be fined not to exceed Five (5) Dollars, and for the third offence his license may be cancelled.

_Regulations XIII. and XIV. Amended._

XIII.—Any person who shall supply or sell any intoxicating drink to a Samoan, or to any other Islander of the Pacific Ocean, without a written order from a person permitted to give such an order, shall be fined, not to exceed Twenty-Five (25) Dollars, or imprisoned, not to exceed thirty days.

XIV.—Any Pacific Islander found intoxicated, or in possession of intoxicating liquor on his person or his premises, shall be fined, not to exceed Ten (10) dollars, or imprisoned, not to exceed twelve days.

On reasonable suspicion, the police are authorised to enter any native house to make arrests and confiscate any intoxicating liquor.

_Dated, Apia, 2nd May, 1884._

XV.—Any person found intoxicated and disorderly on the public highways shall be fined not to exceed Ten (10) Dollars, or shall be imprisoned with or without hard labour not to exceed Twelve Days, and shall be liable for any injury or damage done.

_Dated at Apia, Samoa, December 31st, 1879._

CVIII.—Any person supplying or conveying, or causing to be supplied or conveyed, any intoxicating liquor on board of any vessel in the harbour of Apia without an order in writing signed by the Master of such vessel shall, on conviction, be fined not to exceed Fifty (50) Dollars, or Sixty (60) Days' imprisonment. If a licensed publican or boatman be convicted of the above offence he shall be liable to have his license cancelled.

_Dated at Apia, Samoa, April 1st, a.d. 1881._

_Concerning Firearms._

XVI.—On and after the first day of January, 1880 the sale of firearms and ammunition is hereby prohibited without a special license from the Municipal Board. Any breach of this regulation shall be punished by a fine not to exceed Two Hundred (200) Dollars, (and one half of the fine imposed shall be paid to the informer), or by imprisonment not to exceed Six Months with or without hard labour, or by both fine and imprisonment not to exceed the above-mentioned penalties.

_Concerning Trades and Professions._

XVII.—Any person following or exercising any of the professions, trades or callings enumerated in the schedule annexed to this regulation, whether jointly with any other profession, trade or calling, or otherwise, shall take out a license and pay a license fee at the rate per year set forth in said schedule. All such licenses shall on application be issued by the Municipal Board for three, six, nine or twelve months on payment in advance of the quarterly fee required in respect of each profession, trade or
or calling, and in all cases licenses shall date from the first day of January, April, July or October, and shall expire on the last day of March, June, September or December, as the case may be.

XVIII.—Person exercising, following or engaging in any of the professions, trades or callings enumerated in the schedule aforesaid without a license at any time after the lapse of seven days from the first day of the months of January, April, July and October respectively shall on conviction in a summary manner forfeit a sum not exceeding One Hundred (100) Dollars, or in default of payment shall be imprisoned not to exceed Seventy-Five Days.

XIX.—There shall be five classes of licenses in general for stores.

**SCHEDULE.**

**Class I.**

All stores whose monthly sales are above Two Thousand (2000) Dollars shall pay for a first-class license at the rate of One Hundred (100) Dollars per annum.

**Class II.**

All stores whose monthly sales are below Two Thousand (2000) Dollars and above One Thousand (1000) Dollars shall pay for a second class license at the rate of Forty-eight (48) Dollars per annum.

**Class III.**

All stores whose monthly sales are below One Thousand (1000) Dollars and above Five Hundred (500) Dollars shall pay for a third class license at the rate of Thirty-six (36) Dollars per annum.

**Class IV.**

All stores whose monthly sales are below Five Hundred (500) Dollars and above Two Hundred and Fifty (250) Dollars shall pay for a fourth class license at the rate of Twenty-four (24) Dollars per annum.

**Class V.**

All stores whose monthly sales are below Two Hundred and Fifty (250) Dollars shall pay for a fifth class license at the rate of Twelve (12) Dollars per annum.

**Special Licenses.**

<table>
<thead>
<tr>
<th>Nature of License</th>
<th>Per annum.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney, Barrister or Solicitor</td>
<td>60:00</td>
</tr>
<tr>
<td>Auctioneer or Commission Agent</td>
<td>24:00</td>
</tr>
<tr>
<td>Baker</td>
<td>12:00</td>
</tr>
<tr>
<td>Banks or Companies carrying on banking business</td>
<td>60:00</td>
</tr>
<tr>
<td>Barber</td>
<td>6:00</td>
</tr>
<tr>
<td>Blacksmith</td>
<td>6:00</td>
</tr>
<tr>
<td>Boathuilder</td>
<td>12:00</td>
</tr>
<tr>
<td>Butcher</td>
<td>6:00</td>
</tr>
<tr>
<td>Cargo boat or lighter, plying for hire</td>
<td>6:00</td>
</tr>
<tr>
<td>Carpenter</td>
<td>6:00</td>
</tr>
<tr>
<td>Photographer or Artist (not employed)</td>
<td>12:00</td>
</tr>
<tr>
<td>Engineer</td>
<td>12:00</td>
</tr>
<tr>
<td>do assistant</td>
<td>6:00</td>
</tr>
<tr>
<td>do apprentice</td>
<td>3:00</td>
</tr>
<tr>
<td>Pilot</td>
<td>24:00</td>
</tr>
<tr>
<td>Printing Press</td>
<td>12:00</td>
</tr>
<tr>
<td>Saltmaker (not employed)</td>
<td>6:00</td>
</tr>
<tr>
<td>Shipbuilder</td>
<td>6:00</td>
</tr>
<tr>
<td>Shoemaker</td>
<td>6:00</td>
</tr>
<tr>
<td>Surveyor of Land</td>
<td>6:00</td>
</tr>
<tr>
<td>Tailor</td>
<td>6:00</td>
</tr>
<tr>
<td>Waterman (not employed) for each boat</td>
<td>6:00</td>
</tr>
</tbody>
</table>
LXXIV.—Every Salesman, Book-keeper and Clerk, whose salary, wage, or pay does not exceed Seventy-five (75) Dollars per month, shall take out a License, for which he shall pay Three (3) Dollars per annum, and every such person whose salary, wages, or pay exceeds Seventy-five (75) Dollars per month, shall take out a License, for which he shall pay Six (6) Dollars per annum. Any violation of this and the preceding regulation shall be punished according to Regulation XVIII. Board and lodging provided by the employer to be reckoned as salary at the rate of Thirty Dollars per month.

Unlicensed Traders.

XX.—All persons other than licenced butchers selling fresh meat within the Municipality shall pay a tax of One per cent on their sales.

Concerning Fast Riding.

XXV.—Fast riding through the streets of Apia is hereby prohibited, and the police are hereby authorised and instructed to arrest any person violating this regulation, who shall be fined not to exceed Five (5) Dollars, or who shall be imprisoned with or without hard labour not to exceed Six Days for each offence, and shall be liable for injury and damages done.

Concerning Animals.

XXVI.—Any person tying horses or cattle in such a manner that the animals may be on the public roads and paths, or so that the ropes may extend across said roads and paths, shall be fined not to exceed Two (2) Dollars for each offence of each such animal, and shall be liable for injury and damages done.

This regulation shall not be so construed as to apply to horses and vehicles in waiting in front of any premises, provided that the same do not in any way obstruct the free passage of the road.

dated, Apia, 3rd October, 1884.

XXVII.—For stray animals within the Municipality of Apia the fines shall be as follows, viz.:

For a horse, not to exceed $5:00
" bull "  " 5:00
" cow or a calf "  " 3:00
" pig or a hog "  " 1:00
" sheep "  " 0:25
" goat "  " 0:25

and the owner shall be liable for injury and damages done.

Concerning Public Exposure.

XXVIII.—The police are hereby authorised and instructed to warn any one when necessary against the indecent exposure of his person in public, and against committing any nuisance in any public place under penalty of being fined not to exceed Five (5) Dollars for each such offence, or of being imprisoned with or without hard labour not to exceed Six Days.
Concerning public Gatherings.

XXIX.—Public assemblies of Samoans from districts outside the Tuamasaga territory will not be allowed within the Municipality of Apia without special permission from the Municipal Board. And on all such occasions the discharge of firearms is hereby prohibited when other than blank cartridges are fired.

Concerning Prisoners and Deserters.

XXX.—Anyone harbouring or concealing any escaped prisoner, or deserter from a ship of war or merchant vessel shall be fined not to exceed Ten (10) Dollars, or imprisoned not to exceed Twelve Days with or without hard labour for each offence.

XXXI.—Anyone aiding a prisoner to escape or a sailor to desert from a vessel shall be fined not to exceed Ten (10) Dollars, or shall be imprisoned with or without hard labour not to exceed Twelve days.

Concerning Assaults Upon Public Officers.

XXXII.—Anyone assaulting or in anywise molesting any member of the Municipal Board shall be fined not to exceed Two Hundred (200) Dollars, or shall be imprisoned with or without hard labour not to exceed Six Months, or shall be fined and imprisoned not to exceed the before-mentioned penalties.

Concerning Taxes.

XXXIII.—A tax of one per cent. shall be levied on the real value of all houses and lands, except churches, hospitals and schools, within the town and district of Apia, payable to the Treasurer quarterly in advance.

LXXXIII.—So much of Regulation XXXIII. as applies to the property of Samoans, or other natives of the Pacific Ocean, is hereby repealed and a Poll Tax of One (1) Dollar per annum, payable in advance, shall be levied on all male adult Samoans, or other male adult Islanders of the Pacific Ocean, resident within the Municipality.

LXXXVI.—Any person who shall neglect or refuse to comply with the provisions of Municipal Regulations XXXIII., XXXIV., and LXXXIII., shall on conviction be fined not to exceed One Hundred (100) Dollars, or in default shall be imprisoned not to exceed Seventy-five days.

XXXIV.—All male persons of the age of twenty-one years, except ministers of the Gospel, priests, teachers and representatives of foreign Governments, not paying taxes or licenses otherwise, shall pay a head tax of One (1) Dollar each annually in advance.

Concerning Police.

XXXV.—There shall be one Chief of Police for the Municipality of Apia, and as many subordinates as may be necessary to preserve good order and to protect the lives and property of those within the Municipality.
XXXVI.—All policemen shall be appointed by the Municipal Board, and shall be subject only to their authority and instructions and hold office during their pleasure.

XXXVII.—The Chief of Police shall have the right to nominate his subordinates, but their appointment must be confirmed by the Municipal Board; or said nominations may be rejected by the Municipal Board who may then nominate and appoint such subordinate policemen as they deem most suitable.

XXXIX.—There shall be a place where the Chief of Police can be found when not on duty, and his subordinates shall report to him at such times and places as he may direct.

XL.—Any member of the police force who shall receive any remuneration, other than his salary, for any official service, shall pay the same to the Municipal Board, or be liable to be dismissed.

XLI.—Any person interfering with a police officer in the discharge of his official duties shall be fined not to exceed Fifty (50) Dollars, or shall be imprisoned with or without hard labour not to exceed Six Weeks for each offence, or shall be both fined and imprisoned.

XLII.—Any policeman who shall leave the service without permission, or without a fortnight’s previous notice of his intention to do so, shall forfeit his wages, and may be punished otherwise.

Dated at Apia, Samoa, December 31st, 1879.

Concerning the Magistrate.

LIX.—The Magistrate’s Court shall be open every day in the week (except Sundays, Christmas, New Year’s Day, Good Friday, Boxing Day, March 29th, May 24th, and July 4th) for the hearing of cases between the hours of 10 a.m. and 4 p.m.

LX.—The Magistrate shall hand over to the Municipal Board for examination the minute book of the Magistrate’s Court at their sitting on the first Friday in each month.

LXI.—The Magistrate shall hold his Court at such place as may be provided for him.

LXII.—The Magistrate shall hold his office—during the term for which he is appointed by the Municipal Board.

Concerning the Port of Apia.

LXIV.—All vessels (except those belonging to the Samoan Group and engaged in the inter-island or coasting trade) coming into and leaving the harbour of Apia, shall take the pilot licensed by the Municipal Board.

LXV.—The Pilotage shall be at the rate of (1½) Dollar per foot draught of water in, and One (1) Dollar per foot draught of water out of port, and the Pilot may arrange with any captain for extra service, towing, use of boat, &c., &c.

LXVI.—All vessels coming into the port of Apia shall be anchored in such a position as the Pilot may direct.

Alteration in Regulation LXVI.

To read after the first sentence:—
For changing any vessel from her moorings from one part of the harbour to another, the Pilot shall receive Five Dollars.

Dated, Apia, 2nd May, 1884.
LXVII.—The master of any vessel desiring to change her from one place in the harbour to another shall notify the Pilot, who shall direct the removal, unless he has good and sufficient reason to the contrary.

LXVIII.—The Pilot may order the removal of any vessel so anchored as to obstruct the navigation in or out of the Harbour, or for any other good and sufficient reason; and any master of a vessel who shall refuse to comply with such order shall be liable to a fine of Ten (10) Dollars.

LXIX.—The throwing of ballast into the harbour is hereby strictly prohibited. And all masters, or persons in command of vessels arriving in the port of Apia, and having ballast to discharge, shall notify the Pilot who will inform them where to deposit the same; and the Pilot shall take such precautions as he may deem necessary; when any vessel is receiving or discharging ballast, to prevent the same from falling into the harbour. And if any master or mate of a vessel receiving or discharging ballast shall neglect the necessary measures to prevent the same from falling overboard, on complaint of the Pilot a policeman shall be placed on board such vessel at the vessel’s expense to observe and report such carelessness or neglect, and the master of such vessel shall on conviction be fined for the first offence not to exceed One Hundred (100) Dollars, nor less than Ten (10) Dollars and costs of suit, and for each subsequent conviction the fine shall be doubled.

LXX.—If any master or person in command of any vessel shall have reason to complain of any action of the Pilot he shall make such complaint to the Municipal Board.

LXXI.—A printed copy of the above regulations shall be handed by the Pilot to the master or person in command of every vessel which he may bring into port.

Dated Apia, Samoa, January 12th, 1880.

Concerning the City Front.

LXXV.—Since it is desirable for the Public Health that the sea-breeze should circulate freely through the town and not be intercepted by buildings near the water along the shore of the harbour, all persons are hereby warned against Erecting or Repairing buildings or structures of any kind whatever on the north or sea-side of the present public road between the store of Thomas Throod in Matafele, and the store of Messrs. Ruge, Hedemann and Co., Matautu, without special permission from the Municipal Board, which permission will only be granted for the erection of boat houses and similar small structures near the water. Any violation of this regulation shall be punished by a fine not exceeding One Hundred (100) Dollars, or three months' imprisonment with or without hard labour.

Dated Apia, Samoa, January 30, A.D. 1880.
Concerning Offences.

LXXVI.—Any person who shall commit any of the offences specified in the schedule hereto annexed shall be liable to punishment by fine or imprisonment or both of such penalties within the limits prescribed and set opposite to such offence in the said schedule.

<table>
<thead>
<tr>
<th>Offence</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fine.</td>
</tr>
<tr>
<td></td>
<td>Maximum</td>
</tr>
<tr>
<td>Burglary or housebreaking.</td>
<td>$200</td>
</tr>
<tr>
<td>Breach of the peace or riot.</td>
<td>$15</td>
</tr>
<tr>
<td>Language or conduct calculated to provoke a breach of the peace</td>
<td>$15</td>
</tr>
<tr>
<td>Assault (except as provided in Regulations XXXII. and XLI.)</td>
<td>$25</td>
</tr>
<tr>
<td>Challenging to fight, or two or more persons fighting.</td>
<td>$15</td>
</tr>
<tr>
<td>Keeping a disorderly house.</td>
<td>$10</td>
</tr>
<tr>
<td>Petit larceny (stealing personal property under the value of fifty (50) dollars, or theft or receiving stolen goods.</td>
<td>$50</td>
</tr>
<tr>
<td>Malicious injury and cruelty to animals</td>
<td>$25 and $1:25 and damages</td>
</tr>
<tr>
<td>Malicious injury to property</td>
<td>$25 and $1:25 and damages</td>
</tr>
<tr>
<td>Contempt of court</td>
<td>$10</td>
</tr>
<tr>
<td>Obscene or profane language in a public place.</td>
<td>$10</td>
</tr>
<tr>
<td>Perjury</td>
<td></td>
</tr>
<tr>
<td>Illegal detention of animals or personal property</td>
<td>$5</td>
</tr>
</tbody>
</table>

Dated Apia, Samoa, February 21, A.D. 1880.
Concerning the Municipal Board.

LXXVIII.—Each of the Consuls shall appoint a representative of his nation who shall be a member of the Municipal Board, and each nation having a treaty with Samoa and a Consul at Apia, shall also be represented on the Municipal Board by one of their nation.

LXXX.—The Consular members of the Municipal Board will hereafter act as an Appellate Court, to hear all Appeals from the Magistrate's decisions, and they must approve all regulations for the Government of the Municipality before they can be issued or have any binding force upon their countrymen.

Dated at Apia, Samoa, March 8th, 1880.

Concerning Trading Vessels.

LXXXIV.—The captain, owner, or supercargo of every vessel entering the waters of the Municipality for the purpose of trading shall take out a licence within twenty four hours after arrival. Licenses may be obtained from the Treasurer on payment of the sum of Ten (10) Dollars. Any breach of this Regulation shall be punished by a fine not to exceed Two Hundred (200) Dollars.

LXXXV.—A printed copy of the preceding Regulation shall be furnished by the Pilot to the master or supercargo of each trading vessel on her arrival in harbour.

Dated at Apia, Samoa, May 12th 1880.

Concerning Appeals.

LXXXVII.—After the hearing and decision of any complaint by the Municipal Magistrate every person against whom judgment is rendered shall be entitled to appeal from such decision to the Consular Members of the Municipal Board, provided always that such appeal shall be made by notice given to the Municipal Magistrate within one week from the date of such decision, provided further that in all cases where the decision appealed against imposed fine or imprisonment security shall be given by the Appellant to the Municipal Magistrate that he will comply with the decision which the Appellate Court shall pronounce upon such appeal. Upon such notice and security being given as aforesaid the execution of the decision of the Municipal Magistrate shall be postponed pending the appeal. All appeals shall be heard by the Appellate Court at as early a date as shall be possible after the day of the said notice of appeal, and persons concerned shall be notified of such hearing. No appeal shall lie on account of any defect in form. If it shall appear to the Appellate Court that any appeal has been made upon frivolous grounds then, and in such case, payment of costs may be ordered upon the Appellant by the Court. The Appellate Court may upon the hearing of any appeal re-hear the evidence adduced in the Court below or may not, and may refer the case to the Magistrate for re-hearing, and may alter, amend, or annul the decision of the Magistrate. The costs of hearing an appeal shall not exceed Twenty-Five (25) Dollars.

Dated at Apia, Samoa, June 25th, 1880.
Concerning Samoan Warriors.

LXXXVIII.—In view of the present civil war in Samoa, the Municipal Board of Apia, acting under Article IX. of the Convention of September 2nd, 1879, by which they are authorised in case of civil war to “frame and issue such regulations as may be considered necessary for the support and maintenance of neutrality” within the Neutral Territory, hereby adopt as Municipal Regulations for Neutral Territory the following Regulations as promulgated by the Government of Samoa.

LXXXIX.—Ua matua sa lava se tagata tau e toe sau i totonu o le Eelele Sa, ma ni aumaga e fai ai tauta.

XC.—Ua faasaina foi se tagata tau e sau tafatafao vale i le Eelele Sa.

XCI.—Afai e loa se tagata tau i le Eelele Sa, ia taofia e Leoleo, ma ia fasi i ai paa lea tame tau. Afai o se feau tateau, ua lelei; ae afai o se feau faatavua, a ua le moe i le Eelele Sa. Afai foi o se mai ia faasina i Leoleo lea mai pe motu.

XCII.—Afai ua toma o le feau faatavua ma ua le faalogo foi o ia i le fostonu o le leoleo, ia taofia e le Leoleo lea tagata.

XCIII.—Afai e faamasinoina ma ua toma ua ana sola se fuaipu o leni tulafono, e faasaina o ia e le sili i le lima o tala, pe tuu i le fale puipui e le sili i aso e uno ma faiagalua makafoa, pe leia.

