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OFFICIAL GAZETTE

OF THE

HIGH COMMISSIONER FOR SOUTH AFRICA.

PUBLISHED BY AUTHORITY OF HIS ROYAL HIGHNESS THE HIGH COMMISSIONER

VOL. LXXXIII.]

PRETORIA, FRIDAY, 3RD AUGUST, 1923.

[No. 1146.]

* No. 36 of 1923.]

PROCLAMATION

BY HIS ROYAL HIGHNESS THE HIGH COMMISSIONER.

Whereas it is necessary to fix the rates of normal tax and super tax in respect of the twelve months ended the thirtieth day of June, 1923.

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 Basutoland Income Tax Proclamation 1920 (herein after referred to as the said Proclamation) there shall be levied in respect of every taxable income (as in the said Proclamation defined) accrued to or in favour of any person during the twelve months ended the thirtieth day of June, 1923, an income tax (referred to in the said Proclamation as normal tax) at the rates specified in section eight thereof as amended by section two of the Basutoland Income Tax Further Amendment Proclamation 1921.

2. In terms of sub-section (4) of section eighteen of the said Proclamation there shall be levied in respect of every income subject to super tax (as defined in section nineteen of the said Proclamation) which shall have accrued to, or in favour of, any individual during the twelve months ended the thirtieth day of June, 1923, a super tax at the rates specified in section twenty-three of the said Proclamation as amended by section seven of the Basutoland Income Tax Further Amendment Proclamation 1921.

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

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Twenty-seventh day of July, 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. 37 of 1923.]

PROCLAMATION

BY HIS ROYAL HIGHNESS THE HIGH COMMISSIONER.

Whereas it is expedient to amend in certain respects Ordinance No. 16 of 1847 of the Colony of the Cape of Good Hope entitled "Ordinance for the better regulation of Pounds and Prevention of Trespasses" and any law amending the same as in force 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. So much of the said Ordinance No. 16, 1847 and of any law amending the same as is repugnant to or inconsistent with this Proclamation is hereby repealed.

2. The magistrate of any district, with the approval of the Resident Commissioner, shall establish therein such pounds as may be deemed necessary and appoint and dismiss poundmasters.

3. The magistrate of any district, with the approval of the Resident Commissioner, may appoint any non-commissioned officer of the Bechuanaland Protectorate Police to be poundmaster.

4. The magistrate of any district, with the approval of the Resident Commissioner, may abolish any pound therein which he shall deem it inexpedient to continue.

5. Advertisements or notices of intended sales of impounded animals, commonly called pound notices, shall be published in such manner and form as the Resident Commissioner may from time to time approve and direct.

6. The costs of defraying the expenses of publishing the pound notices and other notices in connection with pounds shall be paid out of moneys received from pounds and any surplus funds realized by the sale of unclaimed animals shall be paid into the Treasury.

7. This Proclamation 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 Pretoria this Twenty-seventh day of July, 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. 38 of 1923.]

PROCLAMATION

BY HIS ROYAL HIGHNESS THE HIGH COMMISSIONER.

Whereas it is expedient for the protection of the natives of the Bechuanaland Protectorate (herein after referred to as "the territory") to regulate the sale to such natives of goods on credit;

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

1. No contract for the sale of goods on credit to a native by any person not being a native entered into after the taking effect of this Proclamation whether in the territory or elsewhere shall be recognized by the courts of the territory as valid unless—

(a) the same is in writing and attested by an assistant commissioner, resident magistrate, or assistant resident magistrate having jurisdiction at the place where such contract is made and

(b) such assistant commissioner or magistrate certifies in writing that the native signing the contract is known to him and that the same is bona fide and appears to be for the benefit of the native.

2. An assistant commissioner or magistrate shall, before sanctioning any contract under this Proclamation, satisfy himself that the native concerned understands the contract and agrees thereto and that the chief of such native recommends that such sanction be given, and may also require delivery of the goods to be made to the native in his presence or in the presence of some person appointed by him or may require evidence of such delivery having been duly made.

