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OFFICIAL GAZETTE

OF THE HIGH COMMISSIONER FOR SOUTH AFRICA.

PUBLISHED BY AUTHORITY OF HIS ROYAL HIGHNESS THE HIGH COMMISSIONER

VOL. LXXXII.]

PRETORIA, FRIDAY, 29TH JUNE, 1923.

[No. 1141.]

No. 29 of 1923.]

PROCLAMATION

By HIS ROYAL HIGHNESS THE HIGH COMMISSIONER.

Whereas it is expedient to make further provision for the punishment of offenders in the Bechuanaland Protectorate;

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

1. Whenever a person is convicted before any court in the Bechuanaland Protectorate of any offence (except an offence specified in the First Schedule to this Proclamation) the court may in its discretion,

- (a) postpone for a period not exceeding six months the passing of sentence and release the offender on one or more conditions (whether as to compensation to be made by the offender for damage or pecuniary loss, good conduct or otherwise) as the court may order to be inserted in recognizances to appear at the expiration of that period; or
- (b) pass sentence but order the operation of the sentence to be suspended for a period not exceeding three years on such conditions (whether as to compensation to be made by the offender for damage or pecuniary loss, good conduct or otherwise) as the Court may specify in the order; or
- (c) pass sentence of a fine, or in default of payment, imprisonment, but suspend the issue of a warrant for committing the offender to a gaol in default of payment until the expiry of such period not exceeding twelve months as the court may fix for payment, in instalments or otherwise, of the amount of the fine or until default has been made by the offender in the payment of the fine or any such instalments, the amounts of any instalments and the dates of payment thereof being fixed by order of the court; or
- (d) discharge the offender with a caution or reprimand.

If at the end of the period for which the passing of sentence has been postponed under paragraph (a) the offender has observed all the conditions of the recognizances, the court may discharge the offender without passing any sentence.

If the operation of a sentence has been suspended under paragraph (b) and the offender has during the period of the suspension, observed all the conditions specified in the order, the sentence shall not be enforced.

If the conditions of any order made or recognizance entered into under this section be not fulfilled, the offender may, upon the order of an assistant commissioner or resident magistrate, be arrested without warning and shall be committed to undergo the sentence of imprisonment which has been or may then be lawfully imposed.

If an offender has been discharged with a caution or reprimand under paragraph (d), he shall be deemed to have been discharged without a verdict being given, and the discharge shall have all the effects of an acquittal.

2. (1) Any person who, having been convicted on two or more separate occasions (either in the Bechuanaland Protectorate or elsewhere, and whether before or after the coming into operation of this Proclamation) of any such offence as is mentioned in the Second Schedule to this Proclamation shall if he be thereafter convicted before the Special Court of the Bechuanaland Protectorate or before any court of an assistant commissioner or resident magistrate of any of these offences whether committed before or after the coming into operation of this Proclamation be liable to be declared by the court before which he is then convicted an habitual criminal, provided that such declaration shall be subject to confirmation by the High Commissioner, and where the same is not confirmed the High Commissioner may substitute therefor such sentence of imprisonment with or without hard labour as he may think fit.

(2) An habitual criminal shall be detained with hard labour in a prison during the High Commissioner's pleasure and shall not be released unless and until the High Commissioner upon a report from the Resident Commissioner or after communicating with the Resident Commissioner considers that there is reasonable probability that the habitual criminal will in future abstain from crime and lead a useful and industrious life or that he is no longer capable of engaging in crime or that for any other reason it is desirable to release him.

(3) The High Commissioner may subject to the provisions of the preceding sub-section order the release on probation of the habitual criminal for any period, and on any conditions as to supervision or otherwise, which the High Commissioner may determine or may order the unconditional release of that criminal.

(4) Any person so released on probation who shall fail to observe any condition of his release may be arrested and recommitted to prison by warrant under the hand of the Resident Commissioner and shall be detained in prison as if he had not been so released.

(5) If a person so released on probation complete the period thereof without breaking any condition of his release he shall no longer be deemed an habitual criminal.

(6) The Resident Commissioner shall furnish to the High Commissioner at least once in every year a report in writing containing detailed particulars relative to the history, conduct, and industry of each habitual criminal detained in prison in the Bechuanaland Protectorate.

3. This Proclamation may be cited as the Bechuanaland Protectorate Punishment of Offenders Proclamation 1923 and shall have force and take effect from the date of its publication in the Gazette.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Twenty-second day of June One thousand Nine hundred and Twenty-three.

ARTHUR FREDERICK,
High Commissioner.

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

FIRST SCHEDULE.

Public violence.
Murder.
Culpable homicide.
Rape.
Assault with intent to do grievous bodily harm.
Indecent assault.
Robbery.
Forgery or uttering a forged document knowing it to be forged.
Fraudulent insolvency.
Offences relating to the coinage.
Any offence in respect of which a minimum punishment is by law imposed.
Any conspiracy, incitement or attempt to commit any of the above-mentioned offences.

SECOND SCHEDULE.

Rape or any statutory offence of a sexual nature against a girl of or under a prescribed age.
Robbery.
Assault with intent to commit murder, rape or robbery, or to do grievous bodily harm, or indecent assault.
Arson.
Fraud.
Forgery or uttering a forged document knowing it to be forged.
Offences relating to the coinage.
Breaking or entering any premises (whether at common law or in contravention of any statute) with intent to commit an offence.
Theft either at common law or as defined by any statute.
Receiving stolen property well knowing the same to have been stolen.
Extortion or threats by letter or otherwise with intent to extort.
Offences described in any law for the suppression of brothels and the punishment of immorality.
Offences against the laws for the prevention of illicit dealing in or possession of precious metals or precious stones or against any law relating to intoxicating liquor or any law regulating the possession or disposal of arms or ammunition.
Any conspiracy, incitement, or attempt to commit any of the above-mentioned offences.

(Printed by the Government Printer, Pretoria.)

No. 30 of 1923.]

PROCLAMATION

By His Royal Highness THE HIGH COMMISSIONER.

Whereas it is expedient to provide for the raising of Revenue in the Bechuanaland Protectorate by the imposition of a tax on income, in respect of the year ending the 30th day of June, 1923, and to fix the rates of income tax to be levied in respect of that year:

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

1. In terms of sub-section (3) of section five of the Bechuanaland Protectorate Income Tax Proclamation 1922 (hereinafter referred to as the said Proclamation) there shall be levied in respect of incomes (as in the said Proclamation defined) received by or accrued to or in favour of any person during the year ending the 30th day of June, 1923, an income tax at the rates for each pound of taxable amount specified in section nine of the said Proclamation.

2. This Proclamation may be cited for all purposes as the Bechuanaland Protectorate Income Tax Proclamation, 1923, and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Twenty-second day of June One thousand Nine hundred and Twenty-three.

ARTHUR FREDERICK,
High Commissioner.

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

(Printed by the Government Printer, Pretoria.)

No. 31 of 1923.]

PROCLAMATION

By His Royal Highness THE HIGH COMMISSIONER.

Whereas it is desirable to make provision out of the public revenue or other funds of Swaziland for the service of the year ending on the 31st day of March, 1924:

Now therefore under and by virtue of the powers, authorities and jurisdiction conferred upon and committed to me 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. The public revenue or other funds of Swaziland are hereby charged towards the service of the year ending on the 31st day of March 1924 with a sum of £89,565 (Eighty-nine thousand Five hundred and Sixty-five pounds).

2. The moneys granted by this Proclamation shall be applied to the purposes and services set forth in the Schedule hereto annexed and more particularly specified in the Estimates of the Expenditure of Swaziland for the year ending on the 31st day of March 1924 submitted to and approved by the Secretary of State for the Colonies.

3. The moneys granted by this Proclamation shall not be issued or applied to any use intent or purpose other than the particular service to which the said amounts have been granted respectively by this Proclamation.

4. This Proclamation may be cited as the Swaziland Appropriation 1923-24 Proclamation 1923 and shall be deemed to have had force and to have taken effect from the 1st day of April 1923.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Twenty-second day of June One thousand Nine hundred and Twenty-three.

ARTHUR FREDERICK,
High Commissioner.

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

SCHEDULE.**ORDINARY EXPENDITURE.**

No.	Head of Service.	Amount.
1.	Resident Commissioner	£8,080
2.	District Administration	8,350
3.	Police	17,050
4.	Posts and Telegraphs	3,221
5.	Administration of Justice	4,913
6.	Public Works Department	1,772
7.	Public Works Recurrent	3,680
8.	Medical	4,732
9.	Education	6,486
10.	Veterinary	11,687
11.	Deeds Registry and Survey Services	1,380
12.	Interest	3,838
13.	Sinking Fund	2,054
14.	Allowances to Native Chiefs	1,850
15.	Pensions	1,746
16.	Miscellaneous	1,910
		£82,749

EXTRAORDINARY EXPENDITURE.

17.	Public Works Extraordinary	5,816
18.	East Coast Fever	800
19.	Surveys	200
		£6,816
		£89,565

(Printed by the Government Printer, Pretoria.)

No. 32 of 1923.]

PROCLAMATION

By His Royal Highness THE HIGH COMMISSIONER.

Whereas it is expedient to amend further the tariffs of customs and excise in force in Basutoland (herein after referred to as "the territory"); to impose an excise duty on patent and proprietary medicines; and to amend in other respects the laws relating to customs;

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

CHAPTER I.**Customs Duties.**

1. Subject to the exceptions, and to any suspensions, rebates and conditions permitted or provided by or under the authority of the Basutoland Customs Tariff Proclamation, 1914, or any amendment thereof, or this Proclamation, and subject also to the provisions of any law relating to the management of customs, there shall be charged, levied, collected and paid customs duties in respect of goods imported into the territory according to the tariff set out in Part I of the Schedule to this Proclamation.

2. The duty at the rate set forth in Part I of the Schedule to this Proclamation on—

motor spirit, packed in tins, drums or other containers, shall not be charged, levied, collected and paid until the first day of September, 1923. Until such date it shall be charged, levied, collected and paid at the rate set forth in the First Schedule to the Basutoland Customs Tariff Proclamation 1914.

3. The duty at the rate set forth in Part I of the Schedule to this Proclamation on boots and shoes shall be charged, levied, collected and paid until the thirty-first day of March, 1928, after which date it shall be reduced by 2½ per cent. per annum until such duty, less any rebate of duty, amounts to 17 per cent. *ad valorem*.

4. The Basutoland Customs Tariff Proclamation, 1914, as amended, is hereby further amended or added to, to the extent shown in Part II of the Schedule to this Proclamation.

CHAPTER II.**Excise Duties.**

5. There shall be charged, levied, collected and paid on matches manufactured in the territory the duties of excise set out in Part III of the Schedule to this Proclamation, and on matches manufactured in a territory the Government whereof has entered into a Customs agreement with the Government of the Union of South Africa (herein after referred to as "the Union") corresponding Customs duties.

6. There shall be charged, levied, collected and paid the duties of excise as set out in Part IV of the Schedule to this Proclamation, on patent or proprietary medicines sold or exposed for sale by retail, and such duties shall be levied and collected in the manner herein after prescribed: Provided however that such excise duties shall not be payable on patent or proprietary medicines manufactured in or imported through the Union which bear stamps (affixed in such manner as is prescribed by law or regulation of the Union) of a value equivalent to the Excise duty payable thereon under the Customs and Excise Duties Amendment Act 1923 of the Union or any amendment thereof.

7. No person shall sell or expose for sale by retail any patent or proprietary medicine unless—

(a) it is securely enclosed in an unbroken packet, box, bottle, pot, phial, or other container; and

(b) the packet, box, bottle, pot, phial, or other container has been stamped with a stamp of a value equivalent to the excise duty payable under this Proclamation or under the corresponding laws of the Union on the retail selling price of the packet, box, bottle, pot, phial, or other container, with its contents; and

(c) the stamp has been affixed to every container in the manner prescribed by regulation.

8. (1) Any person who—

(a) sells or exposes for sale by retail a patent or proprietary medicine in contravention of or non-compliance with any provision of this Proclamation;

(b) for the purpose of stamping any packet, box, bottle, pot, phial, or other container of a patent or proprietary medicine, uses or supplies, or offers to supply, any stamp other than a stamp supplied by the Government for the purpose, or any stamp so supplied but previously used;

shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding three hundred pounds, or to imprisonment without the option of a fine for a period not exceeding twelve months, or to both such fine and imprisonment, and such medicines so sold or exposed for sale or stamped with an unauthorized or previously used stamp, shall be forfeited to the Crown.

(2) Nothing in this section contained shall be deemed to exempt any person from any other penalty, civil or criminal, to which he may be liable under any other law in respect of any such contravention or non-compliance as is described in this section.