XCIV.—E amata ona faasina leni tulafono i le vai aso e lima i le afai taoa.

XCV.—E le faasina mai ma manua e aumai i le fomaia.

XCVI.—E le faasina foi le faatou o le ma Tapaa, ae le makafoa lava ona moe iine, e faasa foi vaa e aumai ai mea e ‘ai e le sili i tagata e tonlua. Afai o se vaa tele e le sili i tagata e toafoa. Ua faia e Taimua ma Faipule.

MALIETOA LAUPEPA,
Le Sui Tupu.

Dated at Apia, Samoa, December 4th, a.d. 1880.

Concerning Quarantine.

XCVII.—A Health Officer shall be appointed for the Municipality of Apia, who shall act under the Quarantine Laws passed by the Municipal Board.

CIX.—Section 1. A Quarantine Commission for the Municipality of Apia is hereby appointed, consisting of the three Consuls, who shall give orders in regard to vessels to be kept in quarantine as each case may require.

Section 2. To prevent the introduction of infectious or contagious diseases in the town of Apia, no communication, except by signal, shall be held with or from any vessel coming from beyond Samoa into the waters of the Municipality of Apia, before the Master of each vessel has signed the Certificate and Bond hereto attached, or before the Health Officer has admitted such vessel to pratique.
Section 3. The Pilot, or his substitute, shall go to every vessel nearing this port and, coming from beyond Samoa, approaching her on the windward side, taking with him a yellow flag. Before boarding any such vessel he shall have a blank Certificate and Bond, in the form hereto attached, delivered to the Master. Upon completion, signing, and delivering of said Certificate and Bond, the Pilot may board the vessel, and she may enter the port.

Section 4. In case the Master declines to subscribe the Certificate and Bond the Pilot shall not go on board, but shall direct the Master to hoist a yellow flag at the fore (if there is no yellow flag on board the vessel the Pilot shall supply the same) and to remain off the port or proceed to the appointed quarantine ground or elsewhere, and anchor where the Pilot may direct, and the Pilot shall at once report to the Health Officer.

Section 5. Provided always that the Pilot may board a vessel under any circumstances if by his not doing so her safety would be endangered. Should the Pilot have been obliged to board a vessel coming from beyond Samoa the Master of which declines to sign the Certificate and Bond, then the Pilot shall order the yellow flag to be hoisted and remain on board until the Health Officer has admitted the vessel to pratique, or has disinfected the Pilot, his boat's crew, and boat, properly according to circumstances, and has given permission to the Pilot to leave.

Section 6. The Master of any vessel coming from beyond Samoa shall hoist the yellow flag immediately after being directed so to do by the Pilot, and shall keep the same hoisted until the Health Officer has admitted the vessel to pratique and ordered the yellow flag to be hauled down; and the Master or other officer of such vessel shall not allow any communication with or from such vessel except by signal or by the Health Officer until she has been admitted to pratique by the Health Officer.

Section 7. The Health officer on seeing a vessel hoist the yellow flag or on receiving information from the Pilot, shall proceed to the vessel and approach her to windward within speaking distance. He shall then by questioning the master ascertain the reason why the former declines to sign the Certificate and Bond.

Section 8. If from the answers of the Master he has good reason to suspect that the vessel has any contagion on board, he shall order the vessel to remain in quarantine, to keep the yellow flag hoisted, and he shall at once report to the Quarantine Commissioners, who shall meet as soon as possible to investigate the case and decide according to circumstances.

Section 9. If the Health Officer has good reason to believe that there is no contagion on board such vessel he may go on board and examine her Bill of Health, her log-book and journal, and inspect her crew and passengers.

Section 10. If the Health Officer finds after inspection that there is no danger of any contagion being on board, he may admit the vessel to pratique and order the yellow flag to be hauled down.
Section 11. If he finds there is danger of any contagion being on board, he shall order the vessel to remain in quarantine, to keep the yellow flag hoisted, and he shall report to the Quarantine Commissioners, taking good care after leaving the ship to disinfect himself and his boat's crew and boat, as circumstances may require, before he lands or communicates with any other vessel or boat.

Section 12. Every Master and every Surgeon of any vessel which shall have sailed from a place where there shall have existed at the time of such sailing any infectious or contagious disease, or which shall have communicated otherwise than by signal with any vessel or place in which such contagious or infectious disease existed shall make a true declaration of such circumstances to the Pilot and Health Officer, who shall come on board or alongside such vessel.

Section 13. Every master or surgeon of a vessel which shall have on board any person affected with any contagious or infectious disease shall declare the same to the Pilot and Health Officer, and shall not attempt to conceal from the Health Officer any person so affected, and shall bring every person on board such vessel before the Health Officer at his request for inspection, and the Master of any vessel shall on the demand of the Health Officer produce for inspection by him the log-book and journal of such vessel.

Section 14. Every person on board of any vessel arriving at the port of Apia shall answer truthfully, and without evasion, any question that may be put to him by the Health Officer or Pilot, in order to find out whether there is danger of any contagion being on board such vessel.

Section 15. No person, save as herein before provided, shall approach or leave any vessel, on board of which the yellow flag is hoisted, until she has been admitted to pratique by the Health Officer and the yellow flag has been hauled down.

Section 16. A quarantine fee shall be paid by all vessels coming from beyond Samoa as follows:—Vessels whose tonnage does not exceed 50 tons, 50 cents; vessels whose tonnage is over 50 tons and does not exceed 100 tons, $1; vessels whose tonnage exceeds 100 tons shall pay 1 Dollar more for every 100 tons or fraction thereof, and such fee shall be paid to the Treasurer of the Municipality.

Section 17. Any person committing a breach of any of the above Quarantine Regulations shall, on conviction, be punished by a fine not to exceed 200 Dollars or by imprisonment, with or without hard labour, not to exceed Six months, or by both these penalties.

Section 18. All expenses caused to the Municipality by any vessel with regard to Quarantine, shall be borne by such vessel, or by the Master, Owners, Agents or Consignees thereof, and such vessel or persons shall be held responsible for the recovery of such expenses.

Section 19. Should any of the statements contained in the Certificate signed by the Master of any vessel be proved to be untrue, then the Master of such vessel shall forfeit the sum stated in the Bond, or any part of such sum according to the decision of the Quarantine Commissioners, and such sum shall be recoverable in the manner provided by Section 17.
Section 20. All forfeits or fines levied or paid for breaches of Quarantine Regulations shall be paid to the Municipal Treasurer, to the credit of the Quarantine Fund, which shall be used by the Municipal Board to defray public expenses with regard to the public health of the Municipality.

Section 21. No owner or any person whatever on board or connected with any vessel put in quarantine, nor any person importing or exporting or intending to export any goods or cargo in any such vessel shall have any claim against the Municipality for detention or any loss or expense incurred in connection with quarantine.

Dated at Apia, Samoa, April 1st, a.d. 1881.

The Quarantine Commission of the Municipality, as appointed by Regulation CIX, issue this New Regulation.

Concerning Infection.

1.—Any one having any infectious disorder on his premises, and not declaring such to the Secretary of the Board, shall be liable to a fine of Two Hundred (200) Dollars or six months imprisonment.

2.—It shall be lawful for the Quarantine Commission, on the report of the Health Officer, to declare any premises infected, to cause them to be isolated, and to have the Quarantine flag hoisted thereon. No communication with the outside must then be held, except through a properly appointed channel, under a penalty of Two Hundred (200) Dollars, or six months imprisonment.

3.—Any one from the outside found communicating with the infected premises, except through the appointed channel, will be liable to a fine of Two Hundred (200) Dollars, or six months imprisonment. He will also remain in quarantine.

4.—The isolation will terminate on the favourable report of the Health Officer.

Dated at Apia, Samoa, July 4th, 1884.

CXI.—The Pilot shall receive at least Five (5) Dollars pilotage from every vessel he boards under the Quarantine Regulations.

Dated, Apia, Samoa, April 29th, a.d. 1881.
CERTIFICATE AND BOND.

I, ________________ Master of the ________________,
of ________________, hereby most truly declare that the name of the Port at which the vessel under my command originally cleared from for the present voyage was ________________, which port I left ________________ days ago.

No epidemic or infectious or contagious disease existed at the said port or in its vicinity within a short time previous to my departure, nor has this been the case at any other port or ports at which I have since called.

No person on board my vessel has been seized by or died of any infectious or contagious disease during my present voyage, nor have I heard of any such disease on board of any vessel that I have communicated with on my way to this place.

I hereby bind myself in the sum of One Thousand ($1000) Dollars for the truth of the above statements, to be forfeited if after investigation by the Quarantine Commissioners of the Municipality of Apia any one of such statements be found to be untrue.

Given on board the ________________, this __________ day of ________________, 188

____________________________  Master.

Samoaan Warriors.—(Continued.)

CIL.—All arms found on any Samoa warrior within the Neutral Territory shall be seized by the Police, delivered to the Magistrate, and disposed of in such manner as the Municipal Board shall direct.
Le Talitane.

CHII.—Afai o se fafine Samoa e talitane aua e tologi o ia, ona alu atu ai lea i le Ofisa su'e ma'i e mau i Apia o le atu tasi i le vai aso sa talasi uma e maua le tusi e faape'a fai, o lenei fafine i le ma'i ai fia pe se ma'i faapena. E tologi seleni e tasi lenei fafine i le tusi i le soliga e faa'alana i le sili e fale puipui e le sili i aso e tolo-gafu.

Dated at Apia, Samoa, March 5th, 1881.

Concerning Violations of the Neutral Territory.

CXII.—If the Consuls receive informations that a violation of the Neutral Territory has been committed they shall inquire into the matter, and if after inquiry they are of opinion that such violation has been committed they shall summon the person or persons accused of committing such violation before them and try him or them in conjunction with the Native Judge. Any person convicted of a violation of the Neutral Territory shall be punished by a fine not exceeding Two Hundred (200) Dollars, or imprisonment not exceeding Six Months with or without hard labour, or by both fine and imprisonment not exceeding the above-mentioned penalties. This Regulation shall not apply to offence against Regulations LXXXIX to XCVI. inclusive.

Dated at Apia, Samoa, May 6, 1881.

Concerning the Use of Dynamite.

CXIV.—The use of Dynamite or other explosives within the waters of the Municipality of Apia for the purpose of killing fish is hereby prohibited. Any violation of this Regulation will be punished by a fine not to exceed Twenty-five (25) Dollars, or thirty days imprisonment with or without hard labour.

Dated at Apia, August 5th 1881.

O le Tufafoa i le Tainamaite e Fana i'a.

CXIV.—Ua faasaina i le samo o le Municipalite o Apia e faapā ni taina-maite po se tasi mea faanepa e faa i'a. Afai o se tasi tagata e solia lenei tufafoa e faa'alana i le sili i taha e lua sefulu ma le lima (25) pe tunina o ia i le fale puipui e le sili i aso e tolo sefulu (30), ma fai galuega mamo'a, pe leai.

Ua faia i Apia i le aso e lima (5) o Aokuso, 1881.
Addition to Regulation CXIV.—Concerning Dynamite.

The sale of dynamite or other similar explosives to natives is strictly forbidden within the Municipality.

No person shall be allowed to keep or sell dynamite or similar explosive until he has given proof to the Municipal Board that he is able to store it in a light wooden building, distant at least one hundred yards from any inhabited house.

Persons wishing to use dynamite or other similar explosive for the removal of wrecks, or other necessary purpose, shall give due notice to the Board, will limit the amount to be used, and fix the time for its use. The person using such explosive shall be responsible for all damage caused by the same.

Any infringement of these regulations will be liable to be punished by a fine of Twenty-five (25) Dollars, or in default of payment, by imprisonment for thirty days, with or without hard labour.

Dated, at Apia, 3rd August, 1882.

Concerning Trespass.

CXV.—Any person found trespassing on and thereby doing damage to enclosed land within the Municipality of Apia shall on conviction be compelled to make good the amount of damage done and shall be fined not to exceed Twenty-five (25) Dollars or in default be imprisoned for any time not exceeding thirty days with or without hard labour.

Concerning False Pretences.

CXVI.—Every person who shall obtain from any other person with intent to defraud any chattel money or valuable security shall be liable on conviction to a fine not exceeding One Hundred (100) Dollars or, to imprisonment with or without hard labour not exceeding One Hundred and Twenty Days or to both fine and imprisonment.

Dated at Apia, Samoa February 6, 1882.

Concerning the Magistrate.

CXVIII.—The Municipal Magistrate shall be authorised to punish refractory prisoners either by a prolongation of their imprisonment or by corporal punishment, the latter not to be inflicted without the consent of the Consuls.

CXIX.—The Magistrate shall not try cases in which he is interested. In such cases he will inform the Consuls who will appoint a Magistrate "ad hoc."

Dated at Apia, Samoa, June 2nd 1882.

Concerning Weeding.

CXX.—All occupiers of houses in the town and villages of the district of Apia have to weed and keep clear the space between their houses and the public roads.
They shall also keep in sanitary condition their entire premises.
The Chief of Police will see that this is carried out.
Any offender shall be liable to be punished by a fine of not more
than Ten (10) Dollars or imprisonment for not more than Twelve Days or
by both of such penalties.
Dated Apia, 1st September 1882.

Concerning Public Roads.

CXXII.—All public roads, that existed on the 2nd of September 1879,
shall be considered as still open for public use.
Anyone having closed such a road shall immediately reopen the same
or prove his right to close it to the satisfaction of the Municipal Board.
Dated Apia, 5th January, 1883.

Concerning Registration of Land Sales.

CXXIII.—Persons buying or selling taxable real estate within the
Municipality of Apia, shall record the same in the office of the Secretary
of the Board.
Any breach of this regulation shall be punished by a fine not ex-
ceeding Twenty-Five (25) Dollars.
Dated Apia, 2nd February, 1883.

Concerning Public Nuisances.

CXXIV.—All public nuisances shall be removed.
1.—Anything endangering the safety of public life, health, private or
public property shall be considered a public nuisance, and as such be
subject to immediate removal on the unanimous order of the Municipal
Board.
2.—The Magistrate shall give notice in writing to the proprietors
or occupants of any property on which a public nuisance is, to remove
the same.
3.—If the removal be not made within a reasonable time, the Ma-
gistrate will enforce this regulation by a fine not exceeding Twenty-Five
(25) Dollars or in default of payment by imprisonment not exceeding Thirty
days with or without hard labor and he will order the removal of the
nuisance at the expense of the persons so fined or imprisoned.
4.—Any resident of this Municipality may make complaint of public
nuisances in writing to the Secretary of the Board who will communicate
the same to the Board in session, which will empower the Magistrate to
order the removal thereof, if proved to be such.
Dated at Apia, Samoa, March 16 1883.
Concerning Mulivai Bridge.

CXXVII.—It is forbidden to ride or drive over the Mulivai Bridge, except at a walking pace.
Any person offending against this regulation will be liable to a fine not exceeding Five (5) Dollars, or in default of payment, to be imprisoned with or without hard labour for six days.
Any repetition of such offence shall be liable to a fine not exceeding Ten (10) Dollars, or twelve days imprisonment with or without hard labour.

Dated, Apia, 6th July, 1883.

Concerning Horses.

CXXVIII.—It is forbidden to ride on horseback through the towns of the Municipality without a proper bridle. Unbridled horses passing through such towns must be led.
Any one offending will be liable to a fine not exceeding Five (5) Dollars or six days imprisonment.

Dated, Apia, 6th July, 1883.

Concerning Dogs.

CXXIX.—The owners of dogs over three months old, belonging within the Municipality, shall register the same in the office of the Secretary of the Board, and shall take out a licence for each one, for which they shall pay the sum of Two (2) Dollars per annum, payable quarterly in advance.
Any dog for which a licence has not been taken out by the end of the first fortnight of a quarter, and which is loose in the Municipality, shall be liable to be destroyed. Any violation of this regulation shall be punished by a fine of Five (5) Dollars, or ten days imprisonment.

Dated at Apia, 5th October, 1883.

Concerning the Public Peace.

CXXX.—The Magistrate is empowered upon complaint of any one resident within the Municipality of Apia, and upon proof of sufficient grounds for such complaint, to bind any person over, in any sum not exceeding Two Hundred (200) Dollars to keep the peace.
The Magistrate has to obtain the consent of the Consul of the nationality to which the offender belongs, before taking any proceedings under this Regulation. In the event of the offender having no Consular representation, the Magistrate shall obtain the consent of the three Consuls.

Dated at Apia, Samoa, June 6th 1884.
Concerning Cattle.

CXXXI.—No cattle shall be slaughtered in any part of the Municipality, where such proceeding would be likely to create a nuisance.

Any person persisting in so doing, after being warned by the Police, will be liable to a fine, not exceeding Fifty (50) Dollars, or to sixty days imprisonment.

Dated at Apia, Samoa, 4th June, 1884.

Concerning Supplying Intoxicating Liquor to Policemen.

CXXXII.—Any person supplying intoxicating liquor to a policeman, while on duty, shall be punished by a fine of not less than ten (10) Dollars, and not exceeding Fifty (50) Dollars, or by imprisonment of not less than Twelve Days, and not exceeding sixty days.

Any policemen who shall drink intoxicating liquor, while on duty, shall be liable to be dismissed from the Municipal Police Force, and to forfeit all wages then due to him.

Dated at Apia, 3rd October, 1884.

Concerning Cricket.

CXXXIII.—It is strictly prohibited to play cricket on the Public Road or within eight fathoms of the Public Road, such distance to be marked by a rope on all occasions of playing.

Any one found guilty of a breach of this regulation, shall be liable to a fine not exceeding Five (5) Dollars, or to imprisonment not exceeding six days.

All damages or injuries received by persons passing on the public road from cricket balls, from wheresoever thrown, shall be paid for by the party throwing or striking the ball.

Dated Apia, 7th November, 1884.

Concerning Payment of Rates.

CXXXIV.—After the expiration of the time allowed, anyone remaining in arrear of payment of rates, shall on making a settlement of such payment pay in excess 25 per cent over and above the sum due.

Apia, 1st May, 1885.

Concerning New Buildings.

CXXXV. — 1.—Before erecting any building at or close to a public road within the Municipality of Apia, the permission of the Municipal Board will have to be applied for by laying before the same the plan of the Premises with a sketch of the building to be erected.

2.—No building shall be allowed which might prove an obstruction to enlarging a public road in future.

3.—No building as a rule shall be erected in advance of the row of existing buildings.
4.—Any building erected in contravention of the present Regulation must to be removed on the order of the Municipal Board. Any contravention of this Regulation will be punished with a fine not exceeding Two Hundred (200) Dollars.

Apia, 7th August 1885.

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**Concerning Buildings.**

CXXXVI.—1.—All buildings, wooden fences, and walls fronting on any public road within the Municipality shall hereafter be erected in accordance with the building and verandah lines determined by the Municipal Board, a plan of which lines shall be made and kept in the Municipal Office for inspection.

2.—The verandah line shall in no case exceed the distance of ten feet from the building line as laid down on the plan to be kept on view in the Municipal Office.

3.—No buildings of any description shall be erected in advance of the building line, and no verandah or fence in advance of the verandah line.

4.—In the event of the building not being erected on the building line, then it will be permitted to erect a high fence on that line; and in event of no verandah being erected on the verandah line, then an open picket fence not more than four feet high may be erected on the verandah line.

5.—No offensive buildings such as water-closets, Pigsites &c. shall be allowed near any public road within the Municipality.

6.—Any violation of this Regulation will be punished by a fine not exceeding Two Hundred (200) Dollars or imprisonment for a period not exceeding Six Months. The building or fence to be removed at the owners’ expence.

Apia, 24 December 1885.

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**Concerning Fireworks.**

CXXXVII.—No person shall from this date be permitted to fire of any Fireworks of any kind on the Municipal Roads, nor from verandahs or Balconies, abutting on to the same.

Any person violating the above Regulation shall be liable to a fine of more than Ten (10) Dollars or imprisonment for not more than fourteen days.