3. In this Proclamation unless the context otherwise requires "native" means any aboriginal native belonging to any native tribe of the territory, and includes half-castes and all persons of mixed race living in the territory as members of any native community, tribe, kraal or location; and "sale" includes barter or exchange.

4. This Proclamation may be cited as the Bechuanaland Protectorate Credit Sales to Natives Proclamation, 1923, and shall have force and take effect from the first day of January, 1924.

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Twenty-seventh day of July, 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. 39 of 1923.]

PROCLAMATION

By His Royal Highness the High Commissioner.

Whereas, it is expedient to proclaim a certain portion of land in Swaziland to be Crown land;

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 and the Swaziland Order-in-Council 1906 and the Swaziland Order-in-Council 1909 and by virtue of the further authority conferred upon me under the Swaziland Crown Lands and Minerals Order-in-Council 1908, as amended by the Swaziland Crown Lands and Minerals Amendment Order-in-Council 1910, I do hereby declare proclaim and make known as follows:—

The area of land in Swaziland described in the Schedule to this Proclamation shall from the date of the publication of this Proclamation in the *Gazette* be Crown land, and shall be registered and known as Lot No. 199, District Hlatikulu, Swaziland; provided always that the proclamation of the said area as Crown land shall not affect any concession lease servitude or other right subsisting in respect of the said area which is registered at the date of such publication and is not vested in the Crown.

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Twenty-seventh day of July, 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.

Portion of Land Concession No. 24 P, held by the Government of Swaziland under Certificate of Registered Title No. 28/1923, in extent 740 morgen 50 square rods, as shown on Diagram S.G. No. S. 30/23 approved by the Surveyor General, by the figure lettered A, B, C, D, E, F, A.

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HIGH COMMISSIONER'S NOTICE No. 65 of 1923.

It is hereby notified for general information that, in terms of section seven of the Basutoland Marriage Proclamation, 1911, His Royal Highness the High Commissioner has been pleased to approve the appointment of the following gentlemen to be Marriage Officers under the said Proclamation for the solemnization of marriages within Basutoland:—

The Reverend Father Joseph Picard, O.M.I.
The Reverend Father Louis Klein, O.M.I.

By Command of His Royal Highness the
High Commissioner.

H. J. STANLEY,
Imperial Secretary.

High Commissioner's Office,
Capetown, 30th July, 1923.

POUND SALE.

Unless previously released, the undermentioned donkey will be sold by the Poundmaster, Mbabane, Swaziland, at 10 a.m., Wednesday, the 8th August, 1923:—

One dark mouse-coloured donkey stallion, white belly and muzzle, young.

Terms: Cash to highest bidder.

P. G. KEIGHTLEY,
Acting Poundmaster, Mbabane.

POUND SALE.

If not previously claimed, the following animals will be sold by the Poundmaster, Mbabane, on the 14th day of August, 1923, at 10 a.m. (terms cash), to the highest bidder:—

1 Black mare, yellow muzzle, branded J.V. left hind quarter, about 7 years old.

1 Black mule colt, about 12 months old.

1 Bay gelding, stout build, star, tail tipped, branded T.U.S. right hind quarters, about 7 to 8 years old.

1 Dark brown gelding, long mane and tail, small white strip near withers, branded J.I. left hind quarter, about 7 years old.

1 Dark brown gelding, about 2 years and 6 months old, no marks.

All these animals are in fair condition.

P. G. KEIGHTLEY,
Poundmaster, Mbabane.

POUND SALE.

To be sold in front of the Court-house, Hlatikulu, at 1 p.m., on Wednesday, the 22nd August, 1923, one Grey Mule, mare, aged, height 12.2 hands. Branded S.S. (faint) on near hind quarter. Terms cash to the highest bidder.

M. G. VAN OUDTSHOORN,
Poundmaster, Hlatikulu.

In the Estate of the late LILY STRACHAN, of Quthing,
Basutoland.

The Liquidation and Distribution Account in the above Estate will lie for inspection at the Offices of the Master of Court, Maseru, and the Assistant Commissioner, Quthing, for a period of three weeks from date of publication hereof.

H. PHOENIX,
Co-Executor Testamentary.