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# OFFICIAL GAZETTE

OF THE  
HIGH COMMISSIONER FOR SOUTH AFRICA.

PUBLISHED BY AUTHORITY OF HIS ROYAL HIGHNESS THE HIGH COMMISSIONER

Vol. LXXXI.]

PRETORIA, FRIDAY, 19TH JANUARY, 1923.

[No. 1118.]

No. 2 of 1923.]

## PROCLAMATION

BY HIS ROYAL HIGHNESS THE HIGH COMMISSIONER.

Whereas it is expedient to amend in certain respects Proclamation No. 15 of 1904 (herein after referred to as "the said Proclamation") whereby provision was made for the admission and enrolment of advocates, attorneys, notaries, and conveyancers as practitioners in the Courts of the Bechuanaland Protectorate;

And whereas it is expedient to provide that advocates, attorneys, and other persons shall not be entitled to appear in certain Courts of the Bechuanaland Protectorate in cases in which natives are concerned unless the leave of the Court has been obtained;

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

1. Sections *three*, *four*, and *five* of the said Proclamation shall be and are hereby amended by the insertion in each of the said sections after the words "The Resident Commissioner upon written petition may" of the words "in his discretion approve."

2. Section *eight* of the said Proclamation shall be and is hereby repealed and the following section substituted therefor:—

8. Before admitting any person as advocate, attorney, notary public, or conveyancer under this Proclamation, the Resident Commissioner shall require satisfactory proof of the possession by such person of the qualifications respectively prescribed by this Proclamation in respect of such admission, and of any other qualifications which the Resident Commissioner may in the exercise of his discretion consider necessary, and no person shall be enrolled as advocate or attorney of the Courts of the Protectorate until he shall have taken the oaths of allegiance and office set forth in the Schedule "A" to this Proclamation annexed.

3. The provisions of sections *one* and *two* of this Proclamation shall have effect in respect of any application for admission as advocate, attorney, notary public, or conveyancer which may be pending before the Resident Commissioner at the date of the taking effect of this Proclamation.

4. Notwithstanding anything contained in the said Proclamation or in any other law no advocate or attorney and no person authorized in accordance with Rule 13 of Schedule B to Act No. 20 of 1856 of the Cape of Good Hope as in force in the Bechuanaland Protectorate shall be entitled to appear plead or act on behalf of any other person in any Court of the Protectorate held in any of the proclaimed native reserves other than the Special Court of the Bechuanaland Protectorate, the Resident Commissioner's Court or a Court constituted for the trial of any person charged with the crime of murder under section *four* of Proclamation No. 2 of 1896 as amended by subsequent Proclamations in any civil case in which only natives are concerned or in which one of the parties is a native, or in any criminal case in which the accused is a native, except with the leave of the Court, and the granting or withholding of such leave shall in every case be within the discretion of the Court; provided however that such leave shall not be required in any criminal case in which the accused is undergoing a preparatory examination on a charge of murder, or is undergoing such an examination or is being tried on a charge of having committed any crime specified in the Schedule "C" to this Proclamation.

(2) For the purposes of this section the word "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.

(3) The provisions of this section shall not apply to any case which is pending in any Court at the date of the taking effect of this Proclamation.

5. This Proclamation shall be read as one with the said Proclamation 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 Johannesburg this Twelfth day of January 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 "C."

Public Violence.  
Murder.  
Culpable Homicide.  
Rape.  
Indecent Assault.  
Robbery.  
Forging 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.  
Arson.  
Fraud.  
Any conspiracy, incitement, or attempt to commit any of the above-mentioned offences.

(Printed by the Government Printer, Pretoria.)

## HIGH COMMISSIONER'S NOTICE No. 1 of 1923.

It is hereby notified for general information that His Royal Highness the High Commissioner has been pleased to approve of the cancellation of the footnote to the Schedule of High Commissioner's Notice No. 67 of 1919 providing for an increase of 10 per cent. on the tariff for Government surveys in the territory of Swaziland. The said cancellation to be in respect of all survey work in respect of which instructions were issued on or after the 1st January, 1923.

