

38. (1.) It shall be the duty of each District Council to repair and maintain in good repair, properly cambered and drained and clear of vegetation and fallen trees to the satisfaction of the Officer in Charge of Public Works or his representative, and without payment, all main roads and main tracks now existing or hereafter to be constructed in the district under its control, except only such as the Administrator shall decide are to be maintained at the cost of the Administration.

(2.) Any member of a District Council who without reasonable cause neglects or is party to neglecting to comply with the requirements of this clause and any person who, being required under the authority of a District Council to do any work or thing for the purpose of compliance with this clause, fails without good reason so to do, is liable to a fine not exceeding £2.

VILLAGE FUNDS.

39. There shall be established in respect of each Samoan village a fund under the control of the Pulenu'u into which shall be paid as it is received three-fourths of every sum collected on a fine inflicted by the Faamasino, or the Pulenu'u or the Pulefa'atoaga on any resident of such village.

40. The Pulenu'u shall keep, to the satisfaction of the Inspector appointed to examine his records, a record of all payments received or paid by him on account of the Village Fund, together with the name of the person paying or receiving the same, and the date of such payment or receipt, and together also with such vouchers as shall be required by such Inspector.

41. The Village Fund shall be expended by the Pulenu'u only, and for such purposes only as are of general benefit to the village.

42. (1.) Any Pulenu'u who shall fail to keep a record of a village fund in accordance with clause 40, or shall make any expenditure therefrom otherwise than in accordance with clause 41, shall be liable to a fine not exceeding £2, and shall also be liable civilly at the suit of the Administrator for any moneys which may have been lost through such failure or otherwise through the negligence of the Pulenu'u, or which may have been wrongly expended as aforesaid. Nothing in this clause shall take away or affect the liability of the Pulenu'u to be prosecuted for theft.

(2.) Any person who receives any money from a village fund knowing the same to have been paid otherwise than in accordance with clause 41 shall be liable to a fine not exceeding £2, and shall be also civilly liable at the suit of the Administrator to repay such money, notwithstanding that he may have given consideration therefor.

PLANTATIONS AND FOOD-SUPPLIES.

43. Subject to the rights of Samoans under the law governing the Native title to Native land, the Administrator is hereby empowered to provide from time to time for each able-bodied male Samoan in Samoa such area for cultivation as the Administrator may think fit out of Native land available for the purpose and not presently required by the Samoan owner thereof.

44. Subject as in the last clause provided, any Native land in the neighbourhood of a Samoan village not presently required by the Samoan owner thereof may, with the consent of the Administrator, be used by Samoan residents of that village for cultivation or other purpose approved by the Administrator.

45. Each District Council is hereby empowered and required—

(a.) To allot the Native land owned by the villages within its district, together with any other Native land made available under the last two preceding clauses, among the able-bodied male Samoans resident in the respective villages in its district in such manner that each such Samoan shall have as nearly as may be an area of ten acres for his cultivation; and