9. Any officer duly authorized by the Director may at all times enter and search any premises in which patent or proprietary medicines are exposed for sale by retail, or the premises of any person who is suspected of selling patent or proprietary medicines by retail, and may seize upon such premises any patent or proprietary medicine, together with all books, accounts and docu-

ments relating thereto, in respect of which a contravention of or non-compliance with this Proclamation has, or is suspected of having, taken place. Any person who resists, hinders, or obstructs any such officer in the lawful exercise of his powers under this section shall be guilty of an offence, and shall be liable, on conviction, to a fine not exceeding one hundred pounds or to imprisonment without the option of a fine for a period not exceeding six months or to both such fine and imprisonment.

10. (1) The High Commissioner may from time to time by notice in the *Gazette* make, alter and revoke regulations—

- (a) providing for the sale, under such safeguards as may be necessary for the protection of the revenue, of stamps required to be affixed to the containers of patent or proprietary medicines;
- (b) prescribing the form of stamp to be affixed and the manner of affixing the same to such containers,

and generally for the better carrying out of the objects and purposes of this Proclamation.

(2) Such regulations may provide penalties for a contravention thereof or failure to comply therewith not exceeding a fine of one hundred pounds.

11. In this Chapter, unless inconsistent with the context—

“Director” means the Director of Customs or any officer for the time being lawfully acting in that capacity.

“Exposed for sale by retail” includes storage in any shop in which retail sales take place.

“Medicine” means any drug or other substance (other than vaccines, sera, toxins, and substances of a like nature, and the so-called “Dutch medicines”), used or intended to be used, whether internally, externally, or by injection, inhalation or otherwise, for the prevention, relief or cure of any disease or disorder in man.

“Patent or proprietary medicine” means any medicine—

- (a) protected in the Union or in the territory under current Letters Patent; or
- (b) prepared or purporting or professed to have been prepared from some secret formula; or
- (c) prepared or purporting or professed to have been prepared by some secret or occult art, whether or not the formula is or is professed to be secret; or
- (d) sold under a name or trade mark registered specially in regard thereto; or
- (e) sold under any description which, by reason of the use of the possessive case or otherwise, implies or indicates proprietary rights; or
- (f) prepared for sale as an article of commerce, and not specially prepared or supplied in accordance with the prescription of a medical practitioner for the use of the purchaser or a member of his family or other person in his charge;

provided that the term “Patent or proprietary medicine” shall not include—

- (1) any medicine mentioned in the edition of the British Pharmacopoeia at the time being in force in the Union or in the territory under the Medical and Pharmacy laws or in the British Pharmaceutical Codex or any official supplement thereto or any mixture of medicines so mentioned, when such medicine or mixture is not held out or recommended in the label or in any printed or other matter on or accompanying the container or package, and is not otherwise advertised to the public, as a cure or remedy for any disease or disorder in man, and when, in the case of a medicine, it is sold under the name mentioned in the British Pharmacopoeia or British Pharmaceutical Codex, or, in the case of a mixture, its composition is stated on the label of the container or package;

- (2) such other medicines as the High Commissioner may from time to time specify by notice in the *Gazette*.

CHAPTER III.

General.

12. Paragraphs (1) and (3) of section eight of the Basutoland Customs Tariff Proclamation 1914, are hereby repealed, and the following paragraphs (1), (3) and (4) are substituted therefor:

- “(1) In the case of goods imported into the territory of a class or kind produced or manufactured in the territory or in the Union if the export selling price, free on board, to an importer in the territory or in the Union be less than that at which the same goods are sold for home consumption in the usual and ordinary course of trade, in the principal markets of the country of export, at the time of shipment, plus the free on board charges, and detriment may thereby, in the opinion of the High Commissioner result to a South African industry, the High Commissioner may by notice in the *Gazette*, declare that there shall (whether or not any other customs duty is payable thereon) be charged, levied, collected, and paid on those goods on importation into the territory a special customs duty (or dumping duty) equal to the difference between the said selling price to the importer and the price at which the goods are sold for home consumption as aforesaid, plus the free on board charges: Provided that the special customs duty (or dumping duty) shall not, in any case, exceed twenty-five per cent. *ad valorem*.

- (3) When any goods of which the value as defined by section seven of this Proclamation, or any amendment thereof, added to the marine insurance and freight charges, does not exceed £10 per ton, and which are of a class or kind produced or manufactured in the territory or in the Union, have been or are being carried to South Africa at a rate of

freight which, in the opinion of the High Commissioner, is detrimental to the production or manufacture of those goods in South Africa, the High Commissioner may by notice in the *Gazette* (which may, at any time, by notice, be amended or withdrawn), determine a minimum rate of freight for the carriage of the goods specified from any country named in such notice, and there shall be charged, levied, collected, and paid on those goods on importation into the territory from any country so named a special customs duty (or dumping duty) equal to the difference between the net freight rate paid, or to be paid, and the rate determined as aforesaid.

- (4) A notice issued under paragraph (1) or (3) of this section shall not have force or effect in respect of goods exported from the country named therein, prior to the date of publication thereof in the *Gazette*.”

13. Whenever for the purpose of estimating the amount of customs duty payable in respect of any goods, it is necessary, in terms of section seven of the Basutoland Customs Tariff Proclamation, 1914, or of any other law, to determine the true current value for home consumption in the open market of similar goods in the principal markets of the country from which and at the time at which the goods were imported and the Director has any doubt as to the correctness of the certificate of such value given by the manufacturer or supplier in the country of export, a written certificate, signed by a person in that country specially designated by the Director, certifying such value shall, for the purpose of assessing the amount of customs duty or any other duty payable on such goods and all other matters incidental to such purpose, be accepted as conclusive evidence of such value.

14. The High Commissioner may by notice in the *Gazette* declare that, subject to conditions set out in such notice, there may be allowed a rebate of the whole or any part of the customs duties that would otherwise be payable under the Basutoland Customs Tariff Proclamation, 1914, or any amendment thereof, on the articles enumerated hereunder, on first importation or when taken out of bond, viz.—

- (a) edible seeds for experimental purposes not being corn or grain or potatoes;
- (b) appointments and uniforms imported by or on behalf of a recognized boys' naval brigade;
- (c) salt for use in the dairying industry and for bacon curing;
- (d) yarn for use in the manufacture of suitings, coatings and other dress materials, and for machine-knitted goods;
- (e) turpentine, vegetable or mineral, for use in the manufacture of paints, varnishes, and polishes;
- (f) gunpowder and time fuses for use in the whaling industry;
- (g) canvas in the piece, weighing less than 8 oz. per yard of 28½ inches in width for use in manufactures;
- (h) corduroy for use in the mining industry;
- (i) eucalyptus, pine and other oils, for use in connection with the extraction of gold and other minerals by the flotation process;
- (j) soya bean, citronella, and mirbane oils for use in the soap-making industry;
- (k) waxes for use in the manufacture of polishes; and tinfoil for use in the packing of polishes and confectionery;
- (l) wrapping-paper for paper bag-making;
- (m) linseed oil, raw, for use in the manufacture of paints for resale;
- (n) motor spirit, as set forth in Part I, Class I, item 33 of the Schedule to this Proclamation, when mixed with spirit distilled in the Union, and intended for use as fuel in internal combustion engines.

15. Section ten of the Basutoland Customs Management Proclamation 1914, is hereby amended by the addition thereto of the following new paragraphs (g) and (h)—

- (g) carbide of calcium which, when treated with water yields less than two hundred and fifty litres of gas from one kilogramme, the gas being measured at fifteen degrees centigrade under a pressure of seven hundred and sixty millimetres of mercury;
- (h) second-hand boots and shoes.

16. Any expression to which a meaning has been assigned in and for the purposes of the Basutoland Customs Management Proclamation 1914, shall, when used in this Proclamation, or any regulations made thereunder, bear that meaning, unless the context otherwise requires.

17. Section twelve of the Basutoland Customs Tariff Proclamation 1914, is hereby amended by the deletion of the words “, being a portion of the British Dominions or under the protection of the Crown.”

18. This Proclamation may be cited for all purposes as the Basutoland Customs and Excise Duties Amendment Proclamation, 1923, and shall be deemed to have had force and to have taken effect

- (a) as regards any Customs or Excise Duties (except the duties mentioned in section two of this Proclamation) which are hereby imposed or increased, as from the twenty-eighth day of March 1923,
- (b) in other respects as from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Twenty-third day of June One thousand Nine hundred and Twenty-three.

ARTHUR FREDERICK,
High Commissioner.

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

SCHEDULE.

PART I.—CUSTOMS DUTIES.

Class I.—Special Rates.

Tariff Item.	Article.	Duty.	Rebate upon goods, the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.
8 (a)	Carbide of calcium, per 100 lb. ...	£ s. d. 0 5 0	£ s. d. 0 0 6
18	Confectionery :— (i) Confectionery, plain or fancy, of all kinds, compounded, made or preserved with sugar; sweetened cocoa or chocolate; preserves and sweetmeats; candied or preserved ginger or chow-chow; bon-bons, surprise packets and crackers, per lb. ... (or per £100.....) whichever duty shall be the greater.) NOTE.—Medicinal preparations properly classed as apothecary-ware are not to be included. (ii) Honey, jams, and jellies; pudding and jelly powders, per lb. (or per £100.....) whichever duty shall be the greater.)	0 0 3½ 30 0 0	0 0 0½ 3 0
19	Corn and Grain :— (a) Wheat— (i) Ground or otherwise prepared, per 100 lb. (b) (iii) Maize—ground or otherwise prepared, per lb.	0 0 2½ 25 0 0	0 0 0½ 3 0 0
30	Matches :— (a) Wooden: in boxes or packages of not more than 100 matches, per gross of boxes or packages..... In boxes containing more than 100, but not more than 200 matches, per gross of boxes or packages..... and for every 100 additional matches, in boxes or packages, per gross of 100 matches..... (b) Fusees, vestas, or wax matches, or other patent lights used as such; in boxes or packages containing not more than 50, per gross of boxes or packages In boxes or packages of more than 50, but not more than 100, per gross of boxes or packages..... and for every 50 additional in boxes or packages, per gross of 50 matches..... (Match splints to be classed, and pay duty, as matches.)	0 2 6 0 5 0 0 2 6 0 2 6 0 5 0 0 2 6	0 0 4 0 0 0½
32	Milk or cream, condensed, desiccated, or preserved :— (a) Full cream, per 100 lb.	0 10 4	0 2 0
33	Motor spirit, namely: Benzine, benzoline, naphtha (not potable), gasoline, petrol, and petroleum spirit generally— (i) when not packed, per imperial gallon..... (ii) when packed in tins, drums, or other containers, per imperial gallon.....	0 0 2 0 0 3	
36 (2)	Paper, wrapping, including browns, casings, sealings, nature or ochre browns, sulphites, krafts, bag papers, and candle carton paper; in original mill wrappers, or in sheets, or in rolls, when the weight of the paper, at a size of 29 inches by 45 inches, or its equivalent, is not less than 30 lb. per ream of 480 sheets; but not including greaseproof, vegetable parchment, and cartridge papers, and tinfoil and similar metallic papers, per lb.	0 0 0½	0 0 0½
41 (2)	Rubber, manufactures of, namely : (a) pneumatic tyres and the tubes therefore— (i) tyres, including the weight of the immediate wrapper, per lb..... (ii) tubes for motor vehicles other than motor cycles, per lb..... (iii) tubes for motor cycles and cycles, per lb..... (b) tyres, solid, per lb.....	0 1 0 0 0 8 0 1 0 0 0 3	0 0 3 0 0 2 0 0 3 0 0 1
44	Spirits :— (a) Perfumed, per imperial gallon (and in addition 25 per cent. <i>ad valorem</i>).	1 19 0	

Class II.—Mixed Rates.

Tariff Item.	Article.	Duty.	Rebate upon goods, the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.
52	Boots and shoes, per £100.....	£ s. d. 30 0 0	£ s. d. 3 0 0
52 (1)	NOTE.—Infants' shoes and booties are not included in this item. Perfumery, including toilet preparations, non-spirituous, viz., powders, washes, pomatums, cosmetics, pastes, dyes, hair oils, and other preparations for toilet use, but not including tooth powders, tooth pastes, and tooth washes; not elsewhere enumerated, per £100.	40 0 0 0 4 0	3 0 0 0 0 6
52 (2)	Plywood, per cubic foot..... (or per £100.....) whichever duty shall be the greater.)	25 0 0	3 0 0

Class III.—25 per cent. *ad valorem*.

