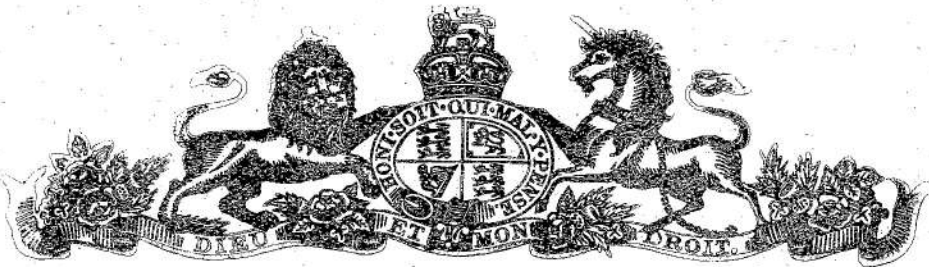


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# OFFICIAL GAZETTE

OF THE

## HIGH COMMISSIONER FOR SOUTH AFRICA.

PUBLISHED BY AUTHORITY OF HIS EXCELLENCY THE HIGH COMMISSIONER

VOL. LXIX.]

PRETORIA, FRIDAY, 26TH MARCH, 1920.

[No. 968.]

No. 7 of 1920.]

### PROCLAMATION

By His Excellency The High Commissioner.

Whereas it is desirable to make provision for the compulsory education of European children in Swaziland so far as is practicable.

Now therefore under and by virtue of the powers, authorities and jurisdiction conferred upon and committed to me by His Majesty under the Swaziland Order-in-Council 1903 as amended by the Swaziland Order-in-Council 1906 and the Swaziland Order-in-Council, 1909, I do hereby declare proclaim and make known as follows:—

#### PRELIMINARY.

1. In this Proclamation, unless inconsistent with the context—
  - "Administration" shall mean the Swaziland Administration;
  - "board" shall mean a school board constituted in accordance with section seven of this Proclamation;
  - "committee" shall mean a school committee constituted in accordance with the provisions of section five;
  - "district" shall mean an area defined under the provisions of section eleven of Proclamation No. 4 of 1907;
  - "inspector of education" shall mean any inspector appointed under Transvaal Ordinance No. 7 of 1903, as in force in Swaziland, or this Proclamation, or any person lawfully acting in such capacity;
  - "parent" shall mean the father of a child and if there be no father the mother of such child and if the father and the mother of a child be dead or absent from such child's usual place of residence the person having actual custody or control of such child;
  - "primary education" shall mean the education given in a primary school;
  - "primary school" shall mean a public school at which all children in attendance follow the course of primary instruction prescribed by regulation;
  - "public school" shall mean any school for European children established, maintained or aided by the Administration;
  - "standard" shall mean as the context shall require—
    - (i) a course prescribed by regulation for any class, or group of children in a primary school or a course deemed by the inspector of education to be equivalent to such prescribed course; or
    - (ii) the class or group of children who are following such prescribed course or equivalent course.
2. The High Commissioner may from time to time appoint inspectors of education who shall have such powers and shall perform such duties as may be conferred or imposed upon them by this Proclamation or assigned to them by the Resident Commissioner in so far as the same are not inconsistent with this Proclamation.
3. (1) It shall be the duty of the parent of every European child who has completed his seventh year, but has not completed his fifteenth year to cause such child to attend regularly at a school unless such child—
  - (a) is in the opinion of the committee receiving efficient instruction in some other manner;
  - (b) is prevented from ill-health or any other cause whether temporary or permanent which the committee may deem a sufficient excuse for non-attendance;
  - (c) is in regular employment and has satisfactorily completed the course prescribed for the fifth standard of primary schools or an equivalent course whereof a certificate under the hand of an inspector of education shall be conclusive evidence.
- (2) Where any child referred to in sub-section (1) resides at a distance of more than three miles by the nearest road from any school the provisions of sub-section (1) shall not apply to the parent unless—
  - (a) the financial position of the parent is in the opinion of the committee of the nearest school such that he can reasonably be required to provide for his child's attendance at school whether wholly at his own expense or with the assistance of such facilities in regard to transport and boarding arrangements as may be provided by the Administration or by any person with the approval of the Resident Commissioner, or

(b) the Administration has provided facilities for transport or boarding bursaries available for his use by means of which he could in the opinion of such committee reasonably provide for his child's attendance at school.

(3) It shall be the duty of the parent of every European child who has either completed his fifteenth year or has satisfactorily completed a course prescribed for the fifth standard and remains on the school roll, to cause such child to attend regularly at school.

4. Any person authorized thereto in writing by the chairman of the board, or if there be no board, of the committee of the nearest school in the district may prosecute summarily in the Court of Assistant Commissioner having jurisdiction for any contravention of the preceding section and the provisions of any law relating to prosecutions by private persons shall apply in respect thereof and it shall not be necessary to obtain a certificate signed by the Crown Prosecutor that he declines to prosecute.

