

[Act No. 1147, May 03, 1904]

AN ACT REGULATING THE REGISTRATION, BRANDING, CONVEYANCE, AND LAUGHTER OF LARGE CATTLE, AND PROVIDING FOR THE DISPOSITION, CARE, CUSTODY, AND SALE OF ESTRAYS OR LARGE CATTLE CAPTURED OR SEIZED BY THE PHILIPPINES CONSTABULARY OR OTHER PEACE OFFICERS, AND REPEALING ACT NUMBERED SIX HUNDRED AND THIRTY-SEVEN, AND SO MUCH OF ACT NUMBERED EIGHT HUNDRED AND SEVENTY-SEVEN AS PROVIDES FOR THE DISPOSITION, CARE, CUSTODY, OR SALE OF CATTLE, CARABAOS, HORSES, AND ANIMALS OF THE BOVINE FAMILY, AND ALL OTHER ACTS OR PARTS OF ACTS INCONSISTENT WITH THE PROVISIONS OF THIS ACT.

By authority of the United States, be it enacted by the Philippine Commission, that:

SECTION 1. For the purposes of this Act the term "large cattle" shall be held to include carabaos, horses, mules, asses, and all members of the bovine family.

SEC. 2. All owners of large cattle shall register at the office of the treasurer of the municipality of their residence the private brand or brands used by them in marking their cattle by filing in triplicate, with said municipal treasurer a true copy of said brand or brands, impressed or accurately drawn upon stout paper, approximately fifteen centimeters wide by twenty centimeters long. One of the triplicate copies of said brand or brands so filed shall be retained in the office of the municipal treasurer, the others shall be sent by him to the provincial treasurer and the Chief of the Bureau of Archives, one copy to each and it shall be the duty of the municipal treasurer, the provincial treasurer, and the Chief of the Bureau of Archives to file in their respective offices said copies of said brand or brands and to keep a record of the names of the owners thereof, alphabetically arranged, together with the ages, civil status, and occupations or professions of such owners.

SEC. 3. No person shall be permitted to register or file a duplicate of any brand theretofore registered in the name of another unless he produces to the municipal treasurer, at the time of presentation for registry and filing, satisfactory evidence that he has succeeded to the right, to such brand previously registered and filed; nor shall any person be permitted, to register or file with said municipal treasurer any brand likely to be mistaken for a brand or mark owned and previously registered by another.

SEC. 4. The municipal treasurer, on registering and filing any brand or mark, shall issue to the person registering and filing the same a certificate setting forth, over his own signature, the fact of registering and Tiling said brand, the date of registering and filing, the name, age, civil status, and occupation or profession of the owner of the brand, and a copy of the brand as near as may be.

SEC. 5. Each municipality shall have a distinctive mark or brand for the purpose, of branding large cattle owned by the municipality and of counter branding large cattle owned by persons in the municipality and not bearing the counter brand of and other municipality. Each municipality shall register and file a copy of its brand with

the provincial treasurer and with the Chief of the Bureau of Archives. The Insular Government, and each provincial government, shall have a distinctive brand for the purpose of branding large cattle owned by it. A copy of the brand of the Insular Government shall be filed with the Chief of the Bureau of Archives, and copies of provincial brands shall be registered and filed with the Chief of the Bureau of Archives and with the provincial treasurer of the province owning the brand.

SEC. 6. All unbranded cattle not less than two years old found within the jurisdiction of any municipality, shall be branded on the right side with the registered brand of the owner and counter-branded on the left hip with the registered brand of the municipality in which they are found.

The branding for which provision is made by this section shall be effected in the presence of the municipal president, the municipal treasurer, and the municipal secretary, or their representatives duly authorized in writing to act for them: *Provided, however,* That in provinces not organized under the Provincial Government Act such branding shall be effected in the presence of at least three persons appointed for this purpose by the provincial governor.

SEC. 7. Large cattle already branded with brand of ownership, and counter branded with the brand of the proper municipality need not be rebranded but the owner must register such animals with the municipal treasurer and secure the certificate of ownership mentioned in section eight unless previously registered under this Act.

Cattle imported for immediate slaughter need not be branded or registered but the provisions of section thirty of this Act must be complied with.

SEC. 8. The municipal treasurer shall register in a book, properly prepared and kept for the purpose, all branded and counter-branded animals presented for registry and not previously registered under this Act, and shall set forth in his registry entry the name, residence of the owner, and the class, sex, age, brands, knots of radiated hair commonly known as remolinos or cowlicks, and other marks of identification of the cattle registered. A copy of the entry shall be issued to the owner as a certificate of ownership, which certificate shall be *prima facie* evidence that the animal is the property of the person therein named as owner. The original registry entry and the copy thereof issued as a certificate of ownership shall be signed by the owner and by the municipal treasurer, and attested by the municipal secretary: *Provided, however,* That where the branding of cattle is effected in the presence of representatives of said municipal officials, the registry entry and the certificate of ownership shall be also signed or indorsed by such representatives as witnesses to the branding: *Provided further,* That in provinces not organized under the Provincial Government Act the registry entry shall be made and the certificate of ownership issued by the person designated by the governor of the province for that purpose, and countersigned or indorsed by the persons duly authorized to be present at the branding.

SEC. 9. Persons charged with the duty of branding or registering large cattle and issuing the proper certificates shall satisfy themselves of the ownership of the cattle so branded or registered, and shall take due care that no certificate of ownership is issued to any person other than the proper owner.