Tariff Item.	Article.	Duty.	Rebate upon goods, the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.
54 (2)	Asbestos - cement manufactures, namely, plain or corrugated sheets, slates, tiles, ridging, and guttering, per £100.....	25 0 0	3 0 0
68 (2)	Metal sheets, printed, lithographed, or embossed, including metal badges, metal name and number plates, and similar articles, per £100.....	25 0 0	3 0 0
69 (2)	Paints and colours, not elsewhere enumerated, per £100.....	25 0 0	3 0 0

Class IV.—3 per cent. *ad valorem*.

Tariff Item.	Article.	Duty.	Rebate upon goods, the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.
73 (2)	Acid, oxalic: in bulk.		
82 (2)	Boot and shoe makers' grindery, including poplins, linings, loopings, solutions, wood heels; cotton, linen and silk thread, not elsewhere enumerated; eyelets and hooks, ornaments not elsewhere enumerated; trimmings, socking paper, bottom fillings, backing cloth, tools, abrasives and crayons; under such conditions and regulations as the Director of Customs may prescribe.		
89 (2)	Cinematograph films, being blank films and known as raw films or stock.		
92 (2)	Cornish stone: in bulk.		
98 (2)	Fibre, leatherboard, hemptite and other compositions, metal and other frames, locks, clips, studs, handles swivels, caps, corners, hat box cones, and other metal fittings, and webbing, used in the harness and saddlery, and bag and trunk manufacturing industries; under such conditions and regulations as the Director of Customs may prescribe.		
101 (2)	Fuller's earth not elsewhere enumerated: in bulk.		
105 (2)	Harpoons, whaling guns and parts thereof, manilla and hemp whale lines over 3½ inches in circumference, used in the whaling industry; under such conditions and regulations as the Director of Customs may prescribe.		
105 (3)	Hinges, locks and keys, escutcheons, handles, castors, webbing, studs and bindings, for use in the furniture manufacturing industry; under such conditions and regulations as the Director of Customs may prescribe.		
111 (2)	Leads, white and red, dry, and lithopone: in bulk, to be used in the manufacture of paints for resale; under such conditions and regulations as the Director of Customs may prescribe.		
115 (2)	Manganese resinate: in bulk.		
116 (2)	Metal edging for use in the cardboard boxmaking industry.		
118 (2)	Naphthalene: in bulk.		
118 (3)	Nickel sulphate: in bulk.		
118 (4)	Oxides, namely: cobalt, copper, iron, tin, and zinc: in bulk.		
120 (2)	Perchloride of iron; in bulk.		
128 (2)	Saltpetre: in bulk.		
136 (2)	Tent rings, brass eyelets, and hooks and eyes, for use in the manufacture of canvas goods by manufacturers thereof; under such conditions and regulations as the Director of Customs may prescribe.		
143 (2)	Wireless telegraphy instruments and apparatus used in the working thereof.		

NOTE.—A rebate of the whole duty shall be granted on goods the growth, produce or manufacture of the United Kingdom and reciprocating British Possessions.

PART II.—AMENDMENTS OR ADDITIONS.

Class I.—Special Rates.

Tariff Item.	Article.	Amendment or Addition.
5	Blasting compounds, including all kinds of explosives suitable and intended for blasting, and not suitable for use in firearms (including detonators); and collodion cotton not intended for manufacturing purposes, per lb. 2½d., rebate ½d.	Blasting compounds, including all kinds of explosives suitable and intended for blasting, and not suitable for use in firearms (excepting detonators); and collodion cotton not intended for manufacturing purposes, per lb. 2½d., rebate ½d.

Tariff Item.	Article.	Amendment or Addition.
18 (a)	Crown corks and other stoppers made of metal, glass, earthenware, or mineral or vegetable composition, used alone or in combination with cork or other substances as stoppers for bottles and jars of common glass or earthenware; whether imported in combination or separately, per gross 3d.	Crown corks and similar stoppers (not being screw stoppers or swing stoppers), made of metal or other material, used alone or in combination with cork or other substances as stoppers for bottles and jars of common glass, per gross 3d.
19	Corn and grain: (b) Barley, buckwheat, kaffir-corn, maize, millet, oats, rye: (ii) ground, malted, or otherwise prepared, including samp, per 100 lb. 2s. 9d., rebate 3d.	Corn and grain: (b) (ii) Barley, buckwheat, kaffir-corn, millet, oats, rye: ground, malted or otherwise prepared, including samp, per 100 lb. 2s. 9d., rebate 3d.

Class III.—25 per cent. ad valorem.

70	Perfumery, cosmetics, dyes, powders, and other preparations for toilet use, not elsewhere enumerated.	Tooth powders, tooth pastes, and tooth washes containing less than 3 per cent. of proof spirit.
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NOTE.—A rebate of 3 per cent. *ad valorem* shall be granted on goods the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.

Class IV.—3 per cent. ad valorem.

75	Ammonia (solution) and anhydrous ammonia, ammonium carbonate, ammonium chloride (sal-ammoniac), ammonium nitrate, and ammonium perchlorate: in bulk.	Ammonia (solution) and anhydrous ammonia, ammonium carbonate, ammonium chloride (sal-ammoniac), ammonium nitrate, ammonium oxalate, and ammonium perchlorate: in bulk.
98	Felt, rubberoid, uralite, and similar substances for building purposes.	Felt, rubberoid, and similar substances for building purposes.
112	Leather: patent, enamelled, roan and morocco, pigskin in the piece and valve hide.	(a) Leather in the piece: (i) Patent and enamelled. (ii) Morocco and roan. (iii) Pigskin. (iv) Valve hide. (b) High-grade leather in the piece, viz.: (i) Black calf, being whole skins, when the measurement does not exceed 144 square feet per one dozen whole skins, and the measurement of no single skin exceeds 12½ square feet, and the "free on board" price is not less than 1s. 3d. per square foot. (ii) Coloured calf (other than black), being whole skins, when the measurement does not exceed 144 square feet per one dozen whole skins, and the measurement of no single skin exceeds 12½ square feet, and the "free on board" price is not less than 1s. 6d. per square foot. (iii) Black glacé kid, when the measurement does not exceed 72 square feet per one dozen whole skins, and the measurement of no single skin exceeds 6½ square feet, and the "free on board" price is not less than 1s. 3d. per square foot. (iv) Coloured glacé kid (other than black), when the measurement does not exceed 72 square feet per one dozen whole skins, and the measurement of no single skin exceeds 6½ square feet, and the "free on board" price is not less than 1s. 6d. per square foot. (v) Suede, velour and velvet finish leathers (not including those made from splits or goat or sheep skins and not including leather known as chamois), when the measurement does not exceed 120 square feet per one dozen sides, and the measurement of no single side exceeds 10½ square feet, and the "free on board" price is not less than 1s. 6d. per square foot: Provided that no leather shall be entered for payment of duty under items (b) (i), (ii), (iii), (iv) and (v), that is not full or straight chrome tanned.

Tariff Item.	Article.	Amendment or Addition.
114	Machinery: (a) Machinery, apparatus, appliances and implements (not including material, vehicles, mechanics' tools, domestic machines, or harness) for agricultural, manufacturing, mining, bookbinding, printing, and other industrial purposes. (b) Machinery, apparatus, appliances, implements, and electrical material used in connection therewith, for the generation, storage, transmission, distribution of, and lighting by, gas or electric power, but not including electroliers, hand lamps, or fancy fittings.	Machinery: (a) Machinery, apparatus, appliances and implements (not including material, vehicles, mechanics' tools not elsewhere enumerated, domestic machines, harness, or acetylene lamps) for agricultural, manufacturing, mining, bookbinding, printing, and other industrial purposes. (b) Machinery, apparatus, appliances, implements, and electrical material used in connection therewith, for the generation, storage, transmission, distribution of, and lighting by, gas or electric power, but not including electroliers, acetylene lamps, hand lamps, or fancy fittings.
117	Metals: (c) Iron and steel— (ii) sheets, plain, perforated, galvanized, corrugated or enamelled. (e) Tin and zinc: bar, plate, sheet, plain or perforated, but otherwise unmanufactured.	Metals: (c) Iron and steel— (ii) sheets, plain, perforated, galvanized or corrugated. (e) Tin and zinc: bar, plate, sheet, plain or perforated; but otherwise unmanufactured; but not including lacquered, varnished, or enamelled plates or sheets.
120	Paper: all plain or composite papers, including tissue paper, in the original mill wrappers, flat or folded, not less than 16 inches by 15 inches, and in reels, including paper in reels used for the monotype typesetting machine; but not including ruled or printed papers, stationery, blotting, wall, sanitary, sensitized, tracing, or carbon papers.	Paper not elsewhere enumerated, namely: plain or composite papers, including tissue paper, in the original mill wrappers, flat or folded, not less than 16 inches by 15 inches, and in reels, including paper in reels used for the monotype typesetting machine, and graphitized paper; but not including ruled or printed papers, stationery, blotting, wall, sanitary, sensitized, tracing, or carbon papers.
122	Potassium and sodium: carbonate, bicarbonate, caustic and silicate, chlorate, bichromate, permanganate, red and yellow prussiate of: in bulk.	Potassium and sodium: carbonate, bicarbonate, caustic and silicate, chlorate, bichromate, metabisulphite, permanganate, red and yellow, prussiate of: in bulk.
126	Resin: in bulk.	Resin, gums, dry shellac, and resin size for paper-making: in bulk.
131	Slates for roofing.	Slates for roofing not elsewhere enumerated.

NOTE.—A rebate of the whole duty shall be granted on goods the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.

Class V.—Free.

167	Dyes, colour preparations (not including boot blacking and boot polishes), used in the manufacture or preparation for sale of articles; substances for preparing or bating hides, and substances for tanning and finishing leather, including alum and hyposulphite; under such conditions and regulations as the Director of Customs may prescribe.	Dyes, colour preparations, spirituous or non-spirituous, (including boot blacking and boot polishes not being for resale), and glazes; used in the manufacture or preparation for sale of articles; substances for preparing or bating hides and skins, and substances for tanning and finishing leather, including alum and hyposulphite; under such conditions and regulations as the Director of Customs may prescribe.
189	Tallow, including vegetable tallow.	Tallow, including vegetable tallow, and oleine.

PART III.—EXCISE DUTY OR CORRESPONDING CUSTOMS DUTY.

Article.	Rate for Duty.
	£ s. d.
Matches:—	
(a) In boxes or packages of not more than 100 matches, per gross of boxes or packages.....	0 1 0
(b) In boxes or packages containing more than 100 matches, but not more than 200 matches, per gross of boxes or packages.....	0 2 0
And for every 100 additional matches, in boxes or packages, per gross of 100 matches.....	0 1 0

PART IV.—EXCISE DUTY ON PATENT OR PROPRIETARY MEDICINES.

Article.	Rate of Excise Duty.
	£ s. d.
Patent or proprietary medicines sold or exposed for sale by retail; when the retail selling price of the packet, box, bottle, pot, phial, or other container, with its contents, but exclusive of the excise duty, does not exceed:—	
s. d.	
1 6.....	0 0 2
2 0.....	0 0 3
2 6.....	0 0 4
4 0.....	0 0 6
6 0.....	0 1 0
10 0.....	0 1 6
20 0.....	0 4 6
50 0.....	0 10 0
over 50 0.....	1 0 0

(Printed by the Government Printer, Pretoria.)

No. 33 of 1923.]

PROCLAMATION

By His Royal Highness the High Commissioner.

Whereas it is expedient to amend further the tariffs of customs and excise in force in the Bechuanaland Protectorate (hereinafter referred to as "the territory"); to impose an excise duty on patent and proprietary medicines; and to amend in other respects the laws relating to the customs;

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

CHAPTER I.*Customs Duties.*

1. Subject to the exemptions, and to any suspensions, rebates and conditions permitted or provided by or under the authority of the Bechuanaland Protectorate Customs Tariff Proclamation 1914, or any amendment thereof, or this Proclamation, and subject also to the provisions of any law relating to the management of customs, there shall be charged, levied, collected and paid customs duties in respect of goods imported into the territory according to the tariff set out in Part I of the Schedule to this Proclamation.

2. The duty at the rate set forth in Part I of the Schedule to this Proclamation on—

motor spirit, packed in tins, drums or other containers, shall not be charged, levied, collected and paid until the first day of September, 1923. Until such date it shall be charged, levied, collected and paid at the rate set forth in the First Schedule to the Bechuanaland Protectorate Customs Tariff Proclamation 1914.

3. The duty at the rate set forth in Part I of the Schedule to this Proclamation on boots and shoes shall be charged, levied, collected and paid until the thirty-first day of March, 1928, after which date it shall be reduced by 2½ per cent. per annum until such duty, less any rebate of duty, amounts to 17 per cent. *ad valorem*.