5. (1) A committee consisting of not less than five and not more than seven members (as the Resident Commissioner may determine) may be elected for any public school by parents resident in Swaziland, who at the time of election have one or more children on the roll of such school. Where convenient the Resident Commissioner may direct that one committee shall be elected to represent two or more schools situated in the same district.

(2) Every such committee shall hold office for a period of three years; provided that for the purpose of this sub-section a committee elected (or nominated) prior to the date of this Proclamation shall hold office for a period of one year from the date of this Proclamation.

(3) The Assistant Commissioner of the district in which the school is situated shall be *ex officio* chairman of the committee.

6. The election of a committee for any school or schools shall be carried out under the direction of the Assistant Commissioner for the district in which such school is situate and the Assistant Commissioner shall call for nominations and make any arrangements necessary for the taking of a poll.

7. The Resident Commissioner may approve the establishment of a board for any district. Every such board shall be constituted of members of school committees in the district, each school committee having the right to elect one of its members to be on such board. Any member of a board ceasing to be a member of a school committee shall *ipso facto* cease to be a member of the board. Subject to this provision a member of a board shall hold office for a period of three years. The Assistant Commissioner of the district shall be *ex officio* chairman of the board.

A board shall advise the Administration in all matters connected with the provision of schools and school accommodation in its district and other educational matters affecting Europeans.

The members of a board may be paid from the funds of the Administration subsistence or personal allowances for attendance at board meetings at the rates and subject to the conditions applicable in the case of witnesses attending court on subpoena.

8. The Resident Commissioner may make regulations not being inconsistent with this Proclamation providing for the conduct of the business by committees and boards, the number of members who shall constitute a quorum in each case, the election of a chairman in the absence of the Assistant Commissioner, places of meeting, and such other matters as may in his opinion be necessary for the proper conduct of their business.

9. The expenditure incurred by any board or committee in the discharge of the duties imposed upon it by this Proclamation shall be defrayed out of the revenues of the Territory; provided that the approval of the Resident Commissioner shall be obtained by such board or committee to any expenditure so to be incurred.

10. This Proclamation may be cited for all purposes as the Compulsory Education (Swaziland) Proclamation 1920, and shall have force and effect from the first day of April 1920.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Eighteenth day of March One thousand Nine hundred and Twenty.

BUXTON,  
High Commissioner.

By Command of His Excellency  
the High Commissioner,

H. J. STANLEY,  
Imperial Secretary.

(Printed by the Government Printer, Pretoria.)



No. 9 of 1920.]

**PROCLAMATION**

By His Excellency THE HIGH COMMISSIONER.

Whereas it is expedient to increase the amount of the export duty payable under the Bechuanaland Protectorate Cattle Export Duty Proclamation 1916 (herein after referred to as "the said Proclamation") and otherwise to amend the said Proclamation;

Now therefore under and by virtue of the powers in me vested I do hereby declare proclaim and make known as follows:—

1. Section one of the said Proclamation shall be and is hereby amended by the deletion of the words "two shillings and sixpence" and the substitution thereof of the words "five shillings."

2. Section six of the said Proclamation shall be and is hereby amended by the insertion therein before the word "calf" of the word "weaned."

3. This Proclamation shall be read as one with the said Proclamation and shall have force and take effect from the first day of April 1920.

GOD SAVE THE KING.

Given under my Hand and Seal at Muizenberg this Twenty-second day of March One thousand Nine hundred and Twenty.

BUXTON,

High Commissioner.

By Command of His Excellency

the High Commissioner.

H. J. STANLEY,

Imperial Secretary.

(Printed by the Government Printer, Pretoria.)

No. 10 of 1920.]

**PROCLAMATION**

By His Excellency THE HIGH COMMISSIONER.

Whereas it is expedient to regulate the control of churches and schools built on native areas in Swaziland;

Now therefore under and by virtue of the powers, authorities and jurisdiction conferred upon and committed to me by His Majesty under the Swaziland Order-in-Council 1903 as amended by the Swaziland Order-in-Council 1906 and the Swaziland Order-in-Council 1909, I do hereby declare proclaim and make known as follows:—

1. Where any missionary society or any persons belonging or adhering to a missionary society have erected or caused to be erected or shall hereafter erect or cause to be erected on a native area any building for the purpose of its being used by the society as a church or school for the benefit of the native inhabitants of the Territory, such building shall be deemed to be under the sole control of such society which shall have the right to keep open such means of access thereto for its officers members and adherents as may be reasonably necessary for the purposes thereof.

Provided that the permission prescribed by section two of Proclamation No. 39 of 1910 has been obtained by the society or by a European officer or member thereof and remains in force in respect of such building;

And provided further that any such building is in fact solely or mainly used by the society for the purposes of a church or school for the benefit of the native inhabitants of the Territory.

2. The term "missionary society" as used in this Proclamation shall include any recognized religious body.

3. Any person coming or being found upon any premises to which section one applies without the consent of the society shall be deemed to be a trespasser on such premises and any remedy which would in law be competent to the society if it were the owner of the land in question shall be available to it against any such person.