Dated Apia, 5th March, 1885.
No person shall be allowed to build or erect any building or structure within a distance of ten feet of any public road or street, or within a distance of ten feet of any building or structure already existing.

July 6, 1886.
APPENDIX D

Revised Ordinances and Regulations of the Municipality of Apia
1891-1900

'Revised Ordinances and Regulations of the Municipality of Apia 1891-94', in 'Prints relating to the affairs of the Samoans, 1875-1918'
WPHC 1/IV/5 (ANZ)
REVISED

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OF THE

Municipality of Apia.

1891-1894.
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REGULATIONS.

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XLII.—Any policeman who shall leave the service without permission, or without a fortnight’s previous notice of his intention to do so, shall forfeit his wages, and may be punished otherwise.

Concerning the Port of Apia.

LXIV.—All vessels (except those belonging to the Samoan Group and engaged in the inter-island or coasting trade) coming into, and leaving, the harbour of Apia, shall take the Pilot licensed by the Municipal Board.

LXV.—The Pilotage shall be at the rate of One (§1) Dollar per foot draught of water in; and One (§1) Dollar per foot draught of water out, of port, and the Pilot may arrange with any captain for extra service, towing, use of boat &c.

LXVI.—All vessels coming into the port of Apia shall be anchored in such a position as the Pilot may direct. For changing any vessel from her moorings from one part of the harbour to another, the Pilot shall charge Five Dollars.

LXVII. The master of any vessel desiring to change her from one place in the harbour to another shall notify the Pilot, who shall direct removal, unless he has good and sufficient reason to the contrary.

LXVIII.—The Pilot may order the removal of any vessel so anchored as to obstruct the navigation in or out of the harbour, or for any other good and sufficient reason; and any master of a vessel who shall refuse to comply with such order shall be liable to a fine of Ten (10) Dollars.

LXIX.—The throwing of ballast into the harbour is hereby strictly prohibited. All masters, or persons in command of vessels arriving in the port of Apia, and having ballast to discharge, shall notify the Pilot, who will inform them where to deposit the same; and the Pilot shall take such precautions as he may deem necessary, when any vessel is receiving or discharging ballast to prevent the same from falling into the harbour. If any master or mate of a vessel receiving or discharging ballast neglects the necessary measures to prevent the same from falling overboard, on complaint of the Pilot, a Police-man shall be placed on board such vessel at the vessel’s expense—to observe and report such carelessness or neglect, and the master of such vessel shall, on conviction, be fined—for the first offence—not exceeding One Hundred (100) Dollars, nor less than Ten (10) Dollars and costs of suit, and for each subsequent conviction the fine shall be doubled.

LXX.—If any master or person in command of any vessel shall have reason to complain of any action of the Pilot he shall make such complaint to the Municipal Board.

LXXI.—A printed copy of the above regulations shall be handed by the Pilot to the master or person in command of every vessel which he may bring into port.

Concerning Trading Vessels.

LXXXIV.—The captain, owner, or supercargo of every vessel entering the waters of the Municipality for the purpose of trading shall take out a license twenty-four hours after arrival. Licenses may be obtained from the Treasurer on payment of the sum of (§10) Dollars. Any breach of this Regulation shall be punished by a fine not to exceed Two Hundred (§200) Dollars.
LXXXV.—A printed copy of the preceding regulation shall be furnished by the Pilot to the master or supercargo of each trading vessel on her arrival in harbour.

Dated at Apia, Samoa, May 12th, 1880.

CXL.—The Pilot shall receive at least Five (5) Dollars pilotage from every vessel he boards under the Quarantine Regulations.

Dated at Apia, Samoa, April 29th, 1881.

That all vessels over 50 tons leaving the port of Apia for any place outside of the Samoan Group, shall take a pilot and pay pilotage at the usual rate.

Concerning the City Front.

LXXXV.—Since it is desirable for the Public Health that the sea breeze should circulate freely through the town, and not be intercepted by buildings near the water along the shore of the harbour, all persons are hereby warned against Erecting or Repairing buildings or structures of any kind whatever on the north or sea-side of the present public road between the Imperial German Consulate in Matalele, and the store of Messrs. Ruge, Hedemann and Co., Matautu without special permission from the Municipal Board, which permission will only be granted for the erection of boat houses and similar small structures near the water. Any violation of this regulation shall be punished by a fine not exceeding One Hundred (100) Dollars, or three months' imprisonment, with or without hard labour.

Concerning Public Roads.

CXXII.—All public roads, that existed on the 2nd of September 1879, shall be considered as still open for public use.

Anyone having closed such a road shall immediately reopen the same or prove his right to close it to the satisfaction of the Municipal Board.

Concerning Cattle.

CXXXI.—No cattle shall be slaughtered in any part of the Municipality, where such proceeding would be likely to create a nuisance.

Any person persisting in so doing, after being warned by the Police, will be liable to a fine, not exceeding Fifty (50) Dollars, or to sixty days imprisonment.

Concerning Buildings.

CXXXV.—1. Before erecting any building at or close to a public road within the Municipality of Apia, the permission of the Municipal Board will have to be applied for by laying before the same the plan of the premises, with a sketch of the building to be erected.

2. No building shall be allowed which might prove an obstruction to enlarging a public road in future.

3. No building as a rule shall be erected in advance of the row of existing buildings.

4. Any building erected in contravention of the present regulation must be removed on the order of the Municipal Board.

Any contravention of this regulation will be punished with a fine not exceeding Two Hundred ($200) Dollars.
AN ORDINANCE.

PASSED ON SEPTEMBER 2ND 1891.

Every resident of Apia occupying or owning land or premises in Apia, shall weed and keep clean the street, and also that portion of the street and shore in front of such land or premises so occupied.

Every person neglecting to carry out the provisions of this section, shall, on conviction, forfeit a sum not exceeding Ten Dollars for each offence, and, in default of payment thereof, shall be imprisoned for any term not exceeding fourteen days.

"Street." shall include any road, square, court, alley, lane, wharf, jetty, thoroughfare, public passage, or highway within the Municipal District.

REGULATION.

On October 16th 1891 it was resolved that a provisional Regulation be hereby made pending the framing of an Ordinance regulating the procedure in the Magistrate's Court that in all cases brought before the Municipal Magistrate's Court the Magistrate may make such orders as to witnesses, expenses and other costs, as may seem to him to be just and reasonable, and in default of payment, the person against whom such order is made, may be imprisoned for any term not exceeding twenty-one days.

AN ORDINANCE.

TO PROHIBIT THE SUPPLY OF INTOXICATING LIQUORS TO NATIVES (1891).

(By it enacted by the Municipal council of Apia.)

SHORT TITLE.

Section 1. The Short title of this Ordinance shall be "The Liquor Prohibition Ordinance."

DEFINITION OF NATIVE.—DEFINITION OF LIQUOR.

Section 2. In this Ordinance the term "Natives" shall in its reference mean not merely aboriginal natives of Samoa, but aboriginal natives of India or of Fiji or of any Island in the Pacific Ocean; and the term "liquor" shall mean any wine or other spirituous or fermented liquor, or any liquid used for drinking, any portion of which is spirituous or fermented liquor.

PENALTY FOR SUPPLYING LIQUOR TO NATIVES.

Section 3. Any person, whether licensed to sell or not, who shall give, sell, or supply, or in any way procure to, or for, any native, or shall aid or abet in any
way in the giving, selling, supplying, or procuring, any liquor in any form or quantity to, or for, any native shall be deemed to be guilty of an offence against this Ordinance, and, on conviction thereof in a summary manner, shall be liable—in addition to any penalty which may be incurred for the sale of such liquor without a license—for a first offence, to a fine not exceeding one hundred dollars or, in default of payment, to imprisonment for a term not exceeding ninety days; for a second offence, to a fine not exceeding two hundred dollars, or, in default of payment, to imprisonment for a term not exceeding one hundred and eighty days.

Additional Penalty after Second Conviction Where Person Convicted Holds License for Sale of Liquor.

Section 4. When a person holding a license for the sale of liquor has been twice convicted of an offence under this Ordinance, or where persons in his service or on his premises have been convicted, so that two convictions against this Ordinance shall have been established as committed in respect of liquor supplied from such premises, no further or other license shall be granted to the person so convicted to sell spirits or fermented liquor within the Municipality of Apia, without the assent of the Municipal Council conveyed to the Collector of Customs, on a special report of the Municipal Magistrate detailing the circumstances.

Possession by Natives of Liquor Prohibited.—Penalty

Section 5. It shall not be lawful for any native to possess or have in his possession any liquor, or to drink any liquor, and any person so doing shall, on conviction, be fined in a sum not exceeding twenty-five dollars, or, in default of payment, be imprisoned for a term not exceeding twenty-one days.

Exemptions.

Section 6. Nothing in this Ordinance shall be held to apply:—
1. To a minister of religion giving wine in conformity with any religious rite.
2. To any person, not being a publican, and not being within a public house, who shall give to any native for any urgent cause or necessity, and without recompense or remuneration, any liquor, when such liquor is given solely and purely for medicinal purposes; but it shall rest with the person giving such liquor to prove to the satisfaction of the Court the existence of such urgent necessity, and, failing such proof, such person shall be liable to the punishment provided in Section 3 hereof.
3. To the domestic servant or other messenger of any foreign resident who shall bear a written and dated order for liquor from his employer for his employer's use.

Employer of Native when SENDING FOR LIQUOR TO SIGN ORDER.

Section 7. Any order under sub-section 3 of the preceding section shall be signed by the employer, who shall also enter upon it the date of the day of his delivering it to his servant, and the order shall have no effect beyond the day of its date. Any person supplying liquor upon such an order, shall initial the same, and retain it in his possession for twelve calendar months.

Penalty for Evading the Provisions of this Ordinance.

Section 8. Any person shall be guilty of an offence under this Ordinance, and shall, on conviction thereof in a summary manner, be liable to a fine not exceeding two hundred dollars or, in default of payment, to imprisonment for any term not exceeding one hundred and eighty days, who, for the purpose of evading the provisions hereof, shall give liquor, or give or allow his name to be used for the purpose of procuring liquor, for a native, under color of any of the exemptions contained in this Ordinance.
STOREKEEPERS OR PUBLICANS TO PREVENT NATIVES HAVING ACCESS TO LIQUOR.

Section 9. Storekeepers and publicans shall keep the liquor on their premises in such a manner as to prevent easy access thereto by natives, and, in default thereof, shall be guilty of an offence under this Ordinance, and, on conviction thereof in a summary manner, shall be liable—for a first offence—to fine not exceeding twenty-five dollars, or, in default of payment, to imprisonment for a term not exceeding twenty-one days, and—for a second or subsequent offence, to a fine not exceeding fifty dollars, or, in default of payment, to imprisonment for a term not exceeding forty-two days.

ONUS PROBANDI TO REST WITH THE PERSON CHARGED WITH OFFENCES.

Section 10. When any person shall be charged with an offence under this Ordinance, and such offence shall have been prima facie established against him by the prosecutor, he, unless he be a medical practitioner, shall be bound to prove that he is, and the prosecutor shall not be bound to prove that he is not, covered by any of the exceptions provided by this Ordinance.

CHARGE TO BE LAID WITHIN SIX MONTHS.

Section 11. Any charge laid in respect of any offence against this Ordinance shall be laid within a period of six calendar months from the commission of such offence.

ORDINANCE TAKES EFFECT.

Section 12. This Ordinance shall take effect and become law from and after the date of its approval and publication.

REPEAL.

Section 13. Regulation No. 14 of the Apia Municipal Regulations 1879 to 1886 and every re-enactment thereof is hereby repealed.

APPROVAL.

Approved this Twenty-fourth day of August in the year one thousand eight hundred and ninety-one by the Consular Board.

AN ORDINANCE.

RELATIVE TO QUARANTINE.

(Be it enacted by the Municipal Council of Apia.)

Section 1. The short title of this Ordinance shall be: "The Quarantine Ordinance, 1891."

Section 2. A Health Officer shall be appointed for the Municipality of Apia who shall act under this Ordinance. Such Health Officer may at any time be removed, and another or others be appointed in his place. The Health Officer shall give orders in regard to vessels to be kept in quarantine, as each case may require.

Section 3. To prevent the introduction of infectious or contagious diseases into the Municipality of Apia, no communication, except by signal, shall be held with or from any vessel coming from beyond Samoa into the waters of the Municipality of Apia, before the master of each vessel has signed the Certificate and Bond contained in the Schedule hereto, or before the Health Officer has admitted such vessel to pratique.
Section 4. Every vessel having on board any contagious or infectious disease or coming from any infected port beyond Samoan shall, on approaching the port of Apia, hoist a yellow flag by day, and a green light by night, at the foremost or only mast-head.

Section 5. The Pilot or his substitute shall go to every vessel nearing the port and coming from beyond Samoan, approaching her on the windward side, taking with him a yellow flag and a blank Certificate and Bond in the form contained in the Schedule hereinbefore mentioned; and on coming within hailing distance of such vessel, shall enquire of the master as to the existence of any contagious or infectious disease on board such vessel, and if he shall then be informed that such contagious or infectious disease does exist on board thereof, he shall require the master to hoist a yellow flag or a green light, as the case may require, at the foremost mast, and prevent any communication between the ship and the shore, or any vessel in the harbour, until after the Health Officer has granted the vessel pratique.

Section 6. If the Pilot shall be informed by the master of such vessel that there is no contagious or infectious disease on board, he shall board the said vessel, and deliver to the master a Certificate and Bond contained in the Schedule hereinbefore mentioned, and the master shall sign the same. If the Pilot shall, after boarding, have cause for suspecting that the vessel has any contagious or infectious disease on board, he shall order the vessel into quarantine and require the master to hoist a yellow flag by day, and a green light by night, and to keep them hoisted, until the Health Officer shall arrive on board and admit the vessel to pratique.

Section 7. The Health Officer, on seeing a vessel hoist a yellow flag, or green light, or on receiving information that such flag or light has been hoisted, shall proceed to the vessel and shall examine her bill of health, log-book and journal, and inspect the crew and passengers, and if the Health Officer shall after such examination be of opinion that there is any contagious or infectious disease on board such vessel, he shall order the vessel to remain in quarantine and to keep the yellow flag hoisted by day, or a green light hoisted at night, and all communication with the shore or with other vessels to be prohibited.

Section 8. The following shall be considered to be contagious or infectious diseases within the meaning of this Ordinance:—Cholera, Small-pox, Scarlet Fever, Scarletina, Influenza, Diptheria, Croup, Typhoid Fever, Typhus Fever, Relapsing Fever, Yellow Fever, D الناس Fever, Measles, Leprosy, and all other diseases which the Health Officer may deem to be dangerous to the Public Health.

Section 9. Should the Pilot have boarded any vessel placed in quarantine, he shall not leave such vessel, until he, his boat's crew and boat, shall have been disinfected by the Health Officer. And if the Health Officer shall have boarded any vessel under the like circumstances, he shall disinfect himself, his boat's crew, and boat, before landing, or communicating with any other vessel or boat.

Section 10. If the Health Officer finds after inspection that there is no contagious or infectious disease on board, he may admit the vessel to pratique.

Section 11. Any vessel which is admitted to pratique shall at one half down the yellow flag or green light, and communication with such vessel shall then be free.

Section 12. Every master or surgeon of a vessel which shall have on board any person affected with any contagious or infectious disease shall declare the same to the Pilot and Health Officer, and shall not attempt to conceal from the Health Officer any person so affected, and shall bring every person on board such vessel before the Health Officer at his request for inspection, and the master of any vessel shall on the demand of the Health Officer proceed for inspection by him the log-book and journal of such vessel.

Section 13. Every master and every surgeon of any vessel which shall have sailed from a place where there shall have existed at the time of such sailing any infectious or contagious disease, or which shall have communicated otherwise than by signal with any vessel or place in which such contagious or infectious disease existed, shall make a true declaration of such circumstance to the
Pilot and Health Officer, who shall come on board or alongside of such vessel.

Section 14. Every person on board any vessel arriving at the port of Apia shall answer truthfully and without evasion any question that may be put to him by the Health Officer or Pilot, in order to find out whether there is danger of any contagion being on board such vessel.

Section 15. No person, save as hereinbefore provided, shall approach or leave any vessel on board of which the yellow flag, or the green light as the case may be, is hoisted, until she has been admitted to pratique by the Health Officer, and the yellow flag, or the green light, as the case may be, has been hauled down.

Section 16. Any person committing a breach of any of the above quarantine regulations shall, on conviction, be punished by a fine not exceeding two hundred dollars, or by imprisonment for a term not exceeding one hundred and eighty days.

Section 17. All expenses caused to the Municipality by any vessel with regard to quarantine, shall be borne by such vessel, or by the master, owners, agents, or consignees thereof, and such vessel, or persons, shall be held responsible for the recovery of such expenses.

Section 18. Should any of the statements contained in the certificate signed by any master of any vessel be proved to be untrue, then the master of such vessel shall forfeit the sum stated in the bond, or any part of such sum, according to the decision of the Municipal Magistrate, and such sum shall be recoverable in the manner provided by Section 24.

Section 19. Any person may seize and apprehend any person that shall, contrary to the provisions of this Ordinance, have quitted or come on board from any vessel liable to perform quarantine, or who shall have escaped from or quitted any vessel under quarantine, or from any lazaretto, vessel, or place, appointed on that behalf for the purpose of carrying such person before the Municipal Magistrate. The Municipal Magistrate may grant his warrant for the apprehending and conveying of any such person to the vessel from which he shall have come on board, or to any vessel, performing quarantine or lazaret, from which he shall have escaped, or for confining any such person in any such place of safe custody (not being a public gaol), and under such restrictions as to having communication with any other persons, as may to the Municipal Magistrate appear proper, until such person can safely and securely be conveyed to some place appointed for the performance of quarantine.

Section 20. Should it appear to the President of the Municipal Council that any contagious or infectious disease exists in any foreign port, it shall be lawful for him to declare such place an infected port, and any vessel coming from the said infected port shall be placed at once in quarantine, and shall remain in quarantine, until the Health Officer shall admit the said vessel to pratique.

Section 21. A night and day watch shall be kept upon every vessel in quarantine, and a sufficient number of guard boats and officers shall be appointed for the purpose of preventing all conveyance communication with such vessel, under quarantine.

Section 22. No mails shall be landed from any vessel in quarantine, until thoroughly fumigated and disinfected by the Health Officer.

Section 23. In case of the absence of the Health Officer, the Sergeant of Municipal Police shall act as Deputy Health Officer, and shall carry out all duties hereinbefore prescribed to be performed by the Health Officer.

Section 24. All fines, forfeitures and money payments, under this Ordinance may be levied by distress, and seizure and sale, and shall be paid into the Municipal Treasury.

Section 25. Regulations No. 97 and 109 of the Apia Municipality Regulations 1879 to 1886 are hereby repealed.

Section 26. This Ordinance shall take effect and become law from and after the date of its approval and publication.

Approved this Twenty-fourth day of August in the year one thousand eight hundred and ninety-one by the Consular Board.
RULES FOR THE REGULATION OF MUNICIPAL ELECTIONS (1892.)

1. Upon a vacancy or vacancies occurring in the Municipal Council at any time from death, resignation, or otherwise, of any member or members thereof, the Council shall appoint a Returning Officer, whose duty it shall be to conduct and preside over the election of a duly qualified person in the room and place of each member whose seat shall have become vacant.

2. The Returning Officer, upon being appointed and receiving notice of the election intended to be held, shall forthwith proceed to appoint a place wherein, and a day and time at which, such election shall be held and conducted.

3. The Returning Officer shall appoint a day and fix an hour upon, or at, or before which, nominations of candidates for the vacant seat or seats may be made. Such nominations shall be in the form prescribed in Schedule A hereto.

4. The nomination paper shall contain the name in full of the candidate proposed, together with his occupation or profession and his address, and shall be subscribed by not less than two duly qualified taxpayers.

5. Should the number of persons proposed as candidates in accordance with these Rules not exceed the number of Councillors required to be elected, the Returning Officer shall declare that candidate, or those candidates, to be duly elected, and shall forward to the Chief Justice of Samoa a certificate of the election in the form prescribed by Schedule B hereto.