4. The Bechuanaland Protectorate Customs Tariff Proclamation, 1914, as amended, is hereby further amended or added to, to the extent shown in Part II of the Schedule to this Proclamation.

CHAPTER II.*Excise Duties.*

5. There shall be charged, levied, collected and paid on matches manufactured in the territory the duties of excise set out in Part III of the Schedule to this Proclamation, and on matches manufactured in a territory the Government whereof has entered into a Customs agreement with the Government of the Union of South Africa (hereinafter referred to as "the Union") corresponding Customs duties.

6. There shall be charged, levied, collected and paid the duties of excise as set out in Part IV of the Schedule to this Proclamation, on patent or proprietary medicines sold or exposed for sale by retail, and such duties shall be levied and collected in the manner hereinafter prescribed: Provided however that such excise duties shall not be payable on patent or proprietary medicines manufactured in or imported through the Union which bear stamps (affixed in such manner as is prescribed by law or regulation of the Union) of a value equivalent to the Excise duty payable thereon under the Customs and Excise Duties Amendment Act, 1923, of the Union or any amendment thereof.

7. No person shall sell or expose for sale by retail any patent or proprietary medicine unless—

- it is securely enclosed in an unbroken packet, box, bottle, pot, phial, or other container; and
- the packet, box, bottle, pot, phial, or other container has been stamped with a stamp of a value equivalent to the excise duty payable under this Proclamation or under the corresponding laws of the Union on the retail selling price of the packet, box, bottle, pot, phial, or other container, with its contents; and
- the stamp has been affixed to every container in the manner prescribed by regulation.

8. (1) Any person who—

- sells or exposes for sale by retail a patent or proprietary medicine in contravention of or non-compliance with any provision of this Proclamation;
- for the purpose of stamping any packet, box, bottle, pot, phial, or other container of a patent or proprietary medicine, uses or supplies, or offers to supply, any stamp other than a stamp supplied by the Government for the purpose, or any stamp so supplied but previously used;

shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding three hundred pounds, or to imprisonment

without the option of a fine for a period not exceeding twelve months, or to both such fine and imprisonment, and such medicines so sold or exposed for sale or stamped with an unauthorized or previously used stamp, shall be forfeited to the Crown.

(2) Nothing in this section contained shall be deemed to exempt any person from any other penalty, civil or criminal, to which he may be liable under any other law in respect of any such contravention or non-compliance as is described in this section.

9. Any officer duly authorized by the Director may at all times enter and search any premises in which patent or proprietary medicines are exposed for sale by retail, or the premises of any person who is suspected of selling patent or proprietary medicines by retail and may seize upon such premises any patent or proprietary medicine, together with all books, accounts and documents relating thereto, in respect of which a contravention of or non-compliance with this Proclamation has, or is suspected of having, taken place. Any person who resists, hinders or obstructs any such officer in the lawful exercise of his powers under this section shall be guilty of an offence, and shall be liable, on conviction, to a fine not exceeding one hundred pounds or to imprisonment without the option of a fine for a period not exceeding six months or to both such fine and imprisonment.

10. (1) The High Commissioner may from time to time by notice in the *Gazette* make, alter and revoke regulations—

- providing for the sale, under such safeguards as may be necessary for the protection of the revenue, of stamps required to be affixed to the containers of patent or proprietary medicines;
- prescribing the form of stamp to be affixed and the manner of affixing the same to such containers,

and generally for the better carrying out of the objects and purposes of this Proclamation.

(2) Such regulations may provide penalties for a contravention thereof or failure to comply therewith not exceeding a fine of one hundred pounds.

11. In this Chapter unless inconsistent with the context—

"Director" means the Director of Customs or any officer for the time being lawfully acting in that capacity.

"Exposed for sale by retail" includes storage in any shop in which retail sales take place.

"Medicine" means any drug or other substances (other than vaccines, sera, toxins, and substances of a like nature, and the so-called "Dutch medicines"), used or intended to be used, whether internally, externally, or by injection, inhalation or otherwise, for the prevention, relief or cure of any disease or disorder in man.

"Patent or proprietary medicine" means any medicine—

- protected in the Union or in the territory under current Letters Patent; or
- prepared or purporting or professed to have been prepared from some secret formula; or
- prepared or purporting or professed to have been prepared by some secret or occult art, whether or not the formula is or is professed to be secret; or
- sold under a name or trade mark registered specially in regard thereto; or
- sold under any description which, by reason of the use of the possessive case or otherwise, implies or indicates proprietary rights; or
- prepared for sale as an article of commerce, and not specially prepared or supplied in accordance with the prescription of a medical practitioner for the use of the purchaser of a member of his family or other person in his charge;

Provided that the term "Patent or proprietary medicine" shall not include—

- any medicine mentioned in the edition of the British Pharmacopoeia at the time being in force in the Union or in the territory under the Medical and Pharmacy laws or in the British Pharmaceutical Codex or any official supplement thereto, or any mixture of medicines so mentioned, when such medicine or mixture is not held out or recommended in the label or in any printed or other matter on or accompanying the container or package, and is not otherwise advertised to the public, as a cure or remedy for any disease or disorder in man, and when, in the case of a medicine, it is sold under the name mentioned in the British Pharmacopoeia or British Pharmaceutical Codex, or, in the case of a mixture, its composition is stated on the label of the container or package;
- such other medicines as the High Commissioner may from time to time specify by notice in the *Gazette*.

CHAPTER III.*General.*

12. Paragraphs (1) and (3) of section eight of the Bechuanaland Protectorate Customs Tariff Proclamation 1914, are hereby repealed, and the following paragraphs (1), (3) and (4) are substituted therefor:—

- In the case of goods imported into the territory of a class or kind produced or manufactured in the territory or in the Union if the export selling price, free on board, to an Importer in the territory or in the Union be less than that at which the same goods are sold for home consumption in the usual and ordinary course of trade, in the principal markets of the country of export, at the time of shipment, plus the free on board charges, and detriment may thereby, in the opinion of the High Commissioner result to a South African industry, the High Commissioner may by notice in the *Gazette*, declare that there shall (whether or not any other customs duty is payable thereon) be charged, levied, collected, and paid on those goods on importation into the territory a special customs duty (or dumping duty) equal to the difference between the said selling price to the importer and the price at which the goods are sold for home consumption as aforesaid, plus the free on board charges: Provided that the special customs duty (or dumping duty) shall not, in any case, exceed twenty-five per cent. *ad valorem*.

(3) When any goods of which the value as defined by section seven of this Proclamation, or any amendment thereof, added to the marine insurance and freight charges, does not exceed £10 per ton and which are of a class or kind produced or manufactured in the territory or in the Union, have been or are being carried to South Africa at a rate of freight which, in the opinion of the High Commissioner, is detrimental to the production or manufacture of those goods in South Africa, the High Commissioner may by notice in the *Gazette* (which may, at any time, by notice, be amended or withdrawn), determine a minimum rate of freight for the carriage of the goods specified from any country named in such notice, and there shall be charged, levied, collected, and paid on those goods on importation into the territory from any country so named a special customs duty (or dumping freight duty) equal to the difference between the net freight rate paid, or to be paid, and the rate determined as aforesaid.

(4) A notice issued under paragraph (1) or (3) of this section shall not have force or effect in respect of goods exported from the country named therein, prior to the date of publication thereof in the *Gazette*.

13. Whenever for the purposes of estimating the amount of customs duty payable in respect of any goods, it is necessary, in terms of section seven of the Bechuanaland Protectorate Customs Tariff Proclamation, 1914, or of any other law, to determine the true current value for home consumption in the open market of similar goods in the principal markets of the country from which and at the time at which the goods were imported and the Director has any doubt as to the correctness of the certificate of such value given by the manufacturer or supplier in the country of export, a written certificate, signed by a person in that country specially designated by the Director certifying such value shall, for the purpose of assessing the amount of customs duty or any other duty payable on such goods and all other matters incidental to such purpose, be accepted as conclusive evidence of such value.

14. The High Commissioner may by notice in the *Gazette* declare that, subject to conditions set out in such notice, there may be allowed a rebate of the whole or any part of the customs duties that would otherwise be payable under the Bechuanaland Protectorate Customs Tariff Proclamation, 1914, or any amendment thereof, on the articles enumerated hereunder, on first importation or when taken out of bond, viz.—

- (a) edible seeds for experimental purposes not being corn or grain or potatoes;
- (b) appointments and uniforms imported by or on behalf of a recognized boys' naval brigade;
- (c) salt for use in the dairying industry and for bacon-curing;
- (d) yarn for use in the manufacture of suitings, coatings and other dress materials, and for machine-knitted goods;
- (e) turpentine, vegetable or mineral, for use in the manufacture of paints, varnishes and polishes;
- (f) gunpowder and time fuses for use in the whaling industry;
- (g) canvas in the piece, weighing less than 8 ozs. per yard of 28½ inches in width for use in manufactures;
- (h) corduroy for use in the mining industry;
- (i) eucalyptus, pine and other oils, for use in connection with the extraction of gold and other minerals by the flotation process;
- (j) soya bean, citronella, and mirbane oils for use in the soap-making industry;
- (k) waxes for use in the manufacture of polishes; and tinfoil for use in the packing of polishes and confectionery;
- (l) wrapping paper for paper-bag making;
- (m) linseed oil, raw, for use in the manufacture of paints for resale;
- (n) motor spirit, as set forth in Part I, Class I, item 33 of the Schedule to this Proclamation, when mixed with spirit distilled in the Union, and intended for use as fuel in internal combustion engines.

15. Section ten of the Bechuanaland Protectorate Customs Management Proclamation, 1914, is hereby amended by the addition thereto of the following new paragraphs (g) and (h)—

- (g) carbide of calcium which, when treated with water yields less than two hundred and fifty litres of gas from one kilogramme, the gas being measured at fifteen degrees centigrade under a pressure of seven hundred and sixty millimetres of mercury;
- (h) second-hand boots and shoes.

16. Any expression to which a meaning has been assigned in and for the purposes of the Bechuanaland Protectorate Customs Management Proclamation, 1914, shall, when used in this Proclamation, or any regulations made thereunder, bear that meaning, unless the context otherwise requires.

17. Section twelve of the Bechuanaland Protectorate Customs Tariff Proclamation, 1914, is hereby amended by the deletion of the words "being a portion of the British Dominions or under the protection of the Crown."

18. This Proclamation may be cited for all purposes as the Bechuanaland Protectorate Customs and Excise Duties Amendment Proclamation 1923, and shall be deemed to have had force and to have taken effect—

- (a) as regards any Customs or Excise Duties (except the duties mentioned in section two of this Proclamation) which are hereby imposed or increased, as from the twenty-eighth day of March 1923;
- (b) in other respects as from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Twenty-third day of June One thousand Nine hundred and Twenty-three.

ARTHUR FREDERICK,
High Commissioner.

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

SCHEDULE.

PART I.—CUSTOMS DUTIES.

Class I.—Special Rates.

