OFFICIAL GAZETTE

OF THE

HIGH COMMISSIONER FOR SOUTH AFRICA.

PUBLISHED BY AUTHORITY OF HIS EXCELLENCY THE HIGH COMMISSIONER.

VOL. CXXII.] PRETORIA, FRIDAY, 5TH MAY, 1933. [No. 1661.

No. 22 of 1933.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to impose a Poll Tax upon certain adult males in Basutoland;

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

1. There shall be paid annually to the Basutoland Government by every male person ordinarily resident in Basutoland who shall have attained the age of twenty-one years and who is not liable to pay tax under the Native Tax Proclamation 1911 (No. 3 of 1911), or any amendment thereof a poll tax of two pounds per annum which shall become due and payable half-yearly in equal instalments on the first day of January and the first day of July in every year beginning from the first day of July, 1933. In the case of any person who objects to pay the tax on the ground that he has not attained the age of twenty-one years the onus shall be upon him to prove the fact.

2. (1) Any person liable to pay poll tax under section *one* who shall be certified by a fully qualified medical practitioner to be incapacitated by reason of physical or mental infirmity from earning his living may be exempted by the Resident Commissioner from the payment of poll tax for such period as the Resident Commissioner considers equitable having regard to the duration of such incapacity.

(2) The Resident Commissioner may also exempt from the payment of poll tax for any year any person who shall satisfy him that he is indigent and is unable by reason of age to maintain himself.

(3) Every instalment of poll tax payable under this Proclamation shall be paid at the Office of the Assistant Commissioner or Officer in Charge of the District in which the person liable resides within one month of the date on which it becomes due and payable; provided that in respect of the instalment due on the first day of July, 1933, the time within which payment thereof is required to be made shall be extended to the first day of September, 1933.

3. (1) Any person who fails to pay any instalment of the tax due under section *one* hereof before the expiration of one month after the date on which such instalment falls due or within the extended time provided herein shall pay, in addition to the amount of tax due a further sum of two shillings for each month or part of a month after the tax has become due and payable.

(2) Any additional sum which may become payable under the provisions of sub-section (1) shall not exceed the amount of the original instalment of tax in respect of which it has become payable.

(3) Any instalment of poll tax which is not paid within the time prescribed in section *two* together with any additional sum which may be payable under this section may be sued for and recovered in any competent court together with any costs incidental to the proceedings.

4. This Proclamation may be cited for all purposes as the Basutoland Poll Tax Proclamation 1933 and shall have force and take effect from and after the first day of July, 1933.

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Second day of May One thousand Nine hundred and Thirty-three.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency
the High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

No. 23 of 1933.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient further to amend the Basutoland Income Tax Proclamation 1920 as amended (hereinafter referred to as "the said Proclamation");

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

1. The said Proclamation shall be and is hereby further amended by the insertion after section *seven* of the following new section which shall be numbered 7A:—

"7A. There shall be deducted from the amount of income tax assessed in any year the amount of poll tax paid for that year by any person under the Basutoland Poll Tax Proclamation 1933."

2. This Proclamation may be cited as the Basutoland Income Tax Amendment Proclamation 1933 and shall have force and take effect from the first day of July, 1933.

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Second day of May One thousand Nine hundred and Thirty-three.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency
the High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 56 of 1933.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint Inspector James Smith, Basutoland Mounted Police, to act temporarily as an Assistant Commissioner in Basutoland for the District of Qacha's Nek until further notice.

By Command of His Excellency
the High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 29th April, 1933.

HIGH COMMISSIONER'S NOTICE No. 57 of 1933.

It is hereby notified for general information that, under the provisions of section *two* of the Bechuanaland Protectorate Proclamation No. 21 of 1927, His Excellency the High Commissioner has been pleased to cancel regulations Nos. 133 and 134 of the Bechuanaland Protectorate Prison Regulations published under High Commissioner's Notice No. 57 of 1927, and to substitute the following new regulations therefor:—

Irons or other Means of Mechanical Punishment and Restraint.