6. Should the number of persons so nominated exceed the number of Councillors required to be elected, the Returning Officer shall appoint a day upon which a ballot shall be taken, not less than four days, nor more than seven days, after the time for receiving nominations has expired.

7. Public Notice shall be given of the names of the persons so nominated and of the persons nominating them, and of the place, day, and time at which the ballot shall be taken.

8. Should the nomination of any candidate not be in accordance with these rules, or should it be otherwise irregular or informal, the nomination shall be void.

9. The Returning Officer shall take all necessary or advisable steps and precautions for securing the conduct of the election in a quiet and orderly manner, and for ensuring and preserving the secrecy of the ballot.

10. The roll of taxpayers shall be made up at least seven days before the expiration of the time appointed for the receipt of nominations, and during the said period of seven days shall be at the Municipal Council Offices for inspection and objection.

11. Objections to the name of any taxpayer being on the roll shall be in the form prescribed in Schedule C hereto, and must be lodged with the Returning Officer before the expiration of the time appointed for the receipt of nominations, and he shall give notice to the objector, and the person objected to, of a day before the day of election, upon which the objection shall be heard and decided upon by him. The parties to an objection may be heard either personally or by counsel.

12. The names of the taxpayers qualified to vote at such election shall be placed on the roll in alphabetical order, and numbered consecutively, the full name of each taxpayer, his place of abode, occupation, or profession, being also stated. Such roll shall be in the form prescribed by Schedule D hereto, and
shall be furnished to the Returning Officer by the Collector of Customs and Taxes.

13. No person whose license, taxes, or rates, are in arrear, or who has at the time of election removed from, or ceased to reside in, the electoral district, in the representation of which, such vacancy, or vacancies, shall have occurred, shall be allowed to vote in any election.

14. The Returning Officer shall prepare voting papers in the form prescribed in Schedule B hereto, and numbered in the upper left hand corner, the number on each paper corresponding with the number of the taxpayer on the roll.

15. The Returning Officer shall, on each taxpayer approaching his table in the polling-booth, deliver to such taxpayer his voting paper, but, before doing so, shall fold over and gum the corner of the paper containing the number, and the taxpayer shall then retire to a table, or behind a screen, in another part of the polling-booth, and, after scoring out the name, or names, of the candidate, or candidates, for whom he does not wish to vote, fold up the paper and deposit it in the ballot box, in the presence of the Returning Officer.

16. When two or more Councillors are required to be elected for an electoral district, the voter may at his option vote for only one, or more, according to the number of Councillors required, but all voting papers containing un blot tered the names of more candidates than the number of Councillors required, shall be invalid, and be rejected.

17. Each candidate may appoint a scrutineer who shall be present in the polling booth during the election, and at the counting of the votes after the poll has closed.

18. Illiterate persons may request the assistance of the Returning Officer in recording their votes, and he shall, upon such request being made, render such assistance as may be necessary.

19. No voting paper shall be used other than those supplied by the Returning Officer.

20. The return or election of any candidate may be disputed or challenged by any defeated candidate within three days (Sundays and Public Holidays not counting) after the declaration of the poll, on the ground that the votes have been wrongly counted, or have been otherwise irregularly or wrongly taken, and the Returning Officer shall thereupon, in the presence of the scrutineers, examine and scrutinize and re-count the votes, but, should the election not be disputed within three days (Sundays and Public Holidays not counting) after the declaration of the poll, the Returning Officer shall destroy all the voting papers, without the numbers thereon being disclosed. If it is proved that bribery has been committed by any member elected, or by any person with the knowledge, or on behalf of that member, such election shall be declared void.

21. All notices and intimations relating to elections shall be printed and posted on the notice board of the Municipal Council, and may also, in the discretion of the Returning Officer, be published in the local newspaper.

22. The Returning Officer shall be paid by a fee of $20 U. S. Currency for each election conducted by him.

SCHEDULE A.

Nomination of Candidate.

The undersigned taxpayers of the Apia Eastern (or Western) Municipal Electoral District, hereby nominate E. F. as a candidate for the office of Municipal Councillor.

Dated this day of 18
A. B. Storekeeper, Matatua.
C. D. Clerk, Apia.
* Now 6 days—see page 11.
SCHEDULE B.

I hereby declare that E. F. of has been duly elected a member of the Apia Municipal Council. Dated this day of 18 G. H. Returning Officer

SCHEDULE C.

OBJECTION.

<table>
<thead>
<tr>
<th>Number on Roll</th>
<th>Name of Person objected to</th>
<th>Name of Objector</th>
<th>Ground of objection</th>
</tr>
</thead>
</table>

Dated this day of 18

Signature of Objector

SCHEDULE D.

ROLL OF TAXPAYERS.

<table>
<thead>
<tr>
<th>Number</th>
<th>Name</th>
<th>Occupation or Profession</th>
<th>Residence</th>
<th>Whether or not eligible as Councillor</th>
</tr>
</thead>
</table>

SCHEDULE E.

VOTING PAPER

<table>
<thead>
<tr>
<th>No.</th>
<th>Names of Candidates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>John Smith</td>
</tr>
<tr>
<td></td>
<td>William Brown</td>
</tr>
<tr>
<td></td>
<td>Thomas Jones</td>
</tr>
</tbody>
</table>
DIRECTION TO VOTERS.

Score through the names of the candidates for whom you do not wish to vote, leaving no more names than there are Councillors to be elected. Fold up the paper, and deposit it in the ballot box.

REGULATION OF MUNICIPAL ELECTIONS.

The following addition to the above Regulation has been passed by the Municipal Council, to be inserted at its end.

FRHR. SENEFT. VON PILSACH,
President of the Municipal Council.

APIA, December 29th, 1892.

Section 23.—Any election becomes valid if not disputed within six days from the date of its official publication, Sundays and Public Holidays not counting.

AN ORDINANCE

FOR THE SUPPRESSION AND PUNISHMENT OF VARIOUS OFFENCES WITHIN THE MUNICIPALITY OF APIA.

(As it enacted by the Municipal Council of Apia.)

SHORT TITLE.

Section 1. The short title of this Ordinance shall be “The Police Offences Ordinance 1892.”

INTERPRETATION.

2. “Public place” means, includes, and applies to every road, highway, street, footpath, thoroughfare, bridge, or place of a public nature, in the Municipality of Apia, or open to, or used by, the public as of right, and every place of public resort so open or used, in the said Municipality, and also every wharf, jetty, or pier, whether private or public property, built upon or over the shore, bench, and foreshore, of Apia Harbour. “Apia Harbour” shall mean and include the waters enclosed within a straight line drawn from the northern extremity of Matatsu Reef, to the northern extremity of Malinu Reef. “Person” includes any public or private company or corporation. The symbols used in this Ordinance to indicate dollars and cents, indicate the currency of the United States of America, or its equivalent.

GENERAL POLICE PROVISIONS.

3. Any person who shall be guilty of any of the offences specified in the following Schedule A. shall, upon conviction thereof, be liable to be punished by fine, or in default of payment of such fine, by imprisonment, or by imprisonment without the option of a fine, or by both fine and imprisonment, according to the penalties prescribed in said Schedule A.
<table>
<thead>
<tr>
<th>OFFENCE</th>
<th>FINE</th>
<th>IMPRISONMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Placing any hoarding, scaffolding, timber, bricks, stones, coral,</td>
<td>20.00</td>
<td>21 days 1 day</td>
</tr>
<tr>
<td>iron, or other building material, upon any public place, without</td>
<td>1.00</td>
<td>1 day</td>
</tr>
<tr>
<td>having first obtained the written permission of the Sergeant of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Removing any portion of the surface of any public road, street, or</td>
<td>20.00</td>
<td>21 days 1 day</td>
</tr>
<tr>
<td>pathway, in the Municipal district of Apia, without having first</td>
<td>1.00</td>
<td>1 day</td>
</tr>
<tr>
<td>obtained the written permission of the Sergeant of Police...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Removing from the beach, or foreshore, of Apia Harbour, any</td>
<td>20.00</td>
<td>21 days 1 day</td>
</tr>
<tr>
<td>shingle, sand, pebbles, coral, or rubble stones, without first</td>
<td>1.00</td>
<td>1 day</td>
</tr>
<tr>
<td>having obtained the written permission of the owner and occupant of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>the land, from the beach or foreshore of which, permission to remove</td>
<td></td>
<td></td>
</tr>
<tr>
<td>such material is desired...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Placing any placard, or other document, writing, or painting on,</td>
<td>20.00</td>
<td>21 days 1 day</td>
</tr>
<tr>
<td>or otherwise defacing any house, or other building, or any wall,</td>
<td>1.00</td>
<td>1 day</td>
</tr>
<tr>
<td>fence, lamp-post, or gate, without the consent of the owner or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>occupier thereof...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Playing cricket, marbles, or any other game on any public road,</td>
<td>15.00</td>
<td>14 days 1 day</td>
</tr>
<tr>
<td>street, path or thoroughfare within the Municipal District of Apia,</td>
<td>1.00</td>
<td>1 day</td>
</tr>
<tr>
<td>or so near therein as to cause annoyance or danger to the passers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>by...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Disturbing any public meeting or any meeting for any lecture,</td>
<td>10.00</td>
<td>10 days 1 day</td>
</tr>
<tr>
<td>concert, dramatic or other entertainment...</td>
<td>0.25</td>
<td>1 day</td>
</tr>
<tr>
<td>13. Driving or riding in a dangerous manner upon or along any public</td>
<td>30.00</td>
<td>30 days 1 day</td>
</tr>
<tr>
<td>road, street or thoroughfare in the Municipal District of Apia...</td>
<td>1.00</td>
<td>1 day</td>
</tr>
<tr>
<td>14. Wilfully extinguishing any street-lamp...</td>
<td>10.00</td>
<td>14 days 1 day</td>
</tr>
<tr>
<td>14A. to correspond with 14 in German and Samoan copies:</td>
<td>30.00</td>
<td>30 days 1 day</td>
</tr>
<tr>
<td>Wilfully or maliciously injuring any house, store, building, fence,</td>
<td>1.00</td>
<td>1 day</td>
</tr>
<tr>
<td>wall, street, lamp, lamp-post, animal, or other property belonging</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to any person...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15. Drunkenness and disorderly conduct in the case of a foreign</td>
<td>30.00</td>
<td>30 days 1 day</td>
</tr>
<tr>
<td>resident, or drunkenness alone in the case of a native, in any</td>
<td>1.00</td>
<td>1 day</td>
</tr>
<tr>
<td>public place or in any place of public resort, or in any boat</td>
<td></td>
<td></td>
</tr>
<tr>
<td>plying for hire within the harbour of Apia, or in any church,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>chapel, or other public building where religious service is being</td>
<td></td>
<td></td>
</tr>
<tr>
<td>conducted, or in any public hall or room in which any concert,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>or dramatic, or other entertainment or lecture, or public meeting,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>is being held, or given, or in any public house, hotel, inn, tavern,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>or drinking saloon...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16. Fighting or rioting or challenging to fight...</td>
<td>30.00</td>
<td>30 days 1 day</td>
</tr>
<tr>
<td></td>
<td>1.00</td>
<td>1 day</td>
</tr>
<tr>
<td></td>
<td>60.00</td>
<td>60 days 2 days</td>
</tr>
</tbody>
</table>
SCHEDULE A.

<table>
<thead>
<tr>
<th>OFFENCE</th>
<th>FINE</th>
<th>IMPRISONMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Max.</td>
<td>Min.</td>
</tr>
<tr>
<td>17. Indecently exposing the person or committing any nuisance in any public place or in view thereof...</td>
<td>30 00</td>
<td>2 00</td>
</tr>
<tr>
<td>18. Bathing or swimming in the Vaiaigago, or Mulivai Rivers, between the hours of six in the morning, and 7 in the evening, in view of any public place, without wearing bathing trousers or drawers or laivavae.</td>
<td>30 00</td>
<td>1 00</td>
</tr>
<tr>
<td>19. Being in any public place insufficiently clothed—that is to say—not being clothed so as to cover the body from above the navel, and extending down to the knees; children of both sexes of tender years excepted.</td>
<td>30 00</td>
<td>1 00</td>
</tr>
<tr>
<td>20. Tying any horse or cattle in such a manner that such animals may go upon the public street, road, or path, except in such cases in which such are in front of any premises in waiting, providing that such animals do not in any way obstruct the free passage of the street, road, or pathway.</td>
<td>10 00</td>
<td>0 50</td>
</tr>
<tr>
<td>21. Riding or driving across the Mulivai or Vaiaigago bridges at other than a walking pace...</td>
<td>10 00</td>
<td>1 00</td>
</tr>
<tr>
<td>22. Riding or driving horses along the public roads, streets, or pathways, with unsafe or inadequate bridle or harness.</td>
<td>10 00</td>
<td>1 00</td>
</tr>
</tbody>
</table>

ATTEMPTS TO COMMIT OFFENCES.

Section 4. The Municipal Magistrate shall have power to punish any person guilty of attempting to commit any of the offences punishable by him under this Ordinance, where such an attempt is an offence according to the law of England, Germany, or the United States of America; provided that the penalty for such attempt shall not exceed one-half of the maximum penalty prescribed herein for the commission of such offence.

CONTEMPT OF COURT.

5. Any person who shall neglect or refuse to obey any summons order or process of the Municipal Magistrate's Court or shall be otherwise guilty of contempt of Court shall be liable to a fine not exceeding $50 or to be imprisoned for any term not exceeding 30 days.

PAYMENT OF FINES AND DAMAGES.

6. The payment of all fines levied or imposed by the Municipal Magistrate, and all damages assessed and ordered to be paid by him may be enforced by the seizure and sale of all or any of the personal property, goods, chattels and effects of the person upon whom such fine has been imposed. In all such cases the Municipal Magistrate shall issue and sign a writ of execution or seizure and sale directed to the Sergeant of Police or other officer of the Court and the person against whose property such writ shall be issued shall also pay all the costs of and incidental to such seizure and sale.

OFFENCES EXCLUDED FROM MAGISTRATE'S JURISDICTION.

7. The Municipal Magistrate shall not try any persons charged with committing within the Municipal District any Crimes or Offences which are not specified in one of the Municipal Acts, Ordinances or Regulations in accordance with
Section 3 Article V. of the Berlin Final Act, and if any persons charged with committing any crime or offence not so specified shall be brought before him, he shall immediately call the attention of the Supreme Court of Samoa or of the proper Consular Court to take cognisance of and deal with such cases; the Magistrate to conduct the preliminary examination if so requested by the respective Court and to commit the prisoner for trial or to discharge him, as the circumstances of the case may require.

REPEAL.

8. The Municipal Regulations specified in Schedule B are hereby repealed.

COMMENCEMENT OF OPERATION.

9. This Ordinance shall take effect and become law from and after the date of its publication.

SCHEDULE B.

Regulations Nos. XV, XXV, XXVI, XXVIII, XXX, XXXI, XLI, LXXVI, CXIV, CXX, CXXVII, CXXVIII, CXXXIII, and CXXIV (so far as the same may relate to any nuisance the punishment for the commission or permission of which is provided by the foregoing ordinance) of the former Municipal Regulations 1876-1886 and any and every re-enactment of the same by the Municipal Council of Apia prior to the enactment of the foregoing ordinance.

AN ORDINANCE

TO AMEND THE POLICE OFFENCES ORDINANCE 1892.

(Re enacted by the Municipal Council of Apia)

1. The Short Title of this Ordinance shall be "The Police Offences Ordinance Amendment Ordinance 1894."

2. Section 3 of the Police Offences Ordinance 1892 is hereby amended by the addition of the following sub-section:

23. Riding or driving along the main road of Apia between the abutment of the old Vaitele Road on the said main road at Savalalo and the abutment of the Motootua-Tanumamanono Road on the said main road at Apia, at other than a walking pace, at any time between the hours of 6 p.m. and 11 p.m.

3. Any person who shall be convicted of an offence against this Ordinance, shall be liable to the penalties prescribed by sub-section 13 of said section of The Police Offences Ordinances 1892.

4. This Ordinance shall take effect and become law from and after the date of its publication.

ORDINANCE

Be it enacted by the Municipal Council (in their meeting held on 2nd of September 1891) as follows:

Every resident of Apia occupying or owning land in Apia shall weed and
keep clean the street and also that portion of the street and shore in front of such
land or premises so occupied.

Every person neglecting to carry out the provisions of this section shall on
conviction forfeit a sum not exceeding Ten Dollars for each offence, and in de-
fault of payment thereof shall be imprisoned for any term not exceeding Four-
teen days.

Street shall include any road, square, court, alley, lane, wharf, jetty, thorou-
ghfare, public passage, or highway within the Municipal District.

The approval of the Consular Board has been notified in their commu-
nication dated 8th September 1891.

By order of the Municipal Council,

T. MRRDITH,
Chairman pro tem.

Published in the Samoa Times 25th December 1891.

AN ORDINANCE

RELATING TO TRESPASS AND THE IMPOUNDING OF CATTLE.

(Be it enacted by the Municipal Council of Apia.)

SHORT TITLE.

1. The short title of this Ordinance shall be “The Impounding Ordinance,
1892.”

INTERPRETATION.

2. The word “cattle” used in this Ordinance means and includes any horse,
gelding, filly, or foal, any bull, cow, ox, steer, heifer, or calf, any ram, ewe,
ewe, or lamb, any ass, or mule, and any goat, boar, sow, or other pig. A suck-
ing of any species under three months old and its mother are for the pur-
poses of this Ordinance to be considered as one animal. Owner of cattle includes
the person for the time being having the charge of such cattle or the manage-
ment thereof. Road means and includes any road, street, highway, bridge, or public
path in the Municipal District of Apia. The symbols used to indicate money
herein mean the currency of the United States of America.

PUBLIC POUND.

3. There shall be a Public Pound in the Municipal district of Apia in such
a place as the Municipal Council may hereafter determine upon, and upon such
Pound being established the Sergeant of Police shall give public notice of the
same on the Municipal Notice Board and in the local newspaper.

POLICE TO HAVE CHARGE OF POUND

4. The Sergeant of Police shall have the control and management of the
Pound and shall make due provision for the proper maintenance and custody
therein of all animals impounded.

IMPOUNDING BY POLICE

5. From and after the establishment of a Public Pound under the provisions of
this Ordinance any cattle found wandering and unattended on any road within the
Municipal District of Apia or on any unenclosed land therein may be impounded.
by the police subject to the provisions hereinafter contained.

**Inpounding by Private Persons**

6. Upon any cattle being found by the owner or occupier of any lands, garden or plantation, enclosed or unenclosed, trespassing or at large on such lands garden or plantation, such owner or occupier may forthwith drive or send such cattle to the pound or request the police to do so and shall upon impounding such cattle, state to the Sergeant of Police or other Police officer the name of the owner thereof if known and the place where the animals were found trespassing. The Sergeant of Police shall forthwith post a written description of the animals so impounded upon the Municipal office notice board.

**Penalties for Stray or Trespassing Cattle.**

7. The owner of any stray wandering or trespassing cattle found at large or untended on any road or unenclosed land or in or upon garden plantation or other lands shall be fined according to the scale specified in Schedule A hereto.

**Maintenance of Cattle from Pound.**

8. The Sergeant of Police shall make due provision for the proper maintenance and care of all cattle impounded in the Public Pound and the owner of such cattle shall pay for the care and maintenance of such cattle according to the scale specified in Schedule B hereto.

**Release of Cattle from Pound.**

9. Upon payment by the owner of any impounded cattle of all fines and poundage fees payable by him, or upon his giving to the Sergeant of Police satisfactory security for the payment of the same, such impounded cattle shall upon the application of the owner thereof be released from the pound and delivered to him.

**Sale of Impounded Cattle.**

10. Should any impounded cattle by reason of non-payment of fines or poundage fees not be released from the pound within fourteen days after the same shall have been impounded, the Sergeant of Police shall forthwith proceed to sell the same by public auction.

**Proceeds of Sale.**

11. The proceeds of and such sale shall be applied firstly to the payment of expenses of such sale and all poundage fees, secondly to the payment of all fines which the owner of such cattle shall have been ordered to pay, and the surplus (if any) shall be paid to the owner of such cattle.