SEC. 10. Each certificate of registration issued shall have affixed to it a special

stamp of the value of one peso, Philippine currency, bearing the design prepared by the Bureau of Patents, Copyrights, and Trade-Marks, which stamp, after being affixed to the certificate, shall be duly canceled with the seal of the municipality. The stamps required by this section shall be paid for by the owner of the cattle, and the moneys received therefor shall be paid into the municipal treasury.

SEC. 11. Each animal must be separately registered, and no certificate of ownership shall cover more than one animal.

SEC. 12. Large cattle branded prior to the passage of this Act and registered in the various municipalities in accordance with subdivision (d), section forty-three of Act Numbered Eighty-two, known as the Municipal Code, or in accordance with Act Numbered Six hundred and thirty-seven, upon surrender to the municipal treasurer of the written evidence of such registry, must be re-registered under the provisions of this Act and a certificate of ownership issued to the owner without, charge and without affixing to the certificate the stamp required by section of this Act. In such case, the reregistration entry and the certificate issued thereon shall be stamped "Previously registered (insert date) day of,..... (insert month), 19.....(insert year); subdivision (d) section 13. Act No. 82 (or) Act No. 637.....(insert signature), municipal treasurer."

The written evidence of such previous registry shall be firmly attached to the retained office registry entry made under this Act.

SEC. 13. The municipal treasurer shall enter in a book, duly prepared and kept for the purpose, all transfers of large cattle, which entry shall set forth the name and residence of the owner, the name and residence of the purchaser, the purchase price of the animal or the consideration for the sale, the class, sex, age, brands, knots of radiated hair commonly known as remolinos or cowlicks and other marks of identification of the animal, and a reference by number to the original certificate of ownership, with the name of the municipality which issued it.

SEC. 14. On making the entry of transfer prescribed by the previous section, the municipal treasurer shall issue to the purchaser of the animal a certificate of transfer setting forth the name and residence of the owner or vendor, the name and residence of the purchaser, the purchase price of the animal or the consideration for the sale, the class, sex, age, brands, knots of radiated hair commonly known as remolinos or cowlicks, and other marks of identification of the animal transferred, and a reference to the original certificate of ownership by number, with the name of the municipality which issued such certificate.

SEC. 15. The entry of the transfer and the certificate of transfer shall be signed, in the case of organized municipalities, by the municipal treasurer and countersigned by the municipal president, the municipal secretary, and the owner and in the case of provinces not organized under the Provincial Government Act, and of townships, settlements, and rancherias not organized under the Municipal Code, by the owner and such person or persons as may be designated for the purpose by the provincial governor.

SEC. 16. No entry of transfer shall be made or certificate of transfer issued by the municipal treasurer or other proper official except upon the production of the original certificate of ownership and certificates of transfer and such other

documents or evidence as will show title in the owner, or, in the ease of loss of certificate of ownership or certificates of transfer, certified copies of the record showing that such documents were duly and properly issued, and it shall be the duty of the official custodian of the record to issue such certified copies on demand of the party entitled thereto without charge.

SEC. 17. On certificates of ownership and certificates of transfer, the municipal treasurer or other proper official shall carefully note in the proper place on the printed outline figure of the animal registered or transferred the brands, class, sex, age, knots of radiated hair commonly known as remolinos or cowlicks, and other marks of identification of the animal registered or transferred, giving such marginal description, where necessary, as willfully identify the animal.

SEC. 18. In case of sale, the owner shall deliver to the purchaser the original certificate of ownership and all certificates of intermediate transfer showing ownership in himself, and in case of loss of the original certificate of ownership, or of any of the certificates of intermediate transfer, certified copies of the proper entries showing such documents to have been issued by the proper official.

SEC. 19. Certificates of transfer shall be issued in the municipality where the contract of sale is made and consummated by the delivery of the cattle.

SEC. 20. Erasures, interlineations, or amendments in certificates of registry or transfer shall be presumed to be invalid unless noted over the signature of the official or persons issuing or executing the same.

SEC. 21. Each certificate of transfer issued shall have affixed to, it the stamp specified in section ten, which stamp, after being affixed to the certificate, shall be duly canceled by the municipal treasurer with the seal of the municipality. The stamp required by this section shall be paid for by the purchaser, and the moneys received therefor shall be paid into the municipal treasury. A separate certificate of transfer shall be issued for each animal sold or convoyed.

SEC. 22. No transfer of large cattle shall be valid unless registered and a certificate of transfer secured as herein provided.

SEC. 23. On the demand of the municipal president, municipal treasurer, municipal secretary, or of any Constabulary, police, or other peace officer, any person claiming to own large cattle shall produce and submit to such officer making the demand certificates of ownership and certificates of transfer showing his title thereto. In case of loss of certificates of ownership or certificates of transfer, certified copies of the entries showing the issuance, of the original documents may be furnished in lieu of the original papers.

SEC. 24. Any person refusing to produce on demand of the proper official, or within a reasonable time thereafter, the documents required by the section immediately preceding shall be punished by a fine of not less than ten pesos, Philippine currency, nor more than five hundred pesos. Philippine currency, or by imprisonment for not less than one month nor more than six months, or by both such fine and imprisonment, in the discretion of the court.

SEC. 25. All estrays and all animals recovered from thieves or taken by peace