133. The magistrate on authority obtained from the Resident Commissioner may order to be placed in irons or other approved means of mechanical restraint any convict or prisoner—

(*a*) who has escaped or attempted to escape or who has assisted an escape, or whose violent insubordinate or refractory conduct demands punishment by means of such restraint; or

(*b*) whom he may have grounds for suspecting of meditating an escape or violence; or

(*c*) who has been convicted of inciting other convicts or prisoners to insubordinate conduct;

and when making such order he shall specify the period during which such mechanical restraint shall be worn. The gaoler shall keep a record of every such order, and the particulars thereof, in his journal. No such order shall be in force for a period exceeding three months, but any such order may at the expiry of three months be renewed by the magistrate with the approval of the Resident Commissioner.

134. The weight of irons or other mechanical restraint shall not exceed ten pounds. Every precaution shall be taken to prevent any injury from their use.

By Command of His Excellency
the High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 29th April, 1933.

HIGH COMMISSIONER'S NOTICE No. 58 of 1933.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint Emil Daniel Gottlieb Philip Heering, Esquire, to act as Comptroller of Stores in the Basutoland Service, with effect from the 24th April, during the absence on leave of Stephen Bernard Dutton, Esquire.

By Command of His Excellency
the High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 2nd May, 1933.

HIGH COMMISSIONER'S NOTICE No. 59 of 1933.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to make the following appointments in the Swaziland Service with effect from the 1st April, 1933:—

Allan Graham Marwick, Esquire, O.B.E., to be Deputy Resident Commissioner of Swaziland in addition to his other duties as Assistant Commissioner, Northern District.

John Rae Armstrong, Esquire, to be Government Secretary of Swaziland in addition to his other duties as Financial Secretary.

By Command of His Excellency
the High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 3rd May, 1933.

HIGH COMMISSIONER'S NOTICE No. 60 of 1933.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint Claud Marius Ledeboer, Esquire, to act as an additional Resident Magistrate of the Ngwaketsi District of the Bechuanaland Protectorate for the purpose of trying Gobuaman Mosielele charged with neglecting or refusing to comply with the terms of an order issued under the provisions of section *three* of Proclamation No. 15 of 1907.

By Command of His Excellency
the High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 3rd May, 1933.

HIGH COMMISSIONER'S NOTICE No. 61 of 1933.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint the Reverend Quaaiman Mtshakci Mpepeto, of the African Methodist Episcopal Church, to be a Marriage Officer in and for the territory of Swaziland, with power to solemnize marriages among coloured persons in terms of Transvaal Law No. 3 of 1897 as in force in Swaziland.

By Command of His Excellency
the High Commissioner.

SHIRLEY EALES,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 3rd May, 1933.

SWAZILAND.

In the matter between RHYS EVANS, Plaintiff, and PIETER HENDRIK NELL, Defendant.

Notice is hereby given that the Plan of Account in the above matter will lie for inspection of parties interested at the Office of the Sheriff of Swaziland at Mbabane, Swaziland, for a period of fourteen days from the date of publication of this notice in terms of Rule 80 of the Rules of Court.

J. R. ARMSTRONG,
Acting Sheriff of Swaziland.

Sheriff's Office,
Mbabane, Swaziland,
2nd May, 1933.

SWAZILAND.

In the matter between ISRAEL DAVIDSON, Plaintiff, and ROWLAND CHARNLEY, Defendant.

Notice is hereby given that the Plan of Account in the above matter will lie for inspection of parties interested at the Office of the Sheriff of Swaziland at Mbabane, Swaziland, for a period of fourteen days from the date of publication of this notice in terms of Rule 80 of the Rules of Court.

J. R. ARMSTRONG,
Acting Sheriff of Swaziland.

Sheriff's Office,
Mbabane, Swaziland,
2nd May, 1933.

SWAZILAND.

EDICT No. 623.