**Regularity of Sale.**

12. No purchaser of cattle at any sale under the provisions of this Ordinance shall be bound to prove the regularity of any such sale or be affected by any default or irregularity in such sale, and the Sergeant of Police shall not be liable to any penalties or damages for selling by auction as herein provided.

**Trespassing Pigs and Goats May be Killed.**

13. Any hog, sow or other pig or goat found trespassing within any fenced or enclosed land under artificial grass or in cultivation may be shot or otherwise killed or destroyed by the owner or occupier of such fenced or enclosed land without being liable to any claim for damage or compensation for the loss of the animal so destroyed, and without prejudice to any claim such owner or occupier may have against the owner of the pig or goat so killed or destroyed for damages.
committed by such animal while trespassing.

NOTICE TO OWNER.

14. Upon any pig or goat so trespassing as aforesaid being so shot or otherwise killed or destroyed, the person so shooting or killing the same shall forthwith give notice to the Police and shall, if the name of the owner be known to him, forthwith give such owner notice of such killing or shooting and require him to remove and take away the carcass. Should the carcass not be removed or taken away within 12 hours after such animal shall have been killed, then the Police shall forthwith bury it or otherwise destroy such carcass in such a manner as not to be offensive to or cause a nuisance in the neighbourhood. The person so shooting or killing such pig or goat shall not consume such carcass or any portion thereof as food or sell or dispose of it in any way for money or gain. Any person converting a carcass or any portion thereof to his own use or benefit shall, on conviction thereof, be liable to a fine not exceeding $20 or in default of payment to imprisonment for any term not exceeding twenty-one days.

IMPOUNDMENT BY PRIVATE PERSONS.

15. From and after the approval and publication of this Ordinance, and until a Public Pound shall have been established as herein provided, the owner or occupier of any land or premises upon which any cattle shall have entered or trespassed may impound the same upon his own lands or premises until the owner of such cattle shall have paid to the Municipal Magistrate on behalf of the owner or occupier of such land or premises the cost and expense of maintaining such cattle while so impounded according to the scale specified in Schedule B hereeto. The owner or occupier of the land shall forthwith report such impounding to the Sergeant of Police who shall post a written description of the animal impounding upon the Municipal Office notice boards. Provided that if such cattle shall not be claimed by the owner thereof and such expenses paid within fourteen days of such impounding then at the expiration of the said period of 14 days such cattle shall be delivered over to the Sergeant of Police who shall forthwith proceed to sell the same by public auction. In case of such sale the proceeds thereof shall be applied firstly to the payment of all costs and expenses incidental to such sale and secondly to the payment to the person so impounding such cattle the cost and expense of the maintenance of such cattle while so impounded according to the scale specified in Schedule B. Thirdly to the payment of all fines inflicted upon the owner of such cattle by the Municipal Magistrate for allowing such cattle to stray or be at large untended and the surplus (if any) of such proceeds shall be paid to the owner of the cattle.

ILLEGAL IMPOUNDING.

16. Any person who shall entice, lead or drive any cattle into any place with the object of illegally impounding the same or of renderring such cattle liable to be impounded or who shall assist any person in so doing shall on conviction thereof be liable to a fine not exceeding $25 or in default of payment may be sentenced to imprisonment for any term not exceeding 30 days.

REMOVING CATTLE.

17. Any person who shall refuse or attempt to rescue or interfere with cattle impounded or seized for the purpose of being impounded shall, on conviction thereof, be liable to a fine not exceeding $25 or, in default of payment, may be sentenced to imprisonment for any term not exceeding 30 days.

REMOVING GATES OR FENCES.

18. Any person who shall wilfully leave open any gate or slip-panel or slip-rail or make a gap in or remove any portion of a fence for the purpose of permit-
ing or causing any cattle to stray or trespass or otherwise willfully cause any
cattle to trespass shall on conviction thereof be liable to a fine not exceeding $25
or, in default of payment, may be imprisoned for any term not exceeding 30 days.

TEMPORARY POUND.

19. Until the establishment of a Public Pound as provided by this Ordinance,
all cattle impounded or seized by the Police may be taken to and kept in any
place which the Sergeant of Police may deem suitable and convenient and may
there be detained and dealt with in all respects as if the said cattle had been im-
powered in the Public Pound.

REPEAL.

20. Regulation No. XXVII of the Municipal Regulation 1879-1886 and any
re-enactment of the same prior to the passing of this Ordinance are hereby
repealed.

ORDINANCE TAKEN EFFECT

21. The foregoing Ordinance shall be in operation from the date of its
publication.

SCHEDULE A.

PENALTIES FOR TRESPASSING CATTLE.

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Bull</td>
<td></td>
<td>7 50</td>
</tr>
<tr>
<td>Any cow, heifer, ox, steer or calf</td>
<td></td>
<td>3 00</td>
</tr>
<tr>
<td>Ass or Mule</td>
<td></td>
<td>4 00</td>
</tr>
<tr>
<td>Ram, ewe, wether or lamb</td>
<td></td>
<td>1 00</td>
</tr>
<tr>
<td>Goat</td>
<td></td>
<td>5 00</td>
</tr>
</tbody>
</table>

SCHEDULE B.

AMOUNTS PAYABLE FOR SUSTENANCE OF CATTLE IMPounded.

<table>
<thead>
<tr>
<th></th>
<th>$</th>
<th>c.</th>
</tr>
</thead>
<tbody>
<tr>
<td>For every entire horse</td>
<td>per day</td>
<td>2 00</td>
</tr>
<tr>
<td>For every other horse, mare, gelding, filly or foal</td>
<td>per day</td>
<td>0 40</td>
</tr>
<tr>
<td>For every bull</td>
<td>per day</td>
<td>0 30</td>
</tr>
<tr>
<td>For every cow, heifer, ox, steer or calf</td>
<td>per day</td>
<td>0 30</td>
</tr>
<tr>
<td>For every ass or mule</td>
<td>per day</td>
<td>0 40</td>
</tr>
<tr>
<td>For every bear, sow or other pig</td>
<td>per day</td>
<td>0 25</td>
</tr>
<tr>
<td>For every ram, ewe, wether or lamb</td>
<td>per day</td>
<td>0 20</td>
</tr>
<tr>
<td>For every goat</td>
<td>per day</td>
<td>0 20</td>
</tr>
</tbody>
</table>

By resolution of the Municipal Council, of September 5th, and decision of
the Chief Justice of Samoa, dated October 6th, 1894, the "Impounding Ordinance
1892" has been amended as follows:

"That the impounding fee for horses and pigs be not less than one dollar and
not more than five dollars, in the discretion of the Municipal Magistrate; that
pending his judgment it be left to his discretion to determine the amount to be
deposited for the purpose of releasing the animal; and this resolution be read as
a part of the "Impounding Ordinance 1892."

Apa, October 11th 1894.

E. SCHMIDT,
President of the Municipal Council.
AN ORDINANCE

FOR THE BETTER PREVENTION OF CONTAGIOUS DISEASES
IN THE MUNICIPALITY OF APIA.

(As it enacted by the Municipality of Apia.)

SHORT TITLE.

Section 1. This Ordinance may be cited as “The Contagious Diseases
Ordinance 1892.”

DEFINITIONS.

Section 2. (a) In this Ordinance the term “contagious disease” means
venereal diseases, including gonorrhoea.
(b) The term “police” means Municipal Police.
(c) The “Superintendent of Police” includes Sergeant of Police.
(d) The term “Health Officer” means the Health Officer for the
Municipality of Apia for the time being.
(e) The term “Lock Hospital” means any Hospital provided for the
treatment of contagious diseases.

LOCK HOSPITALS—POWER TO MUNICIPAL COUNCIL TO PROVIDE A HOSPITAL.

Section 3. The Municipal Council may, from time to time, provide any
building or part of a building as a Lock Hospital and any building or part of a
building so provided shall be a Public Female Gaol. Provided always that no
person shall be committed thereto, except under the provisions of this Ordinance.
Such hospital shall be placed under the control or management of the Health
Officer.

POWER TO MAKE REGULATIONS FOR LOCK HOSPITALS.

Section 4. The Health Officer shall make regulations for the management
and government of the Lock Hospital, as far as regards women authorised by this
Ordinance to be detained therein for medical treatment or being therein under
medical treatment for a contagious disease, such regulations not being ines-
sistent with the provisions of this Ordinance, and may from time to time alter
such regulations, but all such regulations and alterations thereof shall be subject
to the approval in writing of the Municipal Council. A printed copy of regula-
tions purporting to be regulations of such Lock Hospital so approved, such copy
being signed by the Health Officer and the President of the Municipal Council,
shall be evidence of the regulations of the hospital and of the due making and ap-
proval thereof for the purpose of this Ordinance.

NOTICE BY MUNICIPAL MAGISTRATE TO WOMAN BEING A COMMON PROSTITUTE.

Section 5. Where an information on oath is laid before the Municipal
Magistrate by the Superintendent of Police or other police officer charging to the
effect that the informant has good cause to believe that a woman therein named
is a common prostitute and is resident within the limits of the Municipality of
Apia or has within fourteen days before the laying of the information been within
those limits for the purposes of prostitution, the Municipal Magistrate shall order
that the woman be subject to a periodical medical examination by the Health
Officer for the purpose of ascertaining at the time of each such examination
whether she is affected with a contagious disease, and thereupon she shall be subject to such a periodical medical examination, and the order shall be a sufficient warrant for the Health Officer to conduct such examination accordingly. The order shall specify the time and place at which the woman shall attend for the first examination. The Superintendent of Police shall cause a copy of the order to be served on the woman.

**Power to Make Regulations as to Examinations.**

Section 6. The Health Officer may from time to time make regulations respecting the times and places of medical examinations under this Ordinance and generally respecting the arrangement for the conduct of those examinations, and a copy of all such regulations, from time to time in force, shall be sent by the Health Officer to the Municipal Magistrate.

**Health Officer to Prescribe Times &c.**

Section 7. The Health Officer, having regard to the regulations aforesaid and to circumstances of each case, shall at the first examination of each woman examined by him and afterwards from time to time, as occasion requires, prescribe the times and places at which she is required to attend again for examination, and he shall from time to time give or cause to be given to each such woman notice in writing of the times and places so prescribed.

**Certificate of Health Officer.**

Section 8. If on any such examination the woman examined is found to be affected with a contagious disease, she shall thereupon be liable to be detained in the Lock Hospital subject and according to the provisions of this Ordinance, and the Health Officer shall sign a certificate in duplicate to the fact that she is affected with a contagious disease, naming the hospital in which she is to be placed, and shall cause one of the originals to be delivered to the woman and the other to the Superintendent of Police.

**Placing in Hospital for Treatment.**

Section 9. Every woman to whom any such certificate of the Health Officer relates shall be apprehended and conveyed with all practicable speed by a police officer to the Lock Hospital and placed there for medical treatment and the certificate of the Health Officer shall be a sufficient authority to him for so doing.

**Detention in Hospital.**

Section 10. Where a woman certified by the Health Officer to be affected with a contagious disease is placed as aforesaid in the Lock Hospital for medical treatment, she shall be detained there for that purpose by the Superintendent of Police until discharged by the Health Officer by writing under his hand. The certificate of the Health Officer shall, when delivered as before provided, be sufficient authority for such detention.

**During Conveyance to Lock Hospital etc. Woman to be Deemed in Legal Custody.**

Section 11. Every woman conveyed under this Ordinance to the Lock Hospital shall, while being so conveyed thither, and also while detained there, be deemed to be legally in the custody of the person conveying or detaining her.

**Punishment of Woman for Refusing to be Examined &c.**

Section 12. In the following cases namely:
If any woman subjected by order of the Municipal Magistrate under this Ordinance to periodical medical examinations any time temporarily absents herself, in order to avoid submitting herself to such examination, on any occasion on which she ought so to submit herself, or refuses or wilfully neglects to submit herself to such examination, on any such occasion;

If any woman authorised by this Ordinance to be detained in the Lock Hospital for medical treatment, quits the Hospital without being discharged therefrom by the Health Officer thereof by writing under his hand (the proof whereof shall lie on the accused);

If any woman authorised by this Ordinance to be detained in the Lock Hospital for medical treatment for a contagious disease, refuses or wilfully neglects, while in hospital, to conform to the regulations thereof, approved under this Ordinance;

Then, and in every such case, such woman shall be guilty of an offence against this Ordinance, and, on summary conviction, shall be liable to imprisonment, in case of a first offence, for any term not exceeding one month, and in the case of a second, or any subsequent offence, for any term not exceeding three months, and in the case of quitting the Hospital, without being discharged as aforesaid, may be taken into custody without warrant, by any constable.

Effect of Order of Imprisonment for Absence &c., from Examination.

Section 13. If any woman is convicted of, and imprisoned for, the offence of absenting herself, or of refusing, or neglecting, to submit herself to examination as aforesaid, the order subjecting her to periodical medical examination, shall be in force during, after, and notwithstanding, her imprisonment.

Effect on Order of Imprisonment for Quitting Hospital.

Section 14. If any woman is convicted of, and imprisoned for, the offence of quitting a hospital, without being discharged, or of refusing or neglecting, while in the Lock Hospital, to conform to the regulations thereof, as aforesaid, the certificate of the Health Officer, under which she was detained in the hospital shall continue in force, and on the expiration of her term of imprisonment she shall be sent back from the prison to the Lock Hospital and shall (notwithstanding anything in this Ordinance) be detained there under that certificate as if it were given on the day of the expiration of her imprisonment, unless the Health Officer, at the time of her discharge from imprisonment, certifies in writing to the effect that she is then free from a contagious disease (the proof of which certificate shall lie on her) and in that case the certificate under which she was detained shall on her discharge from imprisonment, cease to operate.

Penalty on Woman Discharged Uncovered Conducting Herself as a Prostitute.

Section 15. If any woman leaving the Lock Hospital, a notice in writing is given to her by the Health Officer to the effect that she is still affected with a contagious disease and she is afterwards in any place for the purpose of prostitution or conducts herself as a prostitute, without having previously received from the Health Officer a certificate in writing endorsed on the notice, or on a copy thereof, (proof of which certificate shall lie on her) to the effect that she is then free from a contagious disease, she shall be guilty of an offence against this Ordinance and, on summary conviction before the Municipal Magistrate, shall be liable to be imprisoned in the case of a first offence, for any term not exceeding one month, and in the case of a second or any subsequent offence, for any term not exceeding three months.
ORDER TO OPERATE WHenever WOMAN IN RESIDENCE WITHIN THE MUNICIPALITY OF APIA.

Section 16. Every order under this Ordinance subjecting a woman to periodical medical examination shall be in operation and enforceable in the manner in this Ordinance provided whenever from time to time the woman to whom it relates is within the limits of the Municipality of Apia.

APPLICATION TO HEALTH OFFICER FOR RELIEF FROM EXAMINATION.

Section 17. Any woman subjected under the order of the Municipal Magistrate to a periodical medical examination under this Ordinance who objects to such examination on the ground that she is not a prostitute or any woman who being a prostitute desires to be relieved therefrom, and is not under or subject to liable to detention in the Lock Hospital may make application in that behalf to the Health Officer. The Health Officer shall communicate such application to the Superintendent of Police, and if after a report from such Superintendent he is satisfied by such report or other evidence that the applicant is not or has ceased to be a common prostitute, may by order under his hand direct that she be relieved and she shall thereupon be relieved from such periodical medical examination. Such order shall be in duplicate, one copy shall be delivered to the woman, and one to the Superintendent of Police, who shall communicate the same to the Municipal Magistrate.

PENALTIES FOR PERMITTING PROSTITUTES HAVING CONTAGIOUS DISEASE TO RESORT TO ANY HOUSE &C. FOR PROSTITUTION.

Section 18. If any person being the owner or occupier of any house, room, or place within the limits of the Municipality of Apia or being a manager or assistant in the management thereof, having reasonable cause to believe any woman to be a common prostitute and to be affected with a contagious disease, induces or suffers her to resort to or be in that house, room or place for the purpose of prostitution he shall be guilty of an offence against this Ordinance and, on summary conviction thereof before the Municipal Magistrate, shall be liable to a penalty not exceeding one hundred dollars or, at the discretion of the Municipal Magistrate, to be imprisoned for any term not exceeding 180 days.

MODE OF SERVICE OF NOTICES OR ORDERS &C.

Section 19. Every notice, order or other instrument by this Ordinance required to be served on a woman shall be served by delivery thereof to her personally.

PROVISIONAL PRESCRIPTIONS.

Section 20. Until the establishment of a Lock Hospital by the Municipal Council the Health Officer shall after his examination of each woman liable to periodical medical examination deliver to her a certificate which shall state whether she is or is not affected with a contagious disease and shall verbally inform her of the effect of such certificate. Any woman who, after she shall have received a certificate that she is affected with a contagious disease and until she shall have received a certificate from the Health Officer that she is free from such disease, shall not or conduct herself as a prostitute shall be guilty of an offence against this Ordinance, and shall for a first offence be liable to imprisonment for a term not exceeding one month, and in the event of a second or subsequent offence, for any term not exceeding three months, and such women may be taken into custody without any warrant and she shall during such imprisonment be subjected to periodical examination and medical treatment.

Section 21. This Ordinance shall take effect and become law from and after the date of its publication.
AN ORDINANCE

TO ENFORCE THE PAYMENT AND TO FACILITATE THE RECOVERY OF RATES AND TAXES WITHIN THE MUNICIPAL DISTRICT OF APIA.

(Bc it enacted by the Municipal Council of Apia).

SHORT TITLE.

1. The Short Title of this Ordinance shall be "The Enforcement of Taxes Ordinance 1892."

INTERPRETATION.

2. The words Rates and Taxes used in this Ordinance shall mean and include all or any rates, taxes, license fees, and assessments payable by any person to the Municipal Council of Apia under any provision of The Final Act of the Berlin Conference on Samoan affairs, or under any Ordinance or Regulation enacted or passed by the Municipal Council in accordance with the provisions of the said Final Act, but shall not include Customs duties or Pilotage fees or Harbour dues.

3. The words Person includes company or corporation. The symbols used to indicate dollars and cents mean the coinage of the United States of America, or its equivalent.

WHEN RATES AND TAXES DUE.

3. All rates and taxes payable to the Municipal Council per annum under the provisions of the Final Act of the Berlin Conference on Samoan Affairs shall be held to be due and payable on and after the first day of January in each year.

Such rates and taxes as may be payable per month under the provisions of the said Final Act shall be held to be due and payable on and after the first day of every month in each year.

Such rates and taxes the manner and time of payment of which is not fixed by the said Final Act and such other rates and taxes as may be levied or imposed on person or property by the Municipal Council in accordance with the provisions of the said Final Act shall be held to be due and payable on and after such day or days as the Municipal Council may hereafter appoint.

PERSONAL TAXES.

4. All persons liable to pay any rates or taxes imposed upon or payable by them personally under Schedule E Section 2 Article VI, of the said Final Act or otherwise shall be served with a printed notice which shall be in the form of Schedule A hereto and signed by the President of the Municipal Council or by the officer acting under his authority. When personal service cannot be effected, it shall be sufficient to leave such notice addressed to the person for whom it is intended at his usual or last known place of abode or business in Apia.

TAXES ON PROPERTY.

5. All persons liable to pay any rates or taxes in respect of any property held, owned or occupied by them, shall be served with a printed notice in the
time of payment.

6. All persons liable to pay any rates or taxes as aforesaid shall pay the amount thereof within the time specified in such notice as aforesaid to the duly authorised officer in the Municipal Council Offices during office hours.

legal proceedings.

7. Should any person after service of such notice as aforesaid make default in payment of the rates or taxes in respect of which such notice has been served within the time specified in such notice, the President of the Municipal Council or the officer acting under his authority shall forthwith apply to the Municipal Magistrate for a summons requiring the defendant to appear before the Magistrate to answer the claim made against him. Such summons shall be in the form of Schedule C, hereto or as near thereto as circumstances may permit.

day of hearing.