Tariff Item.	Article.	Duty.	Rebate upon goods the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions
		£ s. d.	£ s. d.
8 (a)	Carbide of calcium, per 100 lb. ...	0 5 0	0 0 6
18	Confectionery:—		
	(i) Confectionery, plain or fancy, of all kinds, compounded, made or preserved with sugar; sweetened cocoa or chocolate; preserves and sweetmeats; candied or preserved ginger or chow-chow; bon-bons, surprise packets and crackers, per lb. ... (or per £100.....)	0 0 3½ 30 0 0	0 0 0½ 3 0 0
	NOTE.—Medicinal preparations properly classed as apothecary-ware are not to be included.		
	(ii) Honey, jams, and jellies; pudding and jelly powders, per lb. (or per £100.....)	0 0 2½ 25 0 0	0 0 0½ 3 0 0
19	Corn and Grain:—		
	(a) Wheat—		
	(i) Ground or otherwise prepared, per 100 lb.	0 3 3	0 0 4
	(b) Maize—		
	(i) Ground or otherwise prepared, per lb.	0 0 1½	0 0 0½
30	Matches:—		
	(a) Wooden: in boxes or packages of not more than 100 matches, per gross of boxes or packages.	0 2 6	
	In boxes containing more than 100, but not more than 200 matches, per gross of boxes or packages.	0 5 0	
	and for every 100 additional matches, in boxes or packages, per gross of 100 matches.	0 2 6	
	(b) Fusees, vestas, or wax matches, or other patent lights used as such; in boxes or packages containing not more than 50, per gross of boxes or packages. In boxes or packages of more than 50, but not more than 100, per gross of boxes or packages.	0 2 6 0 5 0	
	and for every 50 additional in boxes or packages, per gross of 50 matches.	0 2 6	
	(Match splints to be classed, and pay duty, as matches.)		
32	Milk or cream, condensed, desiccated, or preserved:—		
	(a) Full cream, per 100 lb.	0 10 4	0 2 0
33	Motor spirit, namely: Benzine, benzoline, naphtha (not potable), gasoline, petrol, and petroleum spirit generally—		
	(i) when not packed, per imperial gallon.	0 0 2	
	(ii) when packed in tins, drums, or other containers, per imperial gallon.	0 0 3	
36 (2)	Paper, wrapping, including browns, casings, sealings, nature or ochre browns, sulphites, krafts, bag papers, and candle carton paper; in original mill wrappers, or in sheets, or in rolls, when the weight of the paper, at a size of 29 inches by 45 inches, or its equivalent, is not less than 30 lb. per ream of 480 sheets; but not including greaseproof, vegetable parchment, and cartridge papers, and tinfoil and similar metallic papers, per lb.	0 0 0½	0 0 0½
41 (2)	Rubber, manufactures of, namely: (a) pneumatic tyres and the tubes therefor—		
	(i) tyres, including the weight of the immediate wrapper, per lb.	0 1 0	0 0 3
	(ii) tubes for motor vehicles other than motor cycles, per lb.	0 0 8	0 0 2
	(iii) tubes for motor cycles and cycles, per lb.	0 1 0	0 0 3
	(b) tyres, solid, per lb.	0 0 3	0 0 1
44	Spirits:—		
	(a) Perfumed, per imperial gallon (and in addition 25 per cent. <i>ad valorem</i>).	1 19 0	

Class II.—Mixed Rates.

Tariff Item.	Article.	Duty.	Rebate upon goods, the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.
52	Boots and shoes, per £100..... NOTE.—Infants' shoes and bootees are not included in this item.	£ s. d. 30 0 0	£ s. d. 3 0 0
52 (1)	Perfumery, including toilet preparations, non-spirituous, viz., powders, washes, pomatums, cosmetics, pastes, dyes, hair oils, and other preparations for toilet use, but not including tooth powders, tooth pastes, and tooth washes; not elsewhere enumerated, per £100..	40 0 0	3 0 0
52 (2)	Plywood, per cubic foot..... (or per £100..... whichever duty shall be the greater).	0 4 0 25 0 0	0 0 6 3 0 0

Class III.—25 per cent. ad valorem.

Tariff Item.	Article.	£ s. d.	£ s. d.
54 (2)	Asbestos-cement manufactures, namely, plain or corrugated sheets, slates, tiles, ridging, and guttering, per £100.....	25 0 0	3 0 0
68 (2)	Metal sheets, printed, lithographed, or embossed, including metal badges, metal name and number plates, and similar articles, per £100.....	25 0 0	3 0 0
69 (2)	Paints and colours, not elsewhere enumerated, per £100.....	25 0 0	3 0 0

Class IV.—3 per cent. ad valorem.

Tariff Item.	Article.
73 (2)	Acid, oxalic: in bulk.
82 (2)	Boot and shoe makers' grindery, including poplins, linings, loopings, solutions, wood heels; cotton, linen and silk thread, not elsewhere enumerated; eyelets and hooks, ornaments not elsewhere enumerated; trimmings socking paper, bottom fillings, backing cloth, tools, abrasives and crayons; under such conditions and regulations as the Director of Customs may prescribe.
89 (2)	Cinematograph films, being blank films and known as raw films or stock.
92 (2)	Cornish stone: in bulk.
98 (2)	Fibre, leatherboard, hemptite and other compositions, metal and other frames, locks, clips, studs, handles, swivels, caps, corners, hat-box cones, and other metal fittings, and webbing, used in the harness and saddlery, and bag and trunk manufacturing industries; under such conditions and regulations as the Director of Customs may prescribe.
101 (2)	Fuller's earth not elsewhere enumerated: in bulk.
105 (2)	Harpoons, whaling guns and parts thereof, manilla and hemp whale lines over 3½ inches in circumference, used in the whaling industry; under such conditions and regulations as the Director of Customs may prescribe.
105 (3)	Hinges, locks and keys, escutcheons, handles, castors, webbing, studs and bindings, for use in the furniture manufacturing industry; under such conditions and regulations as the Director of Customs may prescribe.
111 (2)	Leads, white and red, dry, and lithopone: in bulk, to be used in the manufacture of paints for resale; under such conditions and regulations as the Director of Customs may prescribe.
115 (2)	Manganese resinate: in bulk.
116 (2)	Metal edging for use in the cardboard boxmaking industry.
118 (2)	Naphthalene: in bulk.
118 (3)	Nickel sulphate: in bulk.
118 (4)	Oxides, namely: cobalt, copper, iron, tin, and zinc: in bulk.
120 (2)	Perchloride of iron: in bulk.
128 (2)	Saltpetre: in bulk.
136 (2)	Tent rings, brass eyelets, and hooks and eyes, for use in the manufacture of canvas goods by manufacturers thereof; under such conditions and regulations as the Director of Customs may prescribe.
143 (2)	Wireless telegraphy instruments and apparatus used in the working thereof.

NOTE.—A rebate of the whole duty shall be granted on goods the growth, produce or manufacture of the United Kingdom and reciprocating British Possessions.

PART II.—AMENDMENTS OR ADDITIONS.

Class I.—Special Rates.

Tariff Item.	Article.	Amendment or Addition.
5	Blasting compounds, including all kinds of explosives suitable and intended for blasting, and not suitable for use in fire-arms (including detonators); and collodion cotton not intended for manufacturing purposes, per lb. 2½d., rebate ½d.	Blasting compounds, including all kinds of explosives suitable and intended for blasting, and not suitable for use in fire-arms (excepting detonators); and collodion cotton not intended for manufacturing purposes per lb. 2½d., rebate ½d.

Tariff Item.	Article.	Amendment or Addition.
18 (a)	Crown corks and other stoppers made of metal, glass, earthenware, or mineral or vegetable composition, used alone or in combination with cork or other substances as stoppers for bottles and jars of common glass or earthenware; whether imported in combination or separately, per gross 3d.	Crown corks and similar stoppers (not being screw stoppers or swing stoppers), made of metal or other material, used alone or in combination with cork or other substances as stoppers for bottles and jars of common glass, per gross 3d.
19	Corn and grain: (b) Barley, buckwheat, kaffir-corn, maize, millet, oats, rye: (ii) ground, malted, or otherwise prepared, including samp, per 100 lb. 2s. 9d., rebate 3d.	Corn and grain: (b) (ii) Barley, buckwheat, kaffir-corn, millet, oats, rye: ground, malted or otherwise prepared, including samp, per 100 lb. 2s. 9d., rebate 3d.

Class III.—25 per cent. ad valorem.

70	Perfumery, cosmetics, dyes, powders, and other preparations for toilet use, not elsewhere enumerated.	Tooth powders, tooth pastes, and tooth washes containing less than 3 per cent. of proof spirit.
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NOTE.—A rebate of 3 per cent. ad valorem shall be granted on goods the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.

Class IV.—3 per cent. ad valorem.

75	Ammonia (solution) and anhydrous ammonia, ammonium carbonate, ammonium chloride (sal-ammoniac), ammonium nitrate, and ammonium perchlorate: in bulk.	Ammonia (solution) and anhydrous ammonia, ammonium carbonate, ammonium chloride (sal-ammoniac), ammonium nitrate, ammonium oxalate, and ammonium perchlorate: in bulk.
98	Felt, rubberoid, uralite, and similar substances for building purposes.	Felt, rubberoid, and similar substances for building purposes.
112	Leather: patent, enamelled, roan and morocco, pigskin in the piece and valve hide.	(a) Leather in the piece: (i) Patent and enamelled. (ii) Morocco and roan. (iii) Pigskin. (iv) Valve hide. (b) High-grade leather in the piece, viz.: (i) Black calf, being whole skins, when the measurement does not exceed 144 square feet per one dozen whole skins, and the measurement of no single skin exceeds 12½ square feet, and the "free on board" price is not less than 1s. 3d. per square foot. (ii) Coloured calf (other than black), being whole skins, when the measurement does not exceed 144 square feet per one dozen whole skins, and the measurement of no single skin exceeds 12½ square feet, and the "free on board" price is not less than 1s. 6d. per square foot. (iii) Black glacé kid, when the measurement does not exceed 72 square feet per one dozen whole skins, and the measurement of no single skin exceeds 6½ square feet, and the "free on board" price is not less than 1s. 3d. per square foot. (iv) Coloured glacé kid (other than black), when the measurement does not exceed 72 square feet per one dozen whole skins, and the measurement of no single skin exceeds 6½ square feet, and the "free on board" price is not less than 1s. 6d. per square foot. (v) Suede, velour and velvet finish leathers (not including those made from splits or goat- or sheepskins and not including leather known as chamois), when the measurement does not exceed 120 square feet per one dozen sides, and the measurement of no single side exceeds 10½ square feet, and the "free on board" price is not less than 1s. 6d. per square foot: Provided that no leather shall be entered for payment of duty under items (b) (i), (ii), (iii), (iv) and (v), that is not full or straight chrome tanned.

Tariff Item.	Article.	Amendment or Addition.
114	Machinery: (a) Machinery, apparatus, appliances and implements (not including material, vehicles, mechanics' tools, domestic machines, or harness) for agricultural, manufacturing, mining, bookbinding, printing, and other industrial purposes. (b) Machinery, apparatus, appliances, implements, and electrical material used in connection therewith, for the generation, storage, transmission, distribution of, and lighting by, gas or electric power, but not including electroliers, hand lamps, or fancy fittings.	Machinery: (a) Machinery, apparatus, appliances and implements (not including material, vehicles, mechanics' tools not elsewhere enumerated, domestic machines, harness, or acetylene lamps) for agricultural, manufacturing, mining, bookbinding, printing, and other industrial purposes. (b) Machinery, apparatus, appliances, implements, and electrical material used in connection therewith, for the generation, storage, transmission, distribution of, and lighting by, gas or electric power, but not including electroliers, acetylene lamps, hand lamps, or fancy fittings.
117	Metals: (c) Iron and steel— (ii) sheets, plain, perforated, galvanized, corrugated or enamelled. (e) Tin and zinc: bar, plate, sheet, plain or perforated, but otherwise unmanufactured.	Metals: (c) Iron and steel— (ii) sheets, plain, perforated, galvanized or corrugated. (e) Tin and zinc: bar, plate, sheet, plain or perforated, but otherwise unmanufactured; but not including lacquered, varnished, or enamelled plates or sheets.
120	Paper: all plain or composite papers, including tissue paper, in the original mill wrappers, flat or folded, not less than 16 inches by 15 inches, and in reels, including paper in reels used for the monotype typesetting machine; but not including ruled or printed papers, stationery, blotting, wall, sanitary, sensitized, tracing, or carbon papers.	Paper not elsewhere enumerated, namely: plain or composite papers, including tissue paper, in the original mill wrappers, flat or folded, not less than 16 inches by 15 inches, and in reels, including paper in reels used for the monotype typesetting machine, and graphitized paper; but not including ruled or printed papers, stationery, blotting, wall, sanitary, sensitized, tracing, or carbon papers.
122	Potassium and sodium: carbonate, bicarbonate, caustic and silicate, chlorate, bichromate, permanganate, red and yellow prussiate of: in bulk.	Potassium and sodium: carbonate, bicarbonate, caustic and silicate, chlorate, bichromate, metabisulphite, permanganate, red and yellow prussiate of: in bulk.
126	Resin: in bulk.	Resin, gums, dry shellac, and resin size for paper-making: in bulk.
131	Slates for roofing.	Slates for roofing not elsewhere enumerated.

NOTE.—A rebate of the whole duty shall be granted on goods the growth produce, or manufacture of the United Kingdom and reciprocating British Possessions.

Class V.—Free.

167	Dyes, colour preparations (not including boot blacking and boot polishes), used in the manufacture or preparation for sale of articles; substances for preparing or bating hides, and substances for tanning and finishing leather, including alum and hyposulphite; under such conditions and regulations as the Director of Customs may prescribe.	Dyes, colour preparations, spirituous or non-spirituous (including boot blacking and boot polishes not being for resale), and glazes; used in the manufacture or preparation for sale of articles; substances for preparing or bating hides and skins, and substances for tanning and finishing leather, including alum and hyposulphite; under such conditions and regulations as the Director of Customs may prescribe.
189	Tallow, including vegetable tallow.	Tallow, including vegetable tallow, and oleine.