The Next-of-kin and Creditors of ANNIE GERTRUDE KING (born MAYOSS), late of Kingsley, Dwaleni, Southern District, Swaziland, who died at Hlatikulu on the 16th day of April, 1933, are required to take notice that a Meeting of the Next-of-kin and Creditors and all others whom these presents may concern, will be held before the Assistant Commissioner for Southern District, Swaziland, on Friday, the 2nd day of June, 1933, at 10 o'clock in the forenoon precisely, at Hlatikulu, and all such persons as aforesaid are hereby required to attend at the place and time aforesaid then and there for the purpose of proposing some person or persons to be by the said Assistant Commissioner recommended to the Master of the Special Court as fit and proper to be by him appointed Executor or Executors Dative to the Estate of the afore-mentioned deceased person.

Dated at Mbabane, Swaziland, this 1st day of May, 1933.

J. R. ARMSTRONG,
Acting Master of the Special Court of Swaziland.

SWAZILAND.

NOTICE AND DECLARATION OF INSOLVENCY.
E. No. 613.

Notice is hereby given that the Estate of CHARLES MILES GILBERT, garage proprietor, of Bremersdorp, Central District, Swaziland, has, by Order of the Special Court of Swaziland dated 28th April, 1933, been placed under sequestration in the hands of the Master of the Special Court of Swaziland, and that all persons having any claim upon the said Estate are required to attend two Meeting of Creditors to be held before the Assistant Commissioner for the Central District, at his Office, Bremersdorp, the First Meeting to be held on Friday, the 19th May, 1933, at 10 o'clock in the forenoon precisely, for the Proof of Debts, the Second Meeting on Friday, the 2nd June, 1933, at 10 o'clock in the forenoon precisely, also for the Proof of Debts and for the election of a Trustee or Trustees, who shall administer the said Estate.

J. R. ARMSTRONG,
Acting Master of the Special Court of Swaziland.

Master's Office,
Mbabane, Swaziland,
2nd May, 1933.

NOTICE TO CREDITORS AND DEBTORS.

Estate of the late ARTHUR HORACE HIME, of Pietermaritzburg, Natal.

Creditors and Debtors of the above Estate are hereby required to file their claims with and to pay their debts to the undersigned within thirty (30) days from the date of publication of this notice.

A. MILLIN,
Attorney for Executor Testamentary.

P.O. Box 24, Mbabane, Swaziland.

SWAZILAND GOVERNMENT NOTICE.

APPOINTMENT OF ROAD BOARD FOR NORTHERN DISTRICT.

It is hereby notified for general information that, under section *eight* of the Swaziland Roads and Outspans Proclamation No. 40 of 1931, I have appointed the gentlemen whose names are given below to be a Road Board for the Northern District of Swaziland:—

Thomas Vernon Hugh Dann, Esquire.
William Ernest Gowran FitzPatrick, Esquire.
Leopold Franklin, Esquire, J.P.
William Barand Hull, Esquire.
David Harry Muir, Esquire.
James Weighton Reilly, Esquire, J.P.
Major George Douglas Roberts, O.B.E., J.P.
Bertram Baird Stewart, Esquire.

T. AINSWORTH DICKSON,
Resident Commissioner.

Resident Commissioner's Office,
Mbabane, Swaziland,
May, 1933.

NOTICE.

Notice is hereby given that application will be made to the Special Court of Swaziland held at Mbabane on Tuesday, the 20th June, 1933, at 10 o'clock in the forenoon, or as soon thereafter as Counsel can be heard, for the rehabilitation of the Estate of RICHARD GERHARDUS FREDERIK ROBBERTS, a farmer, of Rietvlei, District Hlatikulu, Swaziland.

Dated at Piet Retief, this 1st day of May, 1933.

OLMESDAHL & OLMESDAHL,
Applicant's Attorneys.

Box 88, Piet Retief. 5-12-19

SWAZILAND.

EDICT No. 610.