8. Upon the proper authority making such application as aforesaid, the Municipal Magistrate shall issue such summons as aforesaid and fix a day for the hearing of the claim.

payment before hearing.

9. The defendant may at any time before the day fixed for hearing pay the amount claimed, together with the costs of the summons, to the Municipal Magistrate, who shall give a valid and sufficient receipt for the same and shall thereupon strike the case out.

hearing and judgment.

10. Should the amount claimed remain unpaid at the time fixed for hearing the Magistrate shall proceed to hear and determine the case, but should the defendant fail to appear, the Magistrate shall first satisfy himself that service of the summons has been duly effected.

seizure and sale.

11. Should judgment be given for the amount claimed or for any lesser amount, and the defendant fail to pay the amount recovered with costs within 24 hours after delivery of judgment, the Magistrate shall, at the request of the proper authority, issue a writ of seizure and sale of the personal property and effects of the judgment debtor in the form of Schedule D, hereto, and if there should be no property or effects upon which to levy execution, or should the amount realised by the sale of the judgment debtor’s personal property and effects be insufficient to cover the amount required to be paid and the costs, the Magistrate shall again summon the defendant to appear before him and shall examine him as to his income and means of support and may thereupon make such order for payment by instalments or otherwise as may seem just.

persons leaving samoa.

12. Should the competent officer at any time have reason to believe that any person liable to pay any rates or taxes is about to leave Samoan without paying such rates or taxes as may then be due and owing by him, the officer shall
apply to the Municipal Magistrate for a speedy summons requiring such person to appear before the Magistrate at once, in answer to the claim made against him, and if the circumstances of the case appear to the Municipal Magistrate to require it, the Magistrate shall issue an order for the arrest of such person and his detention in custody until the case has been dealt with according to Section 11.

SALE OF GOODS SEIZED.

13. Any goods or chattels seized as aforesaid shall be sold at the expiration of five days after such seizure has been made, provided that the owner or person in charge of any such goods or chattels may at his option direct and specify the order in which they shall be successively sold, and the same goods and chattels shall in such case be put up for sale by the officer of the Court seizing the same according to such direction. Provided also that, where such goods and chattels shall be of a perishable nature, the owner or person in charge may request that they be sold sooner, which request shall be complied with by the officer of the Court with as little delay as possible.

INVENTORY OF GOODS SEIZED.

14. At the time of making such seizure the officer of the Court shall make out a written inventory, a copy of which inventory shall be delivered to the occupant of the lands or premises or the owner of the goods and chattels so seized or the person in charge of the same, and in case there shall be no person at such place with whom such inventory can be left, then such inventory shall be posted on some conspicuous part of the land or premises on which such seizure has been made.

SCALE OF FEES.

15. The fees prescribed in Schedule D, hereto shall be payable to the Municipal Magistrate in respect of the proceedings taken under the provisions of this Ordinance and shall be paid by the person against whom an order for payment of rates and taxes shall be made hereunder by the Magistrate.

APPLICATION OF FEES.

16. All costs and fees paid to or received by the Municipal Magistrate under the provisions of this Ordinance shall be paid by him to the Municipal Council.

REPEAL.

17. The Ordinance to facilitate the collection of Duties and Taxes in arrear, dated the 17th day of September 1890, is, so far as it relates to rates and taxes payable to the Municipal Council, hereby repealed.

SCHEDULE A.

APIO MUNICIPAL COUNCIL OFFICE.

<table>
<thead>
<tr>
<th>Name</th>
<th>Occupation or Calling</th>
<th>Amount of Tax</th>
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<tbody>
<tr>
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</tbody>
</table>
To A B, above named.

Take notice that the above tax for the (month or year) ending 189 is now due and payable by you to this office, and you are further notified that, unless the said amount be paid by you within Fourteen days from the date hereof, legal proceedings will be commenced against you for the recovery of the amount claimed without further notice or demand.

Dated this day of 189

SCHEDULE B.

NOTICE OF ASSESSMENT AND RATE.

APIA MUNICIPAL COUNCIL OFFICE.

TO

Notice is hereby given that the undermentioned property has been assessed and rated by the Apia Municipal Council at the sums hereunder mentioned.

<table>
<thead>
<tr>
<th>Property assessed and rated and where situated</th>
<th>Assessed value for rating purposes</th>
<th>Amount and description of rate</th>
<th>Amount payable</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

You are hereby required to pay the above-mentioned amount into this Office within Fourteen days from the date hereof. Should you fail to pay the said amount within the said period of Fourteen days, legal proceedings will be commenced against you for the recovery of the said sum without further notice.

Dated this day of 189

SCHEDULE C.

FORM OF SUMMONS.

APIA MUNICIPAL MAGISTRATE'S COURT.

Between the Municipal Council of Apia represented by Claimant

and

Defendant.

To A B, the above named defendant.

You are hereby summoned to appear before this Court on the day of 189 at o'clock in
the particulars whereof are hereunder given. Should you fail to attend in compliance with this summons, the case may be heard and determined in your absence.

Given under my hand this day of 189

Municipal Magistrate.

SCHEDULE D.

WRIT OF SEIZURE AND SALE

APIA MUNICIPAL MAGISTRATE'S COURT.

Between the Municipal Council of Apia represented by Complainant

and

Defendant.

To Officer of the Court.

You are hereby commanded in the name and on behalf of the Municipal Council of Apia that of the personal property, goods and effects of within the Municipal District of Apia you cause to be made the sum of $ and also interest thereon at the rate of $10.00 per centum per annum from the day of which said sum of money and interest were lately in this Court in this action by order dated the day of ordered to be paid by the defendant to The Municipal Council, and that of the said personal property, goods and effects you further cause to be made the sum of $ costs ordered to be paid by this Court, and that you have that money and interest before this Court immediately after the execution hereof, and, that in what manner you shall have executed this writ, you make appear to this Court immediately after the execution hereof and that you have there then this writ.

Given under my hand this day of 189

Municipal Magistrate.

SCHEDULE E.

SCALE OF FEES,

<table>
<thead>
<tr>
<th>Description</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summons</td>
<td>1.50</td>
</tr>
<tr>
<td>Order of arrest</td>
<td>1.00</td>
</tr>
<tr>
<td>Writ of seizure and sale</td>
<td>5.00</td>
</tr>
<tr>
<td>Charge per day while Officer of Court in possession</td>
<td>2.00</td>
</tr>
<tr>
<td>Hearing Fee</td>
<td>1.00</td>
</tr>
<tr>
<td>Written judgment or order for payment</td>
<td>1.00</td>
</tr>
</tbody>
</table>

The following addition to the Enforcement of Taxes Ordinance 1892 has been passed by the Municipal Council, at its meeting on May 3rd, 1893, and approved by the Consular Board:

No. 5. That on proof being given to the satisfaction of the Magistrate, that any person liable to pay taxes or license fees is in destitute circumstances, it shall be lawful for the Magistrate to remit altogether or to postpone the payment of such tax or license fee, as the circumstances may require, and that this resolution shall be embodied, as an amendment in the "Enforcement of Taxes Ordinance 1892," by the Law Committee.
AN ORDER

Regulating Appeals from decisions of the Court of the Municipal Magistrate of Apia.

I.
Every appeal shall be brought by way of petition to the Supreme Court and be presented at the Clerk’s Office within twenty days from the date on which the decision appealed against was passed. The petition shall clearly and concisely set forth the grounds of the appeal, and the appellant will not be permitted to give evidence or argue upon other grounds than those specified in such petition; it shall be accompanied by a copy of the decision appealed against, certified by the Magistrate.

II.
Notice of the appeal shall be given by the appellant to the Magistrate and to the respondent within forty-eight hours next after the passing of the decision. This notice shall also contain the various grounds of appeal required in the petition as aforesaid.

III.
The appellant shall also as security for the due prosecution of the appeal deposit with the Magistrate a sum equal in amount to one half the fine inflicted, or, where no fine is inflicted, such sum not exceeding two hundred dollars, as the Magistrate may require, and such further sum, not exceeding twenty-five dollars for the payment of all costs certified by the Clerk of the Supreme Court as payable by the appellant to the respondent. The Magistrate may in lieu of such deposit accept other security for like amounts. Until such deposit be made or security given the decision may be acted upon as though no appeal were allowed.

IV.
In case an appellant shall fail to present such petition within the period aforesaid he shall be deemed to have abandoned his appeal, and the Magistrate may forthwith enforce the decision in like manner as if no notice of appeal had been given and may likewise, by order in writing, direct the amount of costs certified by the Clerk of the Supreme Court to be paid from the sum deposited as aforesaid, unless the same shall have been sooner paid.

V.
Notice in writing of the day on which the appeal will be heard shall be given on the part of the appellant to the respondent at least eight clear days before such appeal is to be heard.

VI.
The Supreme Court may dismiss any appeal, or may alter, reverse, or annul the decision appealed against, as it may deem just; provided always such Court may in its discretion receive any further evidence whether the witnesses adduced have been examined at the hearing before the Magistrate or not.

VII.
In case an appeal shall be dismissed, the Magistrate may enforce the decision appealed against as if no such appeal had been brought.

VIII.
All questions of costs shall be settled by the Supreme Court, and such Court shall have power to amend any defect or error in the proceedings as to such Court shall seem fit.

Given Mululu this 25th day of April in the year 1892.

C. CEDERCRANTZ.
REGULATION 1892

CONCERNING RIDING, AND DRIVING VEHICLES.

SECTION 1. The Rule of the Road to be observed by riders, and drivers of vehicles on meeting other vehicles, shall be to turn and keep to the right. Vehicles coming from behind shall pass on the left side.

SECTION 2. From 6 p.m. to 6 a.m. every vehicle shall show a lighted lantern.

SECTION 3. Any infraction of this regulation shall be punishable by a fine of not less than $0.50, and not higher than $5.00, or by imprisonment, not exceeding five days.

SECTION 4. This Regulation shall come into operation from the date of its publication.

AN ORDINANCE

TO PROHIBIT THE SALE AND SUPPLY OF INTOXICATING LIQUOR TO HABITUAL DRUNKARDS.

(Be it enacted by the Municipal Council of Apia)

1. The short title of this Ordinance shall be "The Habitual Drunkards Ordinance 1898."

2. "Intoxicating liquor" or "liquor" means any spirit, wine, ale, beer, porter, cider, perry, or other fermented, distilled, or spirituous liquor of any intoxicating nature. "Court" means the Apia Municipal Magistrate's Court.

3. When there is reasonable ground for believing that any person, by reason of habitual excessive drinking of intoxicating liquor, habitually abuses or endangers his family or is manifestly wasting his substance or becomes a public nuisance by habitual riotous and violent conduct or vile language in the presence or hearing of his neighbors or the public, any person may sign before the Municipal Magistrate and file in the Court a complaint in the form prescribed by Schedule A hereto.

4. Upon such complaint being filed in the Court, the Municipal Magistrate shall issue, and cause to be served upon, the person in respect of whom such complaint shall have been made a notice in the form prescribed by Schedule B hereto, appointing a day and time for the investigation of the complaint.

5. Upon the day appointed for such investigation the Court shall proceed to hear the evidence in support of the complaint and also all evidence (if any) adduced by the person complained against in answer, and if in the opinion of the Court the complaint shall have been sustained and proved, an order of prohibition in the form prescribed by Schedule C shall be issued, prohibiting all persons within the Municipality of Apia to sell or supply any liquor to the person in respect of whom such order is issued for the term of one year from the date thereof.

6. Should the person in respect of whom such complaint shall have been
made not be present at the time appointed for the investigation thereof, the Court shall before proceeding with such investigation, satisfy itself that notice has been duly served upon such person.

7. Every prohibition order issued under this Ordinance shall be published not less than three times in the newspaper authorised or provided for the publication of Municipal laws, ordinances and regulations and a copy of such order shall be posted in a conspicuous place in the public bar of every licensed hotel and public-house within the Municipality of Apia.

8. Every person who, after the issue and publication of such prohibition order, and while such order remains in force, shall sell supply or give any intoxicating liquor to any person in respect of whom such order shall have been made shall, on conviction thereof before the Court, be liable to be punished by a fine not exceeding $50 or imprisonment for a term not exceeding one month, or by imprisonment without the option of a fine, for the like term, or by both fine and imprisonment within the limits aforesaid.

9. Any person in respect of whom such order is made shall be entitled to an appeal therefrom to the Supreme Court, but such order shall remain in full force and not stayed by such appeal, until the Supreme Court shall have reversed or vacated such order.

10. This Ordinance shall take effect and become law from and after the date of its approval and publication.

SCHEDULE A.

APIA MUNICIPAL MAGISTRATE'S COURT.

A. B. on oath complains that he has reasonable grounds for believing and does believe that C. by reason of habitual excessive drinking of intoxicating liquor, habitually abuses or endangers his family (or, as the case may be, is manifestly wasting his substance and liable to become a pauper; or has become a public nuisance by habitual riotous and violent conduct or vile language in the presence or hearing of his neighbours or the public).

The complainant therefore applies for an order to be issued from the Court forbidding all persons to sell or supply to the said C. any intoxicating liquor.

Sworn at Apia this day of 189
before me.

E.
Municipal Magistrate.

SCHEDULE B.

APIA MUNICIPAL MAGISTRATE'S COURT.

To C. D.

Take notice that A. B. has this day sworn and filed in this Court a complaint in which he complains that you C. by reason of habitual excessive drinking of intoxicating liquor (Here state substance of complaint.) and the said A. B. therefore applies that an order may be issued from this Court forbidding all persons to sell or supply you with intoxicating liquor.
And take further notice that the said complaint will be heard and investigated by this Court on the day of 189 at the hour of o'clock in the noon, when you will be at liberty to adduce evidence in answer to the complaint.

Should you fail to be in attendance at the hour named, the Court may proceed to hear and determine the matter your absence notwithstanding.

Dated this day of 189

E. F.
Municipal Magistrate.

SCHEDULE C.

APIA MUNICIPAL MAGISTRATE'S COURT.

In the matter of "The Habitual Drunkard's Ordinance 1893."

ORDER:

Whereas it has been proved to the satisfaction of this Court that C. D. 
by reason of habitual excessive drinking of intoxicating liquor 
(Here state the nature of the complaint.)

Now therefore it is hereby strictly forbidden to any and all persons within the Municipality of Apia to sell, supply, or give to the said C. D. any intoxicating liquor within the period of one year computed from the day of the date hereof. Any person selling or supplying liquor to the said C. D. in contravention of this order will, on conviction thereof will be liable to punishment as prescribed by the above named Ordinance.

Given under my hand this day of 189

E. F.
Municipal Magistrate.

RESOLUTION.

By resolution of the Municipal Council on the 9th of November, and decision of the Chief Justice of Samoa, of the 22nd of December 1893 it has been provided,

That the Sergeant of Police be instructed that it is his duty not to release any prisoner taken into custody for breach of Municipal Regulations, until the Municipal Magistrate shall so order. But the prisoner shall forthwith be taken before the Magistrate, who shall release him until his trial, without bail or upon his own recognisance, or with suitable bail, as the circumstances of the case may in his judgment require.

AN ORDINANCE

FOR THE PREVENTION AND PUNISHMENT OF CRUELTY TO ANIMALS.

(Be it enacted by the Municipal Council of Apia.)
SHORT TITLE.

1. The Short Title of this Ordinance shall be "The Cruelty to Animals Ordinance 1893."

INTERPRETATION.

2. The word "Animal" in this Ordinance shall mean and include any horse, mare, gelding, bull, ox, cow, heifer, steer, calf, mule, ass, sheep, lamb, hog, pig, sow, goat, dog, cat, or any other animal.

"Court" means the Apia Municipal Magistrate's Court.

3. Every person who cruelly beats, illtreats, over-drives, or tortures any animal, or who drives, rides, or otherwise works or employs any animal, when such animal is by reason of sickness, lameness, sores, wounds, or otherwise in an unfit condition for such work or employment, shall for each such offence, on conviction thereof before the Court, be liable to a fine not exceeding $100, or in default of payment, to imprisonment for a term not exceeding 90 days.

4. Every person who, being the owner, or in charge, of any animal, wilfully omits to supply such animal with proper and sufficient food or water, shall for each such offence, on conviction thereof before the Court, be liable to a fine not exceeding $15, or in default thereof, to imprisonment for a term not exceeding 7 days.

5. Every person who kills or slaughters any animal, whether for consumption as food or otherwise, in such a manner as to cause such animal unnecessary pain, shall, for each such offence, on conviction thereof before the Court, be liable to a fine not exceeding $15, or in default of payment, to imprisonment for a term not exceeding 7 days.

6. Every person who shall convey or carry or cause to be conveyed or carried, in or upon any vehicle or means of transport or conveyance whatsoever, any animal in such a manner or position as to subject such animal to unnecessary pain or suffering, shall, on conviction thereof before the Court, be liable to a fine not exceeding $15, or in default of payment, to imprisonment for a term not exceeding 7 days.

7. Whenever any offence against the provisions of this Ordinance shall be committed within the view of any Police Officer, such officer may forthwith arrest and take into custody the offender, and remove to the public pound the animal or animals in respect to which such offence is committed. Such animals shall be detained and maintained in the pound until the charge against such offender shall have been heard and determined by the Court.

8. Such offender shall, on conviction, be required to pay the cost of the maintenance of such animal or animals in the pound in addition to the fine imposed upon him, the charges for such maintenance to be according to the scale prescribed in the Impounding Ordinance 1892.

9. Section 7 of this Ordinance shall in no wise restrict or affect the right of the Police or of any private person to proceed against any offender by way of complaint and summons.

10. This Ordinance shall have and take effect from and after the date of its approval and publication.

AN ORDINANCE

PROVIDING FOR THE PREVENTION AND ABATEMENT OF NUISANCES, AND FOR THE PUNISHMENT OF CERTAIN OFFENCES, AND REGULATING THE ERECTION AND REMOVAL OF CERTAIN BUILDINGS.

(Be it enacted by the Municipal Council of Apia)
1. The Short Title of this Ordinance shall be The Abatement of Nuisances Ordinance 1894.

2. "Public Place" means and includes every road, street, or highway, footpath, thoroughfare, bridge, or place of a public nature in the Municipality of Apia, or open to, or used by, the Public as of custom or right, and every place or room of public resort so open or used in the said Municipality, and also every wharf, jetty, or pier, whether private or public property, built upon or over, the shore, beach, or foreshore of Apia Harbour. — Apia "Harbour" means and includes the waters enclosed by a straight line drawn from the northern extremity of Matauta Reef to the northern extremity of Muilua Reef. — "Person" includes any private or public company or corporation. — Words indicating males also include females. — "Court" means the Apia Municipal Magistrate's Court. — "Health Officer" means the Health Officer appointed by, or holding office under, the Municipal Council of Apia. "Sergeant of Police" means the Sergeant of the Municipal Police of Apia or the officer for the time being having the superintendence or charge of the Municipal Police. — "Nuisance," when not particularly defined in subsequent sections or subsections of this Ordinance, means and includes anything injurious or dangerous to public life or health or public or private property. "Dollars" mean United States currency or its equivalent.

3. Every person who shall within the Municipality of Apia commit any of the offences specified in the following sub-sections, or who shall commit any other act in the nature of a nuisance, or of a nature likely to cause a nuisance, shall, for each such offence, on conviction thereof before the Court, be liable to a fine not exceeding Fifty Dollars United States Currency, or in default, to imprisonment for a term not exceeding Forty-eight days, or to imprisonment without the option of a fine for a term not exceeding Forty-eight days, or to both fine and imprisonment not exceeding the limits aforesaid.

(1) Who throws, casts, places, deposits, or leaves any bottles, glass, crockery, filth, dirt, rubbish, refuse, or other similar or noxious matter, in or upon any public place or in or upon any private property, without the consent of the owner or occupant thereof, or in or upon any place where such matter causes or is likely to cause a nuisance to the public or to persons living in the neighbourhood thereof.

(2) Who throws, casts, places, or deposits in the harbour of Apia or on the foreshore of the Municipality or in the shoal waters thereof any live animal, with the intention of drowning the same, or any dead animal or any part thereof.