PART III.—EXCISE DUTY OR CORRESPONDING CUSTOMS DUTY.

Article.	Rate of Duty.
£ s. d.	
Matches:—	
(a) In boxes or packages of not more than 100 matches, per gross of boxes or packages.....	0 1 0
(b) In boxes or packages containing more than 100 matches, but not more than 200 matches, per gross of boxes or packages.....	0 2 0
And for every 100 additional matches, in boxes or packages per gross of 100 matches.....	0 1 0

PART IV.—EXCISE DUTY ON PATENT OR PROPRIETARY MEDICINES.

Article.	Rate of Excise Duty.
£ s. d.	
Patent or proprietary medicines sold or exposed for sale by retail; when the retail selling price of the packet, box, bottle, pot, phial, or other container, with its contents, but exclusive of the excise duty, does not exceed:—	
s. d.	
1 6.....	0 0 2
2 0.....	0 0 3
2 6.....	0 0 4
4 0.....	0 0 6
6 0.....	0 1 0
10 0.....	0 1 6
20 0.....	0 4 6
50 0.....	0 10 0
over 50 0.....	1 0 0

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No. 34 of 1923.]

PROCLAMATION

By His Royal Highness the High Commissioner.

Whereas it is expedient to amend further the tariffs of customs and excise in force in Swaziland (herein after referred to as "the territory"); to impose an excise duty on patent and proprietary medicines; and to amend in other respects the laws relating to the customs:

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:—

CHAPTER I.

Customs Duties.

1. Subject to the exemptions, and to any suspensions, rebates and conditions permitted or provided by or under the authority of the Swaziland Customs Tariff Proclamation 1914, or any amendment thereof, or this Proclamation, and subject also to the provisions of any law relating to the management of customs, there shall be charged, levied, collected and paid customs duties in respect of goods imported into the territory according to the tariff set out in Part I of the Schedule to this Proclamation.

2. The duty at the rate set forth in Part I of the Schedule to this Proclamation on—

motor spirit, packed in tins, drums or other containers, shall not be charged, levied, collected and paid until the first day of September, 1923. Until such date it shall be charged, levied, collected and paid at the rate set forth in the First Schedule to the Swaziland Customs Tariff Proclamation, 1914.

3. The duty at the rate set forth in Part I of the Schedule to this Proclamation on boots and shoes shall be charged, levied, collected and paid until the thirty-first day of March, 1923, after which date it shall be reduced by 2½ per cent. per annum until such duty, less any rebate of duty, amounts to 17 per cent. *ad valorem*.

4. The Swaziland Customs Tariff Proclamation 1914, as amended, is hereby further amended or added to, to the extent shown in Part II of the Schedule to this Proclamation.

CHAPTER II.

Excise Duties.

5. There shall be charged, levied, collected and paid on matches manufactured in the territory the duties of excise set out in Part III of the Schedule to this Proclamation, and on matches manufactured in a territory the Government whereof has entered into a Customs agreement with the Government of the Union of South Africa (herein after referred to as "the Union") corresponding Customs duties.

6. There shall be charged, levied, collected and paid the duties of excise as set out in Part IV of the Schedule to this Proclamation, on patent or proprietary medicines sold or exposed for sale by retail, and such duties shall be levied and collected in the manner herein after prescribed: Provided however that such excise duties shall not be payable on patent or proprietary medicines manufactured in or imported through the Union which bear stamps (affixed in such manner as is prescribed by law or regulation of the Union) of a value equivalent to the Excise duty payable thereon under the Customs and Excise Duties Amendment Act 1923 of the Union or any amendment thereof.

7. No person shall sell or expose for sale by retail any patent or proprietary medicine unless—

(a) it is securely enclosed in an unbroken packet, box, bottle, pot, phial, or other container; and

(b) the packet, box, bottle, pot, phial, or other container has been stamped with a stamp of a value equivalent to the excise duty payable under this Proclamation or under the corresponding laws of the Union on the retail selling price of the packet, box, bottle, pot, phial, or other container, with its contents; and

(c) the stamp has been affixed to every container in the manner prescribed by regulation.

8. (1) Any person who—

(a) sells or exposes for sale by retail a patent or proprietary medicine in contravention of or non-compliance with any provision of this Proclamation;

(b) for the purpose of stamping any packet, box, bottle, pot, phial, or other container of a patent or proprietary medicine, uses or supplies, or offers to supply, any stamp other than a stamp supplied by the Government for the purpose, or any stamp so supplied but previously used;

shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding three hundred pounds, or to imprisonment without the option of a fine for a period not exceeding twelve months, or to both such fine and imprisonment, and such medicines so sold or exposed for sale or stamped with an unauthorized or previously used stamp, shall be forfeited to the Crown.

(2) Nothing in this section contained shall be deemed to exempt any person from any other penalty, civil or criminal, to which he may be liable under any other law in respect of any such contravention or non-compliance as is described in this section.

9. Any officer duly authorized by the Director may at all times enter and search any premises in which patent or proprietary medicines are exposed for sale by retail, or the premises of any person who is suspected of selling patent or proprietary medicines by retail, and may seize upon such premises any patent or proprietary medicine, together with all books, accounts, and documents relating thereto, in respect of which a contravention of or non-compliance with this Proclamation has, or is suspected of having, taken place. Any person who resists, hinders or obstructs any such officer in the lawful exercise of his powers under this section shall be guilty of an offence, and shall be liable, on conviction, to a fine not exceeding one hundred pounds or to imprisonment without the option of a fine for a period not exceeding six months or to both such fine and imprisonment.

10. (1) The High Commissioner may from time to time by notice in the *Gazette* make, alter and revoke regulations—

- (a) providing for the sale, under such safeguards as may be necessary for the protection of the revenue, of stamps required to be affixed to the containers of patent or proprietary medicines;
- (b) prescribing the form of stamp to be affixed and the manner of affixing the same to such containers, and generally for the better carrying out of the objects and purposes of this Proclamation.

(2) Such regulations may provide penalties for a contravention thereof or failure to comply therewith not exceeding a fine of one hundred pounds.

11. In this Chapter unless inconsistent with the context—

“Director” means the Director of Customs or any officer for the time being lawfully acting in that capacity.

“Exposed for sale by retail” includes storage in any shop in which retail sales take place.

“Medicine” means any drug or other substance (other than vaccines, sera, toxins, and substances of a like nature, and the so-called “Dutch medicines”), used or intended to be used, whether internally, externally, or by injection, in halation or otherwise, for the prevention, relief or cure of any disease or disorder in man.

“Patent or proprietary medicine” means any medicine—

- (a) protected in the Union or in the territory under current Letters Patent; or
- (b) prepared or purporting or professed to have been prepared from some secret formula; or
- (c) prepared or purporting or professed to have been prepared by some secret or occult art, whether or not the formula is or is professed to be secret; or
- (d) sold under a name or trade mark registered specially in regard thereto; or
- (e) sold under any description which, by reason of the use of the possessive case or otherwise, implies or indicates proprietary rights; or
- (f) prepared for sale as an article of commerce, and not specially prepared or supplied in accordance with the prescription of a medical practitioner for the use of the purchaser or a member of his family or other person in his charge.

Provided that the term “Patent or proprietary medicine” shall not include—

- (1) any medicine mentioned in the edition of the British Pharmacopoeia at the time being in force in the Union or in the territory under the Medical and Pharmacy laws or in the British Pharmaceutical Codex or any official supplement thereto, or any mixture of medicines so mentioned, when such medicine or mixture is not held out or recommended in the label or in any printed or other matter on or accompanying the container or package, and is not otherwise advertised to the public, as a cure or remedy for any disease or disorder in man, and when, in the case of a medicine, it is sold under the name mentioned in the British Pharmacopoeia or British Pharmaceutical Codex, or, in the case of a mixture, its composition is stated on the label of the container or package;
- (2) such other medicines as the High Commissioner may from time to time specify by notice in the *Gazette*.

CHAPTER III.

General.

12. Paragraphs (1) and (3) of section eight of the Swaziland Customs Tariff Proclamation 1914, are hereby repealed, and the following paragraphs (1), (3) and (4) are substituted therefor:—

“(1) In the case of goods imported into the territory of a class or kind produced or manufactured in the territory or in the Union if the export selling price, free on board, to an importer in the territory or in the Union be less than that at which the same goods are sold for home consumption in the usual and ordinary course of trade, in the principal markets of the country of export, at the time of shipment, plus the free on board charges, and detriment may thereby, in the opinion of the High Commissioner result to a South African industry, the High Commissioner may by notice in the *Gazette* declare that there shall (whether or not any other customs duty is payable thereon) be charged, levied, collected, and paid on those goods on importation into the territory a special customs duty (or dumping duty) equal to the difference between the said selling price to the importer and the price at which the goods are sold for home consumption as aforesaid, plus the free on board charges; Provided that the special customs duty (or dumping duty) shall not, in any case, exceed twenty-five per cent. *ad valorem*.

(3) When any goods of which the value as defined by section seven of this Proclamation, or any amendment thereof, added to the marine insurance and freight charges, does not exceed £10 per ton and which are of a class or kind produced or manufactured in the territory or in the Union, have been or are being carried to South Africa at a rate of freight which, in the opinion of the High Commissioner, is detrimental to the production or manufacture of those goods in South Africa, the High Commissioner may by notice in the *Gazette* (which may, at any time, by notice, be amended or withdrawn), determine a minimum rate of freight for the carriage of the goods specified from any country named in such notice, and there shall be charged, levied, collected, and paid on those goods on importation into the territory from any country so named a special customs duty (or dumping freight duty) equal to the difference between the net freight rate paid, or to be paid, and the rate determined as aforesaid.

(4) A notice issued under paragraph (1) or (3) of this section shall not have force or effect in respect of goods exported from the country named therein, prior to the date of publication thereof in the *Gazette*.”

13. Whenever for the purposes of estimating the amount of customs duty payable in respect of any goods, it is necessary, in terms of section seven of the Swaziland Customs Tariff Proclamation, 1914, or of any other law, to determine the true current value for home consumption in the open market of similar goods in the principal markets of the country from which and at the time at which the goods were imported and the Director has any doubt as to the correctness of the certificate of such value given by the manufacturer or supplier in the country of export, a written certificate, signed by a person in that country specially designated by the Director certifying such value shall, for the purpose of assessing the amount of customs duty or any other duty payable on such goods and all other matters incidental to such purpose, be accepted as conclusive evidence of such value.

14. The High Commissioner may by notice in the *Gazette* declare that, subject to conditions set out in such notice, there may be allowed a rebate of the whole or any part of the customs duties that would otherwise be payable under the Swaziland Customs Tariff Proclamation, 1914, or any amendment thereof, on the articles enumerated hereunder, on first importation or when taken out of bond, viz.:—

- (a) edible seeds for experimental purposes not being corn or grain or potatoes;
- (b) appointments and uniforms imported by or on behalf of a recognized boys' naval brigade;
- (c) salt for use in the dairying industry and for bacon-curing;
- (d) yarn for use in the manufacture of suitings, coatings and other dress materials, and for machine-knitted goods;
- (e) turpentine, vegetable or mineral, for use in the manufacture of paints, varnishes or polishes;
- (f) gunpowder and time fuses for use in the whaling industry;
- (g) canvas in the piece, weighing less than 8 oz. per yard of 28½ inches in width for use in manufactures;
- (h) corduroy for use in the mining industry;
- (i) eucalyptus, pine and other oils, for use in connection with the extraction of gold and other minerals by the flotation process;
- (j) soya-bean, citronella, and mirbane oils for use in the soap-making industry;
- (k) waxes for use in the manufacture of polishes; and tinfoil for use in the packing of polishes and confectionery;
- (l) wrapping-paper for paper bag-making;
- (m) linseed-oil, raw, for use in the manufacture of paints for resale;
- (n) motor spirit, as set forth in Part I, Class I, item 33 of the Schedule to this Proclamation, when mixed with spirit distilled in the Union, and intended for use as fuel in internal combustion engines.

15. Section ten of the Swaziland Customs Management Proclamation 1914, is hereby amended by the addition thereto of the following new paragraphs (g) and (h)—

- (g) carbide of calcium which, when treated with water yields less than two hundred and fifty litres of gas from one kilogramme, the gas being measured at fifteen degrees centigrade under a pressure of seven hundred and sixty millimetres of mercury;
- (h) second-hand boots and shoes.

16. Any expression to which a meaning has been assigned in and for the purposes of the Swaziland Customs Management Proclamation 1914, shall, when used in this Proclamation, or any regulations made thereunder, bear that meaning, unless the context otherwise requires.