By Command of His Royal Highness the  
High Commissioner.

H. J. STANLEY,  
Imperial Secretary.

High Commissioner's Office,  
Capetown, 15th January, 1923.

(Printed by the Government Printer, Pretoria.)

## HIGH COMMISSIONER'S NOTICE No. 2 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 Reverend Austin Oakley to be a Marriage Officer under the said Proclamation for the solemnization of marriages within Basutoland.

By Command of His Royal Highness the  
High Commissioner.

H. J. STANLEY,  
Imperial Secretary.

High Commissioner's Office,  
Capetown, 15th January, 1923.

## POUND NOTICE.

To be sold at Police Station, Hluti, unless previously claimed, at 12 noon, on Saturday, the 3rd of February, 1923, one young dun ox.

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H. C. TEMPLE,  
Poundmaster, Hluti.

## BECHUANALAND PROTECTORATE.

REGISTRATION OF BRANDS UNDER PROCLAMATION  
No. 7 of 1907.

The following list of brands, registered during the period 1st January to 31st December, 1922, is published for general information:—

Name.	Residence.	Brand.
Chiabale, H. C.	Monarch Mine, Francistown, Northern Protectorate	<b>HC 4</b>
Diamond, B.	Palapye Road, Northern Protectorate	<b>BD</b>
Hardbattle, T.	Ghanzi, Northern Protectorate	<b>L</b>
Hill & Hill	Mafeking, Cape Province	<b>HH</b>
Johnston, R. (Miss)	Serowe, Northern Protectorate	<b>RJ</b>
Kays, L. (Mrs.)	Ghanzi, Northern Protectorate	<b>LR</b>
Kays, M. T.	Ghanzi, Northern Protectorate	<b>TI</b>
Kays & Co., L.	Ghanzi, Northern Protectorate	<b>AI</b>
Kgotlaetsho, E. D.	Serowe, Northern Protectorate	<b>DK</b>
MacRae, I. K. (Mrs.)	Atholholme, Gaborones, Southern Protectorate	<b>MR</b>
Moseley, C. K.	Farm No. 36, Tati District, Northern Protectorate	<b>MO</b>
Seboko, Chief	Ramoutsa, Southern Protectorate	<b>SM 1</b>

Insolvent Estate HERBERT HAMILTON HAWTHORNE, of  
Francistown, Bechuanaland Protectorate.

Notice is hereby given, in terms of the provisions of Section 106 of Ordinance No. 6 of 1843, that a Special Meeting of Creditors of the above Estate will be held before the Master for the Bechuanaland Protectorate at Mafeking on Wednesday, the 23rd February, 1923, at 10 a.m., for the purpose of deciding upon certain offer of composition made by the Insolvent to his Creditors, with the necessary majority of Creditors agreed to accept at the Third Meeting of Creditors held on the 16th day of January, 1923, and for further Proofs of Debts.

Dated at Mafeking, this 16th day of January, 1923.

J. M. BOWMAN,  
N. C. DE KOCK,  
Joint Trustees.

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## SWAZILAND.

In the Estate in Swaziland of the late PHILLIPUS RUDOLPH HERBST, of Kaffirfontein No. 339, District Wakkerstroom.

All Creditors and persons interested *ab intestato* or otherwise in the above Estate are hereby called upon, within a period of twenty-one days from the date of the publication of this notice, to lodge in writing with the Master of the Special Court of Swaziland, at Mbabane, the particulars of their claims against the said Estate and their objections to the signing and sealing by him of Letters of Administration granted to HENDRIK OUDHOFF, of Amersfoort, Transvaal, as Executor Testamentary in the above Estate by the Master of the Supreme Court of the Province of the Transvaal, Union of South Africa, dated the 25th August, 1922.

W. B. LOVEMORE,  
For the above-named Executor Testamentary.

P.O. Box 9, Mbabane,  
8th January, 1923.