(3) Or who throws, casts, places, or deposits in any river, creek, stream, watercourse, or spring or upon the banks thereof, or in or upon any other place where the supply of water for the inhabitants is obtained, any live animal, with the intention of drowning the same, or any dead animal, or any part thereof, or any offal, or animal remains, or any other offensive or deleterious matter, whether animal or vegetable, or who shall do any other act of a nature calculated to poison, defile, or pollute any such stream, river, creek, watercourse, or spring with any matter or substance whatsoever, which shall obstruct the flow of water or diminish the supply thereof.

(4) Who burns any litter, straw, shavings, rubbish, or any other combustible matter in or upon any place, whether public or private, in such a manner as to endanger any building, or to be offensive or injurious to his neighbours or the public.

(5) Who burns or consumes as fuel or otherwise, in any dwelling or cook-house, whether Samoan or otherwise, or in or upon any other building or in or upon any other premises or place, any material of such a nature or in such a manner, as to be disagreeable offensive or dangerous to his neighbours or injurious
or dangerous to health or property.

(6) Who permits to get, or allows to remain, in a dirty, unclean, or filthy condition, or who refuses or neglects to cleanse, any private yard, path, passage, or way owned, leased, occupied, or used by him, by reason of which negligence or refusal a nuisance by offensive smell or otherwise arises or is likely to arise.

(7) Who erects or keeps and maintains any pigstye, water-closet, urinal, or other offensive building, so near a public place, as to cause a nuisance or be likely to cause a nuisance by offensive smell or otherwise, whether the same be kept in a cleanly condition or otherwise.

(8) Who shall keep, or allow to get in such a condition or state as by reason of offensive smell, drainage, overflow, or otherwise, to cause a nuisance to his neighbours or the public, any pigstye, water-closet, or other closet, cesspool, or urinal, wherever the same may be situated.

(9) Who wantonly or maliciously or wilfully and without sufficient or reasonable excuse discharges any firearms, sets off any fireworks or other explosive material, or throws any stone or other missile in or on any public place or so near thereto as to injure endanger annoy or alarm any person.

(10) Who fires, lets off, explodes, or uses for the purpose of killing or capturing fish in any of the rivers streams creeks or water-courses in the Municipality or within Apia Harbour, any dynamite or other explosive.

(11) Who blasts any rock stone timber wreck or other matter with gunpowder dynamite nitroglycerine or other explosive in or near any public place or within Apia Harbour without having first obtained the written permission of the President or Chairman pro tempore of the Apia Municipal Council or who refuses or neglects to comply with any directions or instructions given by the President or Chairman at the time of or subsequent to the granting of such permission.

(12) Who wantonly or maliciously disturbs or annoys any person by ringing any bell, blowing any horn, beating any drum, or can, or using any other noisy instrument.

4. When complaint is made of a nuisance of a permanent or continuous nature the abatement or prevention of which is not otherwise provided for in this Ordinance, the Court upon such complaint being proved and substantiated, shall make such order as shall be necessary for the permanent abatement and cessation of such nuisance, subject to the right of appeal hereinafter contained, and any person in respect of whom such order shall be made, who shall neglect or refuse to comply with the same shall, on conviction thereof, be liable to the penalties prescribed in Section 3 of this Ordinance.

5. Every person who shall build or erect any house, shed, hut or other building having a roof of sugar cane, leaves, thatch or other similar material within 40 feet of any store, shop, dwelling house, or other building or premises, not the property of such person, built or constructed of weatherboard or other sawn timber or timber and standing at the time of the erection of such house, shed, hut or other building, shall, on conviction thereof before the Court, be liable, subject to the right of appeal hereinafter contained, to the penalties prescribed in Section 3 of this Ordinance and, subject to such right of appeal as aforesaid, the Court shall, on convicting such person, also order and require him to forthwith take down or remove such house, shed, hut, or other building. Should any building so ordered to be removed or taken down remain standing or unremoved for fourteen days after the making or giving of such order, the Court may order such building to be forthwith demolished, taken down or removed by
the police at the expense of the person who shall have erected the same or authorized the erection thereof. The amount of such expenses shall be ascertained and fixed by the Court, and in default of payment thereof within seven days after service of an order of the Court requiring payment, the defaulter shall be liable to imprisonment for a term not exceeding 28 days. Provided that in cases where the Board of Works is satisfied that any such house, shed, hut, or other building is not likely to be dangerous to surrounding or adjacent buildings, the same may be erected within the said limit of 40 feet according to the directions of the Board of Works as to the position thereof and after the written permission of the President has first been obtained.

6. If any building or erection shall, in the opinion of the Health Officer or the Sergeant of Police, be in a ruinous and dilapidated state and dangerous to passers-by or to the occupants thereof or to the adjacent or neighbouring buildings, or shall be constructed of such materials or in such manner, or shall be in a filthy or unclean condition as to be unfit for human habitation or dangerous to the public health or to public or private property, the Court shall, upon complaint being made, summon the owner or occupant thereof or both of them, and if the complaint shall in the opinion of the Court be proved and substantiated, the Court shall, subject to the right of appeal hereinafter contained, make such order for the removal repair renovation or cleansing of such building or erection as circumstances may require. Any person who shall neglect or refuse to comply with such order shall, upon conviction thereof before the Court, be liable to the penalties prescribed by Section 3 of this Ordinance, and upon such conviction, the Court may, subject to such right of appeal as aforesaid, order any such building or erection to be forthwith removed by the police at the expense of the person against whom such order shall have been made, and payment of such expense may be enforced in the manner prescribed by the last preceding section hereof.

7. Any person affected by any order or decision of the Court made or given under sections Four, Five and Six of this Ordinance may appeal therefrom to the Supreme Court of Samoa within the time prescribed by and otherwise in accordance with the rules and the regulations for the time being in force, regulating appeals from the Court to the Supreme Court of Samoa, and pending the decision of the Supreme Court on such appeal, all proceedings under any order or decision appealed against shall be stayed, but in the event of no notice of appeal being given within the time prescribed by such rules or regulations as aforesaid, the Court may direct that any such order or decision be forthwith enforced and carried into effect.

8. Regulation No. CXXIV and Section 5 of Regulation No. CXXXVI of the former Municipal Regulations 1879-1886 and subsections 1, 3, 4, 7, 8, 9 of section 3 of The Police Offences Ordinance 1892 are hereby repealed.

9. This Ordinance shall take effect and become law from and after the date of its publication.

RESOLUTION.

On May 2nd, 1894, it was resolved that all boats used for passenger traffic in Apia Harbour be inspected by the Chief of Police, to ascertain their safety and carrying capacity, and no boats, save such as have been approved by the Chief of Police, be allowed to carry passengers for hire. Any person committing a breach of this regulation shall be liable to a fine not exceeding five dollars U.S.C. or to imprisonment not exceeding five days.
AN ORDINANCE

REGULATING THE IMPORTATION OF AND DEALING WITH FIREARMS AND AMMUNITION

(Be it enacted by the Municipal Council of Apia.)

SHORT TITLE.
The Short Title of this Ordinance shall be “THE ARMS AND AMMUNITION ORDINANCE 1894.”

INTERPRETATION.
The word “President” means and includes the President of the Municipal Council of Apia, or any person acting under his special authority, or in case of a vacancy in this office, or in the absence of the President, the Municipal Magistrate of Apia, or any person acting under his special authority.

Section I. The importation into the Municipality of Apia of Arms and Ammunition, and of any implements for making Ammunition, by the natives of Samoa, or by the citizens or subjects of any foreign country, or by any alien whatsoever, is hereby prohibited, except in the following cases:

(a) Guns and Ammunition for sporting purposes for which licenses shall have been obtained from the President before ordering such Arms and Ammunition.

(b) Small Arms and Ammunition carried by travellers as personal appanage; not to exceed one rifle, one fowling piece, and one revolver for each traveller.

(c) Arms and Ammunition imported by the Samoan Government to protect itself and maintain order.

Section II. The sale of Arms, Ammunition and Implements for making Ammunition to any Native Samoan subject, or other Pacific Islander, resident in Samoa is also prohibited.

Section III. Every alien resident keeping Arms Ammunition or Gunpowder, shall furnish the President, upon his request, with statements showing the quantities of the before-mentioned articles, which he shall have on hand or in stock, and shall give such further explanation relating to transactions with such articles as the President may require.

Section IV. The President shall have the right to search from time to time the vessels and boats in Apia Harbour, and all stores or warehouses within the Municipal district in order to control the carrying out of the provisions of this Ordinance and also the same right to search specified dwelling houses within the district when he shall have reasonable cause to believe from the affidavit of one or more credible witnesses that Arms, Ammunition or Gunpowder, unlawfully imported or sold or intended for unlawful sale, are kept within the specified dwelling-houses; provided always that the competent Consular Representative shall be informed in time of such measure and shall have the right to watch the proceedings. If by the search, any Arms, Ammunition, Implements for making
Ammunition or Gunpowder be found, which have been imported or sold in violation of this Ordinance or which are kept for the purpose of unlawful sale, the President shall cause them to be seized and held until suitable legal action has been taken for their forfeiture or release.

Section V. Any Arms, Ammunition, Implements for making Ammunition or Gunpowder, imported or sold or proven to be kept for sale in violation of Section I. or II. shall be declared forfeited to the Government of Samoa by the Court.

Section VI. Whoever does, counsels, aids, abets, encourages or procures any other person to do any act contrary to Sections I. or II. shall on conviction be liable to a penalty of not less than $5 (five dollars) or five days imprisonment, and not exceeding $20 (twenty dollars) or twenty days imprisonment, or to both of such penalties in the discretion of the Court, for each firearm and to a penalty not less than $0.20 (twenty cents) or one day imprisonment and not exceeding $5 (five dollars) or to five days imprisonment or to both of such penalties in the discretion of the Court for each cartridge, or for each half pound of powder. Provided always that the total penalty in each case shall not exceed $200 (two hundred dollars) or one hundred and eighty (180) days imprisonment or both together.

Section VII. Whoever refuses to comply, or does not faithfully comply with the provisions of Section III. shall on conviction thereof be liable to a penalty of not less than $1 (one dollar) or one day imprisonment, and not exceeding $100 (one hundred dollars) or thirty days imprisonment, or to both such penalties in the discretion of the Court. Whoever shall unlawfully resist the President in the performance of the duties imposed upon him by Section IV. shall be punished as hereinbefore provided in this section.

In all prosecutions under this Ordinance either prosecutor or defendant shall be entitled to an appeal to the Supreme Court, irrespective of the amount of the penalty imposed.

Section VIII. This Ordinance shall take effect on the day of its publication.

INTOXICATING LIQUOR

PUBLIC attention is hereby drawn to the following regulations and resolutions of the Municipal Council concerning the trade in intoxicating liquors.

I. Regulations of the former Municipality 1879-1880, re-enacted by resolution of July 16th 1891.

a. No. IX. Anyone convicted of selling intoxicating drinks by retail without a license shall be fined not to exceed fifty (50) Dollars (and one half of the fine imposed shall be paid to the informer) or shall be imprisoned with or without hard labour not to exceed six weeks. Note.—Retail means less than an original case or less than two gallons of liquor imported in bulk.

b. XII. Any licensed publican who shall sell or supply liquor to any person in a state of intoxication shall on conviction thereof be fined not to exceed five (5) Dollars, and for the third offence his license may be cancelled.
c. No. CVIII. Any person supplying or conveying, or causing to be supplied or conveyed, any intoxicating liquor on board of any vessel in the harbour of Apia without an order in writing signed by the master of such vessel shall, on conviction, be fined not to exceed fifty (50) Dollars or sixty days of imprisonment. If a licensed publican or boatman be convicted of the above offence he shall be liable to have his licence cancelled.

d. No. CXXXII. Any person supplying intoxicating liquor to a policeman while on duty, shall be punished by a fine of not less than ten (10) Dollars or by imprisonment of not less than twelve days and not exceeding sixty days.

Any policeman who shall drink intoxicating liquor while on duty, shall be liable to be dismissed from the Municipal Police and to forfeit all wages then due to him.

II. Resolutions of the Municipal Council.

a. On the 28th of July 1891, it was proposed by Mr. Grevesmuehl and seconded by Mr. Meredith (That all licences be paid quarterly in advance and that a new quarter be commenced on October next, and) that new public house licences he granted only by the Council in session. Carried unanimously. (The passage printed in italics has become obsolete by later legislation).

b. On the 20th of August 1891 it was proposed by Mr. Dunnett and seconded by Mr. Meredith, that the former Municipal Regulation No. XI. to the effect that "No licensed public house shall be opened to the public before 5 a.m. nor after 11 p.m. on week days nor before 1 p.m. nor after 11 p.m. on Sundays, unless a special license has first been obtained for the occasion. Any breach of this regulation shall be punished by a fine of ten dollars, and such breach thereof shall be endorsed on the offender's license, which may be cancelled for the third offence" be again in force. Carried by 4 against 2 votes.

c. On the 20th of January 1892 it was proposed by Mr. Grevesmuehl and seconded by Mr. Edwards, to declare that the license of a tavern is attached to the premises, but that the transfer of a license to a new proprietor must be approved of by the Council. Carried unanimously.

d. On the 16th of September 1892 it was proposed by the President and seconded by Mr. Osenbrueg, that the transfer of license by the proprietor of a tavern to a manager or lessee, needs the previous approval of the Council. Carried unanimously.

III. Further provisions concerning the supply of intoxicating liquors are contained.

a. In the Liquor Prohibition Ordinance 1891.
b. In the Habitual Drunkard's Ordinance 1893.

F. SCHMIDT,
President of the Municipal Council.

Apia, November 20th. 1894.
MUNICIPALITY OF APIA.

CUSTOMS ORDINANCE.

AN ORDINANCE

CONCERNING THE COLLECTION OF CUSTOMS.

(Be it enacted by the Municipal Council of Apia)

SHORT TITLE.

Section 1. The Short Title of this Ordinance shall be "The Customs Ordinance, 1894."

INTERPRETATION.

Section 2. (a) "President" shall mean the President of the Municipal Council of Apia, or in his absence the chairman of that Council.

(b) "Collector" shall mean the Municipal Collector of Customs and taxes.

(c) "Customs Officer" shall mean any officer for the time being employed in the Customs Service.

(d) "Court" shall mean the Court of the Municipal Magistrate of Apia.

(e) "Sundays and Public Holidays" shall be excluded in the computation of time within which specified acts are required to be done by this Ordinance.

PORT OF ENTRY AND CLEARANCE.

Section 3. The port of Apia shall be the port of entry and clearance for all vessels arriving from and departing to foreign ports and carrying goods to be landed in or exported from the Samoan Islands.

IMPORT DUTIES.

Section 4. The following articles shall be free of duty:

(1) Returned goods for which duty has been paid already and for which no drawback has been granted.

(2) Passengers' luggage, except any article subject to a specific duty amounting to more than one dollar.

(3) Ships' stores when not landed,
(4) Coined money.

Section 5. The Collector may require the master of any vessel arriving from a foreign port:

(1) To produce all documents concerning the cargo shipped by the vessel;

(2) To furnish him with a list of the ship's stores;

(3) To procure him free access to all compartments of the ship or any article on board. Any such compartment or article may, when necessary in the opinion of the visiting custom officer, be placed under lock and seal;

(4) To stop any landing or transhipping of goods, until the ship and cargo have been sufficiently examined, or in the case of a transhipment, until Section 16 has been complied with.

Section 6. Copies in duplicate of the ships manifest, concerning the ship's cargo for the islands, with the certificate of identity and in accordance with the forms prescribed by the Municipal Council, shall be delivered to the Collector by the agents of any steamer arriving at Apia, and in the absence of such agents by the master or the purser of the steamer, within twenty-four hours and always before her departure; and in the case of a sailing vessel within three days after arrival.

Section 7. The master of every vessel arriving from foreign ports and approaching the port of Apia shall, on arrival, take on board the Customs officer who shall be desirous of landing her, (with or without the assistance of policemen) and the display of the Customs flag shall be sufficient evidence of the authority of such officer. A tidewater shall stay on board of any steamer as long as she is in the harbor, and superintend the landing of the goods. In the case of a sailing vessel, the tidewater shall seal all such provisions and goods as are subject to specific duties, with the exception of the quantities wanted for the use of the ship's crew during her stay in Samoa. Should any cargo be landed on board for importation or transhipping, the tidewater shall stay on board during the time of its discharge which may take place on week days between 7 a.m. and 5 p.m. The tidewater shall be boarded and lodged on all vessels in the customary manner.

Section 8. The receiver of any goods shall, not later than six days after the arrival of the vessel, hand to the Collector a declaration in duplicate, and in accordance with the forms prescribed by the Municipal Council stating the kind and quantity of the goods received, and as far as such goods are not subject to specific duties, their purchasing prices as shown by the invoices, and the amount of freight paid on them from the place of the purchase to the port of Apia. The declaration shall further contain a statement under oath that no firearms, cartridge-fellers or ammunition the importation of which would be contrary to the Berlin General Act or to any law or ordinance in force in Apia, are amongst the consigned cargo.

Section 9. All goods for which a declaration shall have been made may be landed and removed freely, provided always that the Collector (or the tidewater) shall have power to designate any packages to be examined by the Customs officers in one of the receiving sheds enumerated in the appendix to this Ordinance or other such sheds as shall be allowed by resolution of the Municipal Council. Such examination may also be made during two weeks after the landing of the goods in or upon any premises to which the goods may have been removed. Every entrance of a receiving shed shall be provided with a secure lock, the key of which shall be with the Collector.

Section 10. All goods for which a declaration has not yet been made shall be landed and stored, for the purpose of examination, in one of the receiving sheds mentioned in Section 9. All goods remaining unclaimed within six days after being landed may be stored in a Bonded Store, and all expenses of removal and storage will be charged to the owner. Postal parcels shall remain in the respective post office to be examined there.

Section 11. In no case shall the Treasury be liable for any expense connected with the transport of any goods to or from a receiving shed or bonded store, nor shall any compensation be made by reason of any loss occasioned to any
goods in any receiving shed or bonded store, by fire, theft or any inextricable accident.

Section 12. The receiver of any goods shall be entitled to be present at their examination, of which notice will be given.

Section 13. The Collector shall have power to require the receiver of any goods to produce the invoice, bill of lading or other documents referring to such goods.

Section 14. The Collector may appraise all goods arriving without invoice, or when in his opinion undervalued in the declaration, including the statement of freight. He may allow rebates for goods damaged during the voyage or in being landed. Any person dissatisfied with the appraisement made by the Collector may apply for a decision to the Municipal Magistrate.

Section 15. The amount of duty to be paid on any article shall constitute a fine charge on such goods, the seizure and disposal of which may be ordered by the Court, in course of the proceedings provided for in Section 20.

TRANSHIPPING.

Section 16. In the case of a transhipment of goods not landed in the islands, the Collector may require the consignee or owner to furnish him with a statement of the kind and quantity of goods to be transshipped.

BONDED STORES.

Section 17. The Municipal Council shall have power to issue, by resolution, to any fit person a license to keep a bonded store for the storage of goods without payment of duty, and also to cancel at any time or refuse to renew any such license.

Section 18. The licensee holder shall provide every entrance of the bonded store, with two different locks, the key of one of which shall remain in his possession, the other key remaining in the custody of the Collector. The Collector shall keep a book in which he shall enter the receipt and delivery of any goods from any bonded stores. Any Customs officer may at any time examine any bonded store and the goods therein.

DRAWBACKS.

Section 19. All imported goods for which duty has been paid shall, when reexported in the original packages and under the control of the Customs, be entitled to a drawback. But the statistical or value of duty shall not be refunded before the end of the fiscal year during which the respective goods have been re-exported, and unless the drawbacks claimed by any party for such goods during that year amount to $5. No drawback shall be granted before a certificate of landing issued by the competent authorities has been produced. When goods are exported to any place where there exists no such authority, the consignee, the master of the vessel and a third reputable person must sign a certificate of landing. When such goods are brought on board a vessel sailing beyond Samoa, to be consumed as ship's stores, the owner and the master of the vessel shall make a declaration as to the kind, quantity and value of the goods required.

EXPORT DUTIES.