17. Section twelve of the Swaziland Customs Tariff Proclamation 1914 is hereby amended by the deletion of the words “, being a portion of the British Dominions or under the protection of the Crown.”

18. This Proclamation may be cited for all purposes as the Swaziland Customs and Excise Duties Amendment Proclamation, 1923, and shall be deemed to have had force and to have taken effect

- (a) as regards any Customs or Excise Duties (except the duties mentioned in section two of this Proclamation) which are hereby imposed or increased, as from the twenty-eighth day of March 1923;
- (b) in other respects as from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Twenty-third day of June One thousand Nine hundred and Twenty-three.

ARTHUR FREDERICK,
High Commissioner.

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

SCHEDULE.

PART I.—CUSTOMS DUTIES

Class I.—Special Rates.

Tariff Item.	Article.	Duty.	Rebate upon goods the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.
8 (a) 18	Carbide of calcium, per 100 lb ... Confectionery:— (i) Confectionery, plain or fancy, of all kinds, compounded, made or preserved with sugar; sweetened cocoa or chocolate; preserves and sweetmeats; candied or preserved ginger or chow-chow; bon-bons, surprise packets and crackers, per lb... (or per £100..... whichever duty shall be the greater). NOTE.—Medicinal preparations properly classed as apothecary-ware are not to be included. (ii) Honey, jams, and jellies; pudding and jelly powders, per lb. (or per £100..... whichever duty shall be the greater).	£ s. d. 0 5 0	£ s. d. 0 0 6
19	Corn and Grain:— (a) Wheat— (ii) Ground or otherwise prepared, per 100 lb..... (b) (iii) Maize—ground or otherwise prepared, per lb.....	0 0 3½ 30 0 0	0 0 0½ 3 0 0
30	Matches:— (a) Wooden: in boxes or packages of not more than 100 matches, per gross of boxes or packages..... In boxes containing more than 100, but not more than 200 matches, per gross of boxes or packages..... and for every 100 additional matches, in boxes or packages, per gross of 100 matches..... (b) Fusees, vestas, or wax matches, or other patent lights used as such; in boxes or packages containing not more than 50, per gross of boxes or packages. In boxes or packages of more than 50, but not more than 100, per gross of boxes or packages..... and for every 50 additional in boxes or packages, per gross of 50 matches..... (Match splints to be classed, and pay duty, as matches.)	0 2 6 0 5 0 0 2 6 0 2 6 0 5 0 0 2 6	0 0 4 0 1
32	Milk or cream, condensed, desiccated, or preserved:— (a) Full cream, per 100 lb.....	0 10 4	0 2 0
33	Motor spirit, namely: Benzine, benzoline, naphtha (not potable), gasoline, petrol, and petroleum spirit generally:— (i) when not packed, per imperial gallon..... (ii) when packed in tins, drums, or other containers, per imperial gallon.....	0 0 2 0 0 3	
36 (2)	Paper, wrapping, including browns, casings, sealings, nature or ochre browns, sulphites, krafts, bag papers, and candle carton paper; in original mill wrappers, or in sheets, or in rolls, when the weight of the paper, at a size of 29 inches by 45 inches, or its equivalent, is not less than 30 lb. per ream of 480 sheets; but not including greaseproof, vegetable parchment, and cartridge papers, and tinfoil and similar metallic papers, per lb.	0 0 0½	0 0 0½
41 (2)	Rubber, manufactures of, namely: (a) pneumatic tyres and the tubes therefor— (i) tyres, including the weight of the immediate wrapper, per lb..... (ii) tubes for motor-vehicles other than motor-cycles, per lb..... (iii) tubes for motor-cycles and cycles, per lb..... (b) tyres, solid, per lb.....	0 1 0 0 0 8 0 1 0 0 0 3	0 0 3 0 0 2 0 0 3 0 0 1
44	Spirits:— (a) Perfumed, per imperial gallon (and in addition 25 per cent. ad valorem).	1 19 0	

Class II.—Mixed Rates.

Tariff Item.	Article.	Duty.	Rebate upon goods, the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.
52	Boots and shoes, per £100..... NOTE.—Infants' shoes and bootees are not included in this item.	£ s. d. 30 0 0	£ s. d. 3 0 0
52 (1)	Perfumery, including toilet preparations, non-spirituous, viz., powders, washes, pomatums, cosmetics, pastes, dyes, hair oils, and other preparations for toilet use, but not including tooth powders, tooth pastes, and tooth washes; not elsewhere enumerated, per £100.	40 0 0	3 0 0
52 (2)	Plywood, per cubic foot..... (or per £100..... whichever duty shall be the greater).	0 4 0 25 0 0	0 0 6 3 0 0

Class III.—25 per cent. ad valorem.

Tariff Item.	Article.	Duty.	Rebate upon goods, the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.
54 (2)	Asbestos-cement manufactures, namely, plain or corrugated sheets, slates, tiles, ridging, and guttering, per £100.....	25 0 0	3 0 0
68 (2)	Metal sheets, printed, lithographed, or embossed, including metal badges, metal name and number plates, and similar articles, per £100.....	25 0 0	3 0 0
69 (2)	Paints and colours, not elsewhere enumerated, per £100.....	25 0 0	3 0 0

Class IV.—3 per cent. ad valorem.

Tariff Item.	Article.	Duty.	Rebate upon goods, the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.
73 (2)	Acid, oxalic: in bulk.		
82 (2)	Boot and shoe makers' grindery, including poplins, linings, loopings, solutions, wood heels; cotton, linen and silk thread, not elsewhere enumerated; eyelets and hooks, ornaments not elsewhere enumerated; trimmings, socking paper, bottom fillings, backing cloth, tools, abrasives and crayons; under such conditions and regulations as the Director of Customs may prescribe.		
89 (2)	Cinematograph films, being blank films and known as raw films or stock.		
92 (2)	Cornish stone: in bulk.		
98 (2)	Fibre, leatherboard, hemptite and other compositions, metal and other frames, locks, clips, studs, handles, swivels, caps, corners, hat-box cones, and other metal fittings, and webbing, used in the harness and saddlery, and bag and trunk manufacturing industries; under such conditions and regulations as the Director of Customs may prescribe.		
101 (2)	Fuller's earth not elsewhere enumerated: in bulk.		
105 (2)	Harpoons, whaling guns and parts thereof, manilla and hemp whale lines over 3½ inches in circumference, used in the whaling industry; under such conditions and regulations as the Director of Customs may prescribe.		
105 (3)	Hinges, locks and keys, escutcheons, handles, castors, webbing, studs and bindings, for use in the furniture manufacturing industry; under such conditions and regulations as the Director of Customs may prescribe.		
111 (2)	Leads, white and red, dry, and lithopone: in bulk, to be used in the manufacture of paints for resale; under such conditions and regulations as the Director of Customs may prescribe.		
115 (2)	Manganese resinate: in bulk.		
116 (2)	Metal edging for use in the cardboard boxmaking industry.		
118 (2)	Naphthalene: in bulk.		
118 (3)	Nickel sulphate: in bulk.		
118 (4)	Oxides, namely: cobalt, copper, iron, tin, and zinc: in bulk.		
120 (2)	Perchloride of iron: in bulk.		
128 (2)	Saltpetre: in bulk.		
136 (2)	Tent rings, brass eyelets, and hooks and eyes, for use in the manufacture of canvas goods by manufacturers thereof; under such conditions and regulations as the Director of Customs may prescribe.		
143 (2)	Wireless telegraphy instruments and apparatus used in the working thereof.		

NOTE.—A rebate of the whole duty shall be granted on goods the growth, produce, or manufacture of the United Kingdom and reciprocating British possessions.

PART II.—AMENDMENTS OR ADDITIONS.
Class I.—Special Rates.

Tariff Item.	Article.	Amendment or Addition.
5	Blasting compounds, including all kinds of explosives suitable and intended for blasting, and not suitable for use in firearms (including detonators); and collodion cotton not intended for manufacturing purposes, per lb. 2½d., rebate ½d.	Blasting compounds, including all kinds of explosives suitable and intended for blasting, and not suitable for use in firearms (excepting detonators); and collodion cotton not intended for manufacturing purposes, per lb. 2½d., rebate ½d.

Tariff Item.	Article.	Amendment or Addition.
18 (a)	Crown corks and other stoppers made of metal, glass, earthenware, or mineral or vegetable composition, used alone or in combination with cork or other substances as stoppers for bottles and jars of common glass or earthenware; whether imported in combination or separately, per gross 3d.	Crown corks and similar stoppers (not being screw stoppers or swing stoppers), made of metal or other material, used alone or in combination with cork or other substances as stoppers for bottles and jars of common glass, per gross 3d.
19	Corn and grain: (b) Barley, buckwheat, kaffir-corn, maize, millet, oats, rye: (ii) ground, malted, or otherwise prepared, including samp, per 100 lb. 2s. 9d., rebate 3d.	Corn and grain: (b) (ii) Barley, buckwheat, kaffir-corn, millet, oats, rye: ground, malted or otherwise prepared, including samp, per 100 lb. 2s. 9d., rebate 3d.
Class III.—25 per cent. ad valorem.		
70	Perfumery, cosmetics, dyes, powders, and other preparations for toilet use, not elsewhere enumerated.	Tooth powders, tooth pastes, and tooth washes containing less than 3 per cent. of proof spirit.
NOTE.—A rebate of 3 per cent. <i>ad valorem</i> shall be granted on goods the growth, produce, or manufacture of the United Kingdom and reciprocating British possessions.		
Class IV.—3 per cent. ad valorem.		
75	Ammonia (solution) and anhydrous ammonia, ammonium carbonate, ammonium chloride (sal-ammoniac), ammonium nitrate, and ammonium perchlorate: in bulk.	Ammonia (solution) and anhydrous ammonia, ammonium carbonate, ammonium chloride (sal-ammoniac), ammonium nitrate, ammonium oxalate, and ammonium perchlorate: in bulk.
98	Felt, rubberoid, uralite, and similar substances for building purposes.	Felt, rubberoid, and similar substances for building purposes.
112	Leather: patent, enamelled, roan and morocco, pigskin in the piece and valve hide.	(a) Leather in the piece: (i) Patent and enamelled. (ii) Morocco and roan. (iii) Pigskin. (iv) Valve hide. (b) High-grade leather in the piece, viz.: (i) Black calf, being whole skins, when the measurement does not exceed 144 square feet per one dozen whole skins, and the measurement of no single skin exceeds 12½ square feet, and the "free on board" price is not less than 1s. 3d. per square foot. (ii) Coloured calf (other than black), being whole skins, when the measurement does not exceed 144 square feet per one dozen whole skins, and the measurement of no single skin exceeds 12½ square feet, and the "free on board" price is not less than 1s. 6d. per square foot. (iii) Black glacé kid, when the measurement does not exceed 72 square feet per one dozen whole skins, and the measurement of no single skin exceeds 6½ square feet, and the "free on board" price is not less than 1s. 3d. per square foot. (iv) Coloured glacé kid (other than black), when the measurement does not exceed 72 square feet per one dozen whole skins, and the measurement of no single skin exceeds 6½ square feet, and the "free on board" price is not less than 1s. 6d. per square foot. (v) Suede, velour and velvet finish leathers (not including those made from splits or goat or sheep skins and not including leather known as chamois), when the measurement does not exceed 120 square feet per one dozen sides, and the measurement of no single side exceeds 10½ square feet, and the "free on board" price is not less than 1s. 6d. per square foot: Provided that no leather shall be entered for payment of duty under items (b) (i), (ii), (iii), (iv) and (v), that is not full or straight chrome tanned.