GOD SAVE THE KING.

Given under my Hand and Seal at Muizenberg this Twenty-second day of March One thousand Nine hundred and Twenty.

BUXTON,

High Commissioner.

By Command of His Excellency

the High Commissioner.

H. J. STANLEY,

Imperial Secretary.

(Printed by the Government Printer, Pretoria.)

**HIGH COMMISSIONER'S NOTICE No. 23 of 1920.**

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to approve the following appointment in the Basutoland Service:—

Geoffrey Thomas Stanley Clarke to be Clerk to Assistant Commissioner, with effect from 1st August, 1919

By Command of His Excellency

the High Commissioner.

H. J. STANLEY,

Imperial Secretary.

High Commissioner's Office,  
Capetown, 17th March, 1920.

**HIGH COMMISSIONER'S NOTICE No. 24 of 1920.**

It is hereby notified for general information, under sub-section (9) of section fifteen of the Swaziland Administration Proclamation, 1907, as amended, that His Excellency the High Commissioner has been pleased to fix Monday, 19th April, 1920, or so soon thereafter as the Court can assemble, as the date of the opening of the April Term of the Special Court of Swaziland established under the said Proclamation.

By Command of His Excellency

the High Commissioner.

H. J. STANLEY,

Imperial Secretary.

High Commissioner's Office,  
Capetown, 18th March, 1920.

**HIGH COMMISSIONER'S NOTICE No. 25 of 1920.**

It is notified for general information that, in terms of the regulations made under section two of the Swaziland Diseases of Stock Proclamation, 1918, His Excellency the High Commissioner hereby declares the Hlatikulu District of Swaziland, the boundaries of which are defined by High Commissioner's Notice No. 8 of 6th February, 1908, to be an infected area on account of East Coast fever.

By Command of His Excellency  
the High Commissioner.

H. J. STANLEY,

Imperial Secretary.

High Commissioner's Office,  
Capetown, 19th March, 1920.

(Printed by the Government Printer, Pretoria.)

**HIGH COMMISSIONER'S NOTICE No. 26 of 1920.**

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint the following gentlemen to be Justices of the Peace for the Bechuanaland Protectorate:—

Dr. Donald MacKenzie MacRae.

Dr. Duncan MacKenzie MacRae.

William Henry Chase, Esquire.

Frank Macley Hill, Esquire.

By Command of His Excellency  
the High Commissioner.

H. J. STANLEY,

Imperial Secretary.

High Commissioner's Office,  
Capetown, 22nd March, 1920.

**AMENDED NOTICE.**

Insolvent Estate of JOHN WILLIAM McLAREN, of Gaborones, Bechuanaland Protectorate, carrying on business under the style or firm of J. W. McLAREN & COMPANY.

Notice is hereby given that the undersigned having been duly elected Sole Trustee of the above Estate and having been confirmed in his appointment by the Master for the Bechuanaland Protectorate, the Third Meeting of Creditors in the above Estate will be held before the said Master at his Office, in Mafeking, on Tuesday, the 30th March, 1920, at 10 o'clock a.m., for the purpose of—

(a) receiving the Report of the Trustee as to the condition of the Insolvent Estate;

(b) for the Proof of Debts; and

(c) for giving the Trustee instructions as to the further management of the Estate and the disposal of assets.

Dated at Mafeking, the 20th day of March, 1920.

ARCH. G. GUTHRIE,

Sole Trustee.

**NOTICE.****LOST DEED OF CESSION.**

Notice is hereby given that we intend applying for a certified copy of lost Deed of Cession No. 48/1916 Sw., dated 8th June, 1916, whereby all the right, title, and interest in and to certain portion C of Grazing Concession No. 11 L, situate in the District of Mbabane, South Mankaiana, measuring 877 morgen 454 square rods, was ceded by Stefanus Nell to Coenraad Frederik Labuschagne; and all persons having objections to the issue of such copy are hereby required to lodge the same in writing with the Registrar of Deeds for Swaziland in Pretoria within three months from the date of the first publication of this notice.

Dated at Pretoria, the 11th February, 1920.

FINDLAY &amp; NIEMEYER,

Applicant's Attorneys.

187 Pretorius Street, Pretoria.

[5-12-19-26]

**REGISTRATION OF BUSINESSES ACT, No. 36 OF 1900.**

Notice is hereby given that the wayside hotel business known as the Hlatikulu Hotel, bar and bottle store, carried on by FINDLAY CUMMING at Hlatikulu, Swaziland, has been sold and transferred to HENRY FLETT as from the 14th day of February, 1920, and will in future be carried on by the said HENRY FLETT for his sole benefit under the style or name of THE HLATIKULU HOTEL at Hlatikulu.

E. J. ENGELBRECHT,

Hlatikulu, Swaziland,

Attorney for the above parties.

[12-19-26]