Section 20. Any one who wishes to export any produce shall make, not later than twenty-four hours before the intended departure of the respective vessel, a declaration in duplicate, and in accordance with the forms prescribed by the Municipal Council, stating the kind and quantity of the produce to be shipped and its respective value, which may be fixed from time to time, as hereinafter, by resolution of the Municipal Council.

Section 21. The Collector shall have power to require the owner of any goods subject to export duty, and the master of any outgoing vessel, to produce
any documents referring to such goods.

Section 22. The President shall have power to grant permits, in cases and under the terms he thinks fit, not in conflict with this Ordinance, to any vessel to take in outward cargo at some place in the islands other than Apia, and to sail thence without visiting Apia again.

PENALTIES.

Section 23. Every person who shall be in any way engaged in the importation or exportation or in the removal from any receiving or bonded store of goods subject to duty, with the intention of evading any duty or part thereof, or his aiders and abettors shall be deemed guilty of smuggling and, on conviction thereof before the Court, shall be fined not less than $50 (fifty dollars) nor more than $200 (two hundred dollars) or in default of payment be imprisoned not exceeding six months. All goods so smuggled or attempted to be smuggled, and all launches, boats or other vehicles used for the purpose of smuggling, and belonging to the smuggler or his aiders or abettors may be seized by the Customs administration or the police, and shall be declared forfeited by the Court for the benefit of the Municipal Treasury. Any forfeiture shall attach and divest the property at the moment the smuggling or attempt of smuggling has been committed, and no sale or other change of property shall purge the forfeiture. The forfeited goods shall, upon the order of the Court, be sold at public auction, such sale to be advertised at least once.

Section 24. In all cases where any person shall be charged with smuggling or attempting to smuggle, it shall be incumbent on such person to prove the legal importation and the payment of duties required by the law.

Section 25. If the Collector shall have reason to suspect the concealment of any smuggled goods or of goods the importation of which is prohibited, in any house, vessel or other place, he shall, upon application to the Court, setting forth under oath, facts sufficient in the opinion of the Court to justify such suspicion, be entitled to a warrant to enter such house, vessel, or other place, and there to search for and seize any smuggled or prohibited goods.

Section 26. The proceeds of all forfeitures and penalties under section 23, after deducting the legal costs and charges, shall be divided as follows: One half shall be paid into the Municipal Treasury, one fourth to the person who gave the definite information which led directly to the seizure, or induced the prosecution, one fourth to the person who made the seizure. If no person has a claim as informer, than the one making the seizure shall be entitled to the one half.

Section 27. Every person who, without committing an offense against Section 23, does knowingly or out of gross negligence not comply with any of the provisions of Sections 5–10, 13, 16–18, 20–22 or with any lawful orders given by the competent officers in accordance with those provisions, shall be liable for every such offense, upon conviction thereof before the Court, to a fine not exceeding $100 (one hundred dollars) or in default of payment, to any term of imprisonment not exceeding three months.

Section 28. Nothing in Sections 23 to 27 inclusive shall be so construed as to prevent any of the Consular Courts or the Supreme Court of Samoa to inflict the proper penalties for common crimes or offenses committed in connection with any violation of the provisions of this Ordinance. From all convictions under this Ordinance an appeal shall lie to the Supreme Court of Samoa.

CIVIL PROCEEDINGS.

Section 29. Legal proceedings for the recovery of any import or export duties may be instituted in the same manner as provided for in Section 7–16 of the enforcement of Taxes Ordinance 1892, or as near thereto as circumstances may permit.
LIMITATION.

Section 30. All proceedings under this Ordinance must be instituted within one year from the event which led to them.

REPEAL.

Section 31. The Regulation concerning the provisional collection of customs and taxes, dated May 14th 1890, and the Ordinance to facilitate the collection of duties and taxes in arrear, dated September 17th 1890, are hereby repealed.

LAW TAKES EFFECT.

Section 32. The present Ordinance shall enter into force one week after its publication.

APPENDIX.

WHEREAS the Deutschen Handels & Plantagen Gesellschaft, by letter of July 20th 1894, has tendered for a Receiving Shed and a Public Bonded Store, the former to be the same as is used to receive the goods landed out of the Mail Steamer, and whereas the Municipal Council has, on October 13th 1894, passed a resolution, approved by the Consular Board, That the tenders of the D. H. & P. G. be accepted, and similar arrangements be provided for the Eastern District, there shall be, until further notice, the following receiving sheds:

1. The above named shed of the D. H. & P. G.
2. The shed situated in Apia, to be determined by resolution of the Council.

E. SCHMIDT.
President of the Municipal Council of Apia.

Apia, December 1st, 1894.
Errata.

Page 1 Line 4, "printed on page" add "37, 38."
P. 1, l. 2. of Regulation LXVII, for "direct removal," read "direct the removal."
P. 1, l. 2. of Regulation LXIX, for "All masters," read "And all masters." L. 6
for "If any," read "And if any." L. 7, for "neglects," read "neglects."
P. 1, l. 2. of Regulation LXX, for "complain," read "complain." P. 1, l. 3. Regulations LXXXIV and LXXXV are not in force.
P. 2. Lines 7 & 8 (counted from top of page.) That all vessels over 50 tons leaving the port etc. should be struck out.
P. 2, l. 5 and 6 of Regulation LXXV, for "the Imperial German Consulate" read "the store of Thomas Trud" and add footnote "the present I. German Consulate"
P. 2, l. 1 of Regulation LXXXI for "shall" read "shall."
P. 3. The Ordinance of September 2nd, and the Regulation of October 16th, 1891 should have been inserted behind the Quarantine Ordinance, p. 8. In l. 4 of said Regulation, for "orders," read "order."
P. 4, l. 5 of Section 7, for "months," read "months."
P. 5, l. 4 of Section 9, for "to fine," read "to a fine."
P. 7, l. 3. of Section 21, strike out comma behind "vessel."
P. 9, l. 3. of Section 13, for "of which, such vacancy," read "of which such vacancy."
P. 14, l. 2. of Section 3 of the Police Offences Ordinance Amendment Ordinances, for "of said section" read "of said section." P. 14, 15. The Ordinance concerning weeding has been printed already on p. 3, in its correct wording.
P. 17, l. 7. of Section 14, place comma between "bury" and "burn." L. 8, for "in the neighbourhood," read "to the neighbourhood." P. 9, l. 11. of the same Section, for "persons to converting," read "person so converting."
P. 17, l. 10 of Section 15, for "impounding," read "impounded."
P. 19, l. 4, for "Be it enacted by the Municipality," read "Be it enacted by the Municipal Council." P. 19, l. 4, of Section 2, for "(c) The Superintendent," read "(c) The term Superintendent." P. 20, l. 4. of Section 8, for "the fact that," read "the fact that."
P. 20, l. 2. of Section 8, for "shall sell supply," read "shall sell, supply." P. 31, l. 14 of Schedule C, for "will, on conviction thereof will," read "will, on conviction thereof, be."
P. 33, last line, behind "disagreeable," place a comma.
P. 34, l. 5. of Subsection 8, read "injure, endanger, annoy." P. 34, l. 2. of Subsection 10, read "rivers, streams, creeks." P. 34, l. 1 and 2 of Subsection 11, read "rock, stone, timber, wreck or other matter with gunpowder, dynamite, nitroglycerine." P. 35, l. 4. of Section 6, for "in such manner," read "in such a manner." P. 35, l. 10, read "removal, repair, renovation." P. 36, l. 1 of Section 3, read "Arms, Ammunition." P. 39, strike out the heading "Municipality of Apia, Customs Ordinance." P. 43, l. 1 of Appendix, for "the Deutche," read "the Deutsche."
APPENDIX E

Municipality of Apia: Regulations Concerning The Port of Apia

'Municipality of Apia: Regulations Concerning The Port of Apia', in 'WPHC 1/IV Prints relating to the affairs of the Samoans, 1875-1918'
WPHC 1/IV/5 (ANZ)
MUNICIPALITY
OF
APIA

REGULATIONS CONCERNING
THE PORT OF APIA.
Concerning the Port of Apia.

LXIV. — All vessels (except those belonging to the Samoan Group and engaged in the inter-island or coasting trade,) coming into and leaving the harbour of Apia, shall take the pilot licensed by the Municipal Board.

LXV. — The Pilotage shall be at the rate of (1$) Dollar per foot draught of water in, and One ($1) Dollar per foot draught of water out of port, and the Pilot may arrange with any captain for extra service, towing, use of boat, &c., &c.

LXVI. — All vessels coming into the port of Apia shall be anchored in such a position as the Pilot may direct. For changing any vessel from her moorings from one part of the harbour to another, the Pilot shall receive Five Dollars.

LXVII. — The master of any vessel desiring to change her from one place in the harbour to another shall notify the Pilot, who shall direct the removal, unless he has good and sufficient reason to the contrary.
LXVIII.—The Pilot may order the removal of any vessel so anchored as to obstruct the navigation in or out of the Harbour, or for any other good and sufficient reason; and any master of a vessel who shall refuse to comply with such order shall be liable to a fine of Ten ($10) Dollars.

LXIX.—The throwing of ballast into the harbour is hereby strictly prohibited. And all masters, or persons in command of vessels arriving in the port of Apia, and having ballast to discharge, shall notify the Pilot who will inform them where to deposit the same; and the Pilot shall take such precautions as he may deem necessary, when any vessel is receiving or discharging ballast, to prevent the same from falling into the harbour. And if any master or mate of a vessel receiving or discharging ballast shall neglect the necessary measures to prevent the same from falling overboard, on complaint of the Pilot a policeman shall be placed on board such vessel at the vessel’s expense to observe and report such carelessness or neglect, and the master of such vessel shall on conviction be fined for the first offence not to exceed One Hundred ($100) Dollars, nor less than Ten ($10) Dollars and costs of suit, and for each subsequent conviction, the fine shall be doubled.

LXX.—If any master or person in command of any vessel shall have reason to complain of any action of the Pilot he shall make such complaint to the Municipal Board.

LXXI.—A printed copy of the above regulations shall be handed by the Pilot to the master or person in command of every vessel which he may bring into port.

Dated Apia, Samoa, January 12th, 1880.

Concerning Trading Vessels.

LXXXIV.—The captain, owner, or supercargo of every vessel entering the waters of the Municipality for the purpose of trading shall take out a license within twenty four hours after arrival. Licenses may be obtained from the Treasurer on payment of the sum of Ten ($10) Dollars. Any breach of this Regulation shall be punished by a fine not to exceed Two Hundred ($200) Dollars.

LXXXV.—A printed copy of the preceding Regulation shall be furnished by the Pilot to the master or supercargo of each trading vessel on her arrival in harbour.

Dated at Apia, Samoa, May 12th A.D. 1880.
Concerning Quarantine.

XCVII. — A Health Officer shall be appointed for the Municipality of Apia, who shall act under the Quarantine Laws passed by the Municipal Board.

CIX — Section 1. A Quarantine Commission for the Municipality of Apia is hereby appointed, consisting of the three Consuls, who shall give orders in regard to vessels to be kept in quarantine as each case may require.

Section 2. To prevent the introduction of infectious or contagious diseases in the town of Apia, no communication, except by signal, shall be held with or from any vessel coming from beyond Samoa into the waters of the Municipality of Apia, before the Master of each vessel has signed the Certificate and Bond hereto attached, or before the Health Officer has admitted such vessel to pratique.

Section 3. The Pilot, or his substitute, shall go to every vessel nearing this port and coming from beyond Samoa, approaching her on the windward side, taking with him a yellow flag. Before boarding any such vessel he shall have a blank Certificate and Bond, in the form hereto attached, delivered to the Master. Upon completion, signing, and delivering of said Certificate and Bond, the Pilot may board the vessel, and she may enter the port.

Section 4. In case the Master declines to subscribe the Certificate and Bond the Pilot shall not go on board, but shall direct the Master to hoist a yellow flag at the fore (if there is no yellow flag on board the vessel the Pilot shall supply the same) and to remain off the port or proceed to the appointed quarantine ground or elsewhere, and anchor where the Pilot may direct, and the Pilot shall at once report to the Health Officer.

Section 5. Provided always that the Pilot may board a vessel under any circumstances if by his not doing so her safety would be endangered. Should the Pilot have been obliged to board a vessel coming from beyond Samoa the Master of which declines to sign the Certificate and Bond, then the Pilot shall order the yellow flag to be hoisted and remain on board until the Health Officer has admitted the vessel to pratique, or has disinfected the Pilot, his boat’s crew, and boat, properly accordingly to circumstances, and has given permission to the Pilot to leave.

Section 6. The Master of any vessel coming from beyond Samoa shall hoist the yellow flag immediately after being directed so to do by the Pilot, and shall keep the same hoisted until the Health Officer has admitted the vessel to pratique and
ordered the yellow flag to be hauled down; and the Master or other officer of such vessel shall not allow any communication with or from such vessel except by signal or by the Health Officer until she has been admitted to pratique by the Health Officer.

Section 7. The Health Officer on seeing a vessel hoist the yellow flag or on receiving information from the Pilot, shall proceed to the vessel and approach her to windward within speaking distance. He shall then by questioning the Master ascertain the reason why the former declines to sign the Certificate and Bond.

Section 8. If from the answers of the Master he has good reason to suspect that the vessel has any contagion on board, he shall order the vessel to remain in quarantine, to keep the yellow flag hoisted, and he shall at once report to the Quarantine Commissioners, who shall meet as soon as possible to investigate the case and decide according to circumstances.

Section 9. If the Health Officer has good reason to believe that there is no contagion on board such vessel he may go on board and examine her Bill of Health, her log-book and journal, and inspect her crew and passengers.

Section 10. If the Health Officer finds after inspection that there is no danger of any contagion being on board, he may admit the vessel to pratique and order the yellow flag to be hauled down.

Section 11. If he finds there is danger of any contagion being on board, he shall order the vessel to remain in quarantine, to keep the yellow flag hoisted, and he shall report to the Quarantine commissioners, taking good care after leaving the ship to disinfect himself and his boat's crew and boat, as circumstances may require, before he lands or communicates with any other vessel or boat.

Section 12. Every master and every Surgeon of any vessel which shall have sailed from a place where there shall have existed at the time of such sailing any infectious or contagious disease, or which shall have communicated otherwise than by signal with any vessel or place in which such contagious or infectious disease existed shall make a true declaration of such circumstances to the Pilot and Health Officer, who shall come on board or alongside such vessel.

Section 13. Every master or Surgeon of a vessel which shall have on board any person affected with any contagious or infectious disease shall declare
the same to the Pilot and Health Officer, and shall not attempt to conceal from the Health officer any person so affected, and shall bring every person on board such vessel before the Health Officer at his request for inspection, and the Master of any vessel shall, on the demand of the Health Officer produce for inspection by him the log-book and journal of such vessel.

Section 14. Every person on board of any vessel arriving at the port of Apia shall answer truthfully, and without evasion, any question that may be put to him by the Health Officer or Pilot, in order to find out whether there is danger of any contagion being on board such vessel.

Section 15. No person, save as herein before provided, shall approach or leave any vessel, on board of which the yellow flag is hoisted, until she has been admitted to pratique by the Health Officer and the yellow flag has been hauled down.

Section 16. A quarantine fee shall be paid by all vessels coming from beyond Samoa as follows:
—Vessels whose tonnage does not exceed 50 tons, 50 cents; vessels whose tonnage is over 50 tons and does not exceed 100 tons, One Dollar; vessels whose tonnage exceeds 100 tons shall pay 1 dollar more for every 100 tons or fraction thereof, and such fee shall be paid to the Treasurer of the Municipality.

Section 17. Any person committing a breach of any of the above Quarantine Regulations shall, on conviction, be punished by a fine not to exceed 200 Dollars or by imprisonment, with or without hard labour, not to exceed six months, or by both these penalties.

Section 18 All expenses caused to the Municipality by any vessel with regard to Quarantine, shall be borne by such vessel, or by the Master, Owners, Agents or Consignees thereof, and such vessel or persons shall be held responsible for the recovery of such expenses.

Section 19. Should any of the statements contained in the Certificate signed by the Master of any vessel be proved to be untrue, then the Master of such vessel shall forfeit the sum stated in the Bond, or any part of such sum, according to the decision of the Quarantine Commissioners, and such sum shall be recoverable in the manner provided for by Section 17.

Section 20. All forfeits or fines levied or paid for breaches of Quarantine Regulations shall be paid to
the Municipal Treasurer, to the credit of the Quarantine Fund, which shall be used by the Municipal Board to defray public expenses with regard to the public health of the Municipality. Section 21. No owner or any person whatever on board or connected with any vessel put in quarantine, nor any person importing or exporting or intending to export any goods or cargo in any such vessel shall have any claim against the Municipality for detention or any loss or expense incurred in connexion with quarantine.

Dated at Apia, Samoa, April 1st, a.d. 1881.

CXL. — The Pilot shall receive at least Five (5) Dollars piloting from every vessel he boards under the Quarantine Regulations.

Dated at Apia, Samoa, April 29th, a.d. 1881.

That all vessels over 50 Tons leaving the port of Apia for any place outside of the Samoan Group shall take a pilot and pay piloting at the usual rate.

Dated at Apia, Samoa, February 1st a.d. 1884.
APPENDIX F

Census List of Foreigners Residing within the Municipality of Apia
1880

'Census List of Foreigners Residing within the Municipality of Apia',
Samoa Times, 7 February 1880, pp.1-2; Transcription by Christine Liava'a.
CENSUS LIST OF FORMIGIN CARIBBEAN, RESIDING IN THE MUNICIPALITY OF APHA.

[Names marked thus: * or thus: ** subject to Poll-tax.]

AMERICAN:

Richard, M. L.; John Pracht, Thomas Young, John W. Peterson, Dr. H. J. Alcorn, David S. Parker, James N. S. Walker, Charles T. Walthall, James H. Allen, J. C. H. M. Newton, James M. Con-...
CONCERNING MECHANICS, CLERK'S, &c.

LXIII.—So much of Regulation XIX, Vol. I. No. 2, p. 71, under the name of "Laws", as applies to "Blacksmiths", "Boat-builders", "Stone-carvers", &c., hereby repealed, and every such person, if employed at his trade, shall take out of License, for which he shall pay dollars per annum.

LXXV.—Every Salmon, Book-keeper, and Clerk, whose salary, or pay does not exceed seventy-five (75$) dollars per annum, shall not be required to hold, or pay more than fifty dollars ($50) per month, shall be entitled to a License, for which he shall pay dollars per annum, and the said License shall be issued in the prescribed manner, according to Regulation No. 2000, and the said正文}

MUNICIPAL REGULATIONS

CONCERNING THE CITY FRONT.

LXXV.—Since it is desirable for the health of the city that the sewers be kept in a clean and sanitary condition, the proper authorities are empowered to regulate the building of structures of any kind whatever on the public street or sidewalk, and to require the construction of sewers or conduits for the conveyance of water and sewage, or to require the connecting of any existing or future building with the city sewer system. Any violation of this regulation shall be punished by a fine not exceeding two hundred dollars ($200), or three months imprisonment, or both. لكل واحد

JAS. DENISON, Mayor.

A. M. DAVIES, Clerk.

A. J. WALLACE, Treasurer.

M. B. TURNER, Assessor.

J. M. SMITH, Surveyor.

R. W. SMITH, Auditor.

J. A. BAKER, Treasurer.

J. H. DAVIS, Assessor.

C. W. HEWETT, Auditor.

J. H. SMITH, Surveyor.

J. H. DAVIS, Clerk.

J. H. SMITH, Treasurer.

J. H. DAVIS, Mayor.

J. H. SMITH, Clerk.

J. H. DAVIS, Treasurer.

J. H. SMITH, Surveyor.

J. H. DAVIS, Assessor.

J. H. SMITH, Auditor.

J. H. DAVIS, Mayor.

J. H. SMITH, Clerk.

J. H. DAVIS, Treasurer.

J. H. SMITH, Surveyor.

J. H. DAVIS, Assessor.

J. H. SMITH, Auditor.

J. H. DAVIS, Mayor.
# Transcription of 1880 Apia Municipal Census

(Transcribed by Christine Liava’a)

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