Tariff Item.	Article.	Amendment or Addition.
114	Machinery: (a) Machinery, apparatus, appliances and implements (not including material, vehicles, mechanics' tools, domestic machines, or harness) for agricultural, manufacturing, mining, bookbinding, printing, and other industrial purposes. (b) Machinery, apparatus, appliances, implements, and electrical material used in connection therewith, for the generation, storage, transmission, distribution of, and lighting by, gas or electric power, but not including electrolyzers, hand lamps, or fancy fittings.	Machinery: (a) Machinery, apparatus, appliances and implements (not including material, vehicles, mechanics' tools not elsewhere enumerated, domestic machines, harness, or acetylene lamps) for agricultural, manufacturing, mining, bookbinding, printing, and other industrial purposes. (b) Machinery, apparatus, appliances, implements, and electrical material used in connection therewith, for the generation, storage, transmission, distribution of, and lighting by, gas or electric power, but not including electrolyzers, acetylene lamps, hand lamps, or fancy fittings.
117	Metals: (c) Iron and steel— (ii) sheets, plain, perforated, galvanized, corrugated or enamelled. (e) Tin and zinc: bar, plate, sheet, plain or perforated, but otherwise unmanufactured.	Metals: (c) Iron and steel— (ii) sheets, plain, perforated, galvanized or corrugated. (e) Tin and zinc: bar, plate, sheet, plain or perforated, but otherwise unmanufactured; but not including lacquered, varnished, or enamelled plates or sheets.
120	Paper: all plain or composite papers, including tissue paper, in the original mill wrappers, flat or folded, not less than 16 inches by 15 inches, and in reels, including paper in reels used for the monotype typesetting machine; but not including ruled, or printed papers, stationery, blotting, wall, sanitary, sensitized, tracing, or carbon papers.	Paper not elsewhere enumerated, namely: plain or composite papers, including tissue paper, in the original mill wrappers, flat or folded, not less than 16 inches by 15 inches, and in reels, including paper in reels used for the monotype typesetting machine, and graphitized paper; but not including ruled or printed papers, stationery, blotting, wall, sanitary, sensitized, tracing, or carbon papers.
122	Potassium and sodium: carbonate, bicarbonate, caustic and silicate, chlorate, bichromate, permanganate, red and yellow prussiate of: in bulk.	Potassium and sodium: carbonate, bicarbonate, caustic and silicate, chlorate, bichromate, metabisulphite, permanganate, red and yellow, prussiate of: in bulk.
126	Resin: in bulk.	Resin, gums, dry shellac, and resin size for paper-making: in bulk.
131	Slates for roofing.	Slates for roofing not elsewhere enumerated.

NOTE.—A rebate of the whole duty shall be granted on goods the growth, produce, or manufacture of the United Kingdom and reciprocating British Possessions.

Class V.—Free.

167	Dyes, colour preparations (not including boot blacking and boot polishes), used in the manufacture or preparation for sale of articles; substances for preparing or bating hides, and substances for tanning and finishing leather, including alum and hyposulphite; under such conditions and regulations as the Director of Customs may prescribe.	Dyes, colour preparations, spirituous or non-spirituous (including boot blacking and boot polishes not being for resale), and glazes; used in the manufacture or preparation for sale of articles; substances for preparing or bating hides and skins, and substances for tanning and finishing leather, including alum and hyposulphite; under such conditions and regulations as the Director of Customs may prescribe.
189	Tallow, including vegetable tallow.	Tallow, including vegetable tallow, and oleine.

PART III.—EXCISE DUTY OR CORRESPONDING CUSTOMS DUTY.

Article.	Rate for Duty.
	£ s. d.
Matches:—	
(a) In boxes or packages of not more than 100 matches, per gross of boxes or packages.....	0 1 0
(b) In boxes or packages containing more than 100 matches, but not more than 200 matches, per gross of boxes or packages.....	0 2 0
And for every 100 additional matches, in boxes or packages, per gross of 100 matches.....	0 1 0

PART IV.—EXCISE DUTY ON PATENT OR PROPRIETARY MEDICINES.

Article.	Rate of Excise Duty.
	£ s. d.
Patent or proprietary medicines sold or exposed for sale by retail; when the retail selling price of the packet, box, bottle, pot, phial, or other container, with its contents, but exclusive of the excise duty, does not exceed :—	
s. d.	
1 6.....	0 0 2
2 0.....	0 0 3
2 6.....	0 0 4
4 0.....	0 0 6
6 0.....	0 1 0
10 0.....	0 1 6
20 0.....	0 4 6
50 0.....	0 10 0
over 50 0.....	1 0 0

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HIGH COMMISSIONER'S NOTICE No. 55 of 1923.

It is hereby notified for general information that His Royal Highness the High Commissioner has been pleased to make the following Rules of Court under the provisions of section *six* of the Maintenance Orders (Facilities for Enforcement) (Basutoland) Proclamation 1921 (No. 75 of 1921).

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

High Commissioner's Office,
Capetown, 21st June, 1923.

BASUTOLAND.

RULES OF COURT.

1. The copy of an Order made by a Court outside Basutoland and received by the Resident Commissioner under section *one* of the Maintenance Orders (Facilities for Enforcement) (Basutoland) Proclamation 1921 (hereinafter referred to as "the Proclamation") shall be sent to the Clerk of the Court of the Assistant Commissioner of the District in which the defendant is alleged to be living.

2. The copy of a Provisional Order made by a Court outside Basutoland and received by the Resident Commissioner under section *four* of the Proclamation shall be sent to the Clerk of the Assistant Commissioner of the district in which the defendant is alleged to be living, with the accompanying documents and a requisition for the issue of a summons.

3. The Clerk to whom any Order is sent in accordance with the above Rules shall enter it in his register on the date on which he receives it in the same manner as though the Order had been made at his Court, distinguishing it from the other entries in such manner as he may find most convenient, so as to show that it is entered in pursuance of the Proclamation.

4. When an Order provisionally made outside Basutoland has been confirmed with or without modification, under section *four* of the Proclamation by a Court of Assistant Commissioner, or the Court has decided not to confirm it, the Clerk of the Court shall send notice thereof to the Court from which it issued, and also to the Resident Commissioner for transmission to the High Commissioner.

5. When an Order has been registered in a Court of Assistant Commissioner under section *one* of the Proclamation, or a Provisional Order has been confirmed by a Court of Assistant Commissioner under section *four*, that Court shall, unless satisfied that it is undesirable to do so, direct that all payments due thereunder shall be made through an Officer of the Court, or such other person as it may specify for the purpose.

6. The person through whom the payments are directed to be made shall collect the moneys due under the Order and may take proceedings in his own name for enforcing payment, and shall send the moneys, when so collected, to the Court from which the Order originally issued:

Provided that if the Court from which the Order originally issued is in England the moneys so collected shall be paid to the Crown Agents for the Colonies in London for transmission to the Officer of Court or person to whom they are due.

7. When a Provisional Order made under section *three* of the Proclamation has been remitted under sub-section (4) of that section to a Court of Assistant Commissioner for the purpose of taking further evidence, notice specifying the further evidence required and the time and place fixed for taking it shall be sent by the Clerk of the Court to the person on whose application the Provisional Order was made.

8. These Rules may be cited as the Basutoland Maintenance Orders (Facilities for Enforcement) Rules, 1923.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 56 of 1923.

It is hereby notified for general information that His Royal Highness the High Commissioner has been pleased under the powers in him vested by section *twenty* of the Swaziland Administration Proclamation 1907 and section *six* of the Maintenance Orders (Facilities for Enforcement) (Swaziland) Proclamation 1921, to

make the subjoined Rules for Swaziland, therein referred to as the Territory.

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

High Commissioner's Office,
Capetown, 21st June, 1923.

SWAZILAND.

RULES OF COURT.

1. The copy of an Order made by a Court outside the Territory and received by the Resident Commissioner under section *one* of the Maintenance Orders (Facilities for Enforcement) (Swaziland) Proclamation 1921 (hereinafter referred to as "the Proclamation") shall be sent to the Clerk of the Court of Assistant Commissioner of the district in which the defendant is alleged to be living.

2. The copy of a Provisional Order made by a Court outside the Territory and received by the Resident Commissioner under section *four* of the Proclamation shall be sent to the Clerk of the Court of Assistant Commissioner of the district in which the defendant is alleged to be living, with the accompanying documents and a requisition for the issue of a Summons.

3. The Clerk of the Court to whom any Order is sent in accordance with the above Rules shall enter it in his register on the date on which he receives it in the same manner as though the Order had been made at his Court, distinguishing it from the other entries in such manner as he may find most convenient, so as to show that it is entered in pursuance of the Proclamation.

4. When an Order provisionally made outside the Territory has been confirmed, with or without modification, under section *four* of the Proclamation, by a Court of Assistant Commissioner, or the Court has decided not to confirm it, the Clerk of the Court shall send notice thereof to the Court from which it issued and also to the Resident Commissioner for transmission to the High Commissioner.

5. When an Order has been registered in a Court of Assistant Commissioner under section *one* of the Proclamation, or a Provisional Order has been confirmed by a Court of Assistant Commissioner under section *four*, that court shall, unless satisfied that it is undesirable to do so, direct that all payments due thereunder shall be made through an officer of the Court or such other person as it may specify for the purpose. Such direction may be given without any application.

6. The person through whom the payments are directed to be made shall collect the moneys due under the Order, and may take proceedings in his own name for enforcing payment, and shall send the moneys, when so collected, to the Court from which the Order originally issued; Provided that if the Court from which the Order originally issued is in England, the moneys so collected shall be paid to the Crown Agents for the Colonies in London for transmission to the officer of Court or other person to whom they are due.

7. When a Provisional Order made under section *three* of the Proclamation has been remitted under sub-section (4) of that section to a Court of Assistant Commissioner for the purpose of taking further evidence, notice specifying the further evidence required and the time and place fixed for taking it shall be sent by the Clerk of the Court to the person on whose application the Provisional Order was made.

8. These Rules may be cited as the Swaziland Maintenance Orders (Facilities for Enforcement) Rules 1923, and shall have force and take effect from the date of their publication in the *Gazette*.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 57 of 1923.

It is hereby notified for general information that His Royal Highness the High Commissioner has been pleased to approve of the subjoined Rules of Court which have been made by His Honour the Resident Commissioner for the Bechuanaland Protectorate by virtue of section *six* of the Maintenance Orders (Facilities for Enforcement) (Bechuanaland Protectorate) Proclamation 1921 (No. 76 of 1921).

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

High Commissioner's Office,
Capetown, 21st June, 1923.

PROVISIONAL RULES MADE UNDER THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) (BECHUANALAND PROTECTORATE) PROCLAMATION 1921 (No. 76 of 1921).

1. The copy of an Order made by a Court outside the Bechuanaland Protectorate and received by the Resident Commissioner under section *one* of the Maintenance Orders (Facilities for Enforcement) (Bechuanaland Protectorate) Proclamation 1921 (hereinafter referred to as "the Proclamation") shall be sent to the Registrar or Clerk of the Court of Assistant Commissioner or Magistrate of the district in which the Defendant is alleged to be living.

2. The copy of a Provisional Order made by a Court outside the Bechuanaland Protectorate and received by the Resident Commissioner under section *four* of the Proclamation shall be sent to the Court of Assistant Commissioner or Magistrate of the district in which the Defendant is alleged to be living, with the accompanying documents and a requisition for the issue of a summons.

3. The Registrar or Clerk of Court to whom any order is sent in accordance with the above Rules shall enter it in his register on the date on which he receives it in the same manner as though the Order had been made at his Court distinguishing it from the other entries in such manner as he may find most convenient, so as to show that it is entered in pursuance of the Proclamation.

4. When an Order provisionally made outside the Bechuanaland Protectorate has been confirmed with or without modification under section *four* of the Proclamation by a Court of Assistant Commissioner or Magistrate or the Court has decided not to confirm it, the Registrar or Clerk of the Court shall send notice thereof to the Court from which it was issued and also to the Resident Commissioner for transmission to the High Commissioner.

5. When an Order has been registered in a Court of Assistant Commissioner or Magistrate under section *one* of the Proclamation or a Provisional Order has been confirmed under section *four*, that Court shall, unless satisfied that it is undesirable to do so, direct that all payments due thereunder shall be made through an Officer of the Court, or such other person as it may specify for the purpose. Such direction may be given without any complaint or application.

6. The person through whom the payments are directed to be made shall collect the moneys under the Order and may take proceedings in his own name for enforcing payments and shall send the moneys when so collected, to the Court from which the Order originally issued. Provided that if the Court from which the Order originally issued is in England the moneys so collected shall be paid to the Crown Agents for the Colonies, in London, for transmission to the Officers of Court or other person to whom they are due.

7. When a Provisional Order made under section *three* of the Proclamation has been remitted under sub-section (4) of that section to a Court of Assistant Commissioner or Magistrate for the purpose of taking further evidence, notice specifying the further evidence required and the time and place fixed for taking it shall be sent by the Registrar or Clerk of the Court to the person on whose application the Provisional Order was made.

8. These Rules may be cited as the Bechuanaland Protectorate Maintenance Orders (Facilities for Enforcement) Rules 1923.

(Printed by the Government Printer, Pretoria.)

SALE IN EXECUTION.

F. P. VAN OUDTSHOORN, Plaintiff, *versus* JACOB SANGWENI, Defendant.

In execution of a judgment of the Court of the Assistant Commissioner for the District of Hlatikulu, Swaziland, dated 22nd February, 1923, the following will be sold by public auction at Hlatikulu at 11 a.m. on Saturday, the 14th July, 1923:—
One Grey Stallion.

H. SHERIDAN,
Messenger of the Court, Hlatikulu.

26th June, 1923.