The Surviving Spouse, Next-of-kin, and Creditors of CHARLES JAMES FYFE LESTER, late of West Bridgford, England, who died on the 25th day of August, 1931, are required to take notice that a Meeting of the Next-of-kin and Creditors of the deceased, and all others whom these presents may concern, will be held before the Master of the Special Court of Swaziland at his Office, Mbabane, Swaziland, on Friday, the 2nd day of June, 1933, at eleven o'clock in the forenoon precisely, and all such persons as aforesaid are hereby required to attend at the place and time aforesaid then and there to see Letters of Administration granted to such person or persons as shall then be appointed by the said Master to be Executor or Executors Dative to the Estate of such deceased person as aforesaid.

Dated at Mbabane, this 1st day of May, 1933.

J. R. ARMSTRONG,
Acting Master of the Special Court of Swaziland.

THE SPECIAL COURT OF THE BECHUANALAND PROTECTORATE.

It is hereby notified for general information that, in terms of sub-section (1) of section *one* of the Bechuanaland Protectorate Special Court Proclamation, 1912 (No. 40 of 1912), a Session of the Special Court will be held at Lobatsi at 9.30 in the forenoon on Monday, the 29th day of May, 1933, or so soon thereafter as the Court can assemble.

C. F. REY,
Resident Commissioner.

Mafeking, 29th April, 1933.

BECHUANALAND PROTECTORATE.

NOTICE.

It having been made to appear to me that a way or road of necessity is required from the farms Almond Hill and Clent, in the Gaberones Block, to the Notwane River; now therefore, under and by virtue of the power conferred upon me by section *three* of Proclamation No. 48 of 1907, I do hereby grant to the owner of the aforesaid farms a way or road of necessity as follows:—

"The public road from Fairfield Farm, in the Gaberones Block, from where it leaves the said farm and enters the Batlokwa fenced land, along this public road to where it leaves the Batlokwa fenced lands; thence running at right angles in a north-westerly direction along the Batlokwa fence in a direct line until it strikes the Mochudi-Gaberones wagon road near Diphiri kopje; thence in a direct line until it comes to the Notwane River."

Dated at Mafeking, this 25th day of April, 1933.

C. F. REY,
Resident Commissioner.

NOTICE OF SURRENDER.

Notice is hereby given that application will be made to the Court of the Resident Commissioner for Basutoland at Maseru on the 26th day of May, 1933, at 10 o'clock in the forenoon, or as soon thereafter as the Petition can be heard, for the surrender of the Estate of the late GEORGE HENRY HEY, a trader, of Alwyn's Kop, District Quthing, as insolvent; and that his schedules will lie for inspection at the Office of the Master of the said Court at Maseru and at the Office of the Assistant Commissioner, Quthing, for a period of fourteen days from the 8th day of May, 1933, to the 22nd day of May, 1933.

DOUGLAS & BOTHA,
Applicant's Attorneys.

Somerset Street (P.O. Box 66),
Aliwal North, 2nd May, 1933.

Printed and published by the Government Printer, Pretoria.

ADVERTISEMENTS.

	PAGE
Patents and Trade Marks	i
Transvaal Province	vii
Cape of Good Hope Province	xxiv
Natal Province	xxx
Orange Free State Province	xxxiii
Estate Notices	xxxviii

ADVERTENSIES.

	BLADSY
Patente en Handelsmerke	i
Provinsie Transvaal	vii
Provinsie Kaap die Goede Hoop	xxiv
Provinsie Natal	xxx
Provinsie Oranje-Vrystaat	xxxiii
Boedel-Kennisgewings	xxxviii

HIGH COMMISSIONER'S GAZETTE (at back).

No. PAGE

Bechuanaland.

NOTICES.

57. Prison Regulations—Amendment ... 14
60. Appointment of Acting Additional Resident Magistrate, Ngwaketsi District ... 14
— Special Court, Lobatsi—Date of Sitting ... 15
— Road in Gaberones Block ... 15

Basutoland.

PROCLAMATIONS.

22. Poll Tax, 1933 ... 13
23. Income Tax Amendment, 1933 ... 13

NOTICES.

56. Appointment of Acting Assistant Commissioner, Qacha's Nek ... 14
58. Appointment of Acting Comptroller of Stores ... 14

Swaziland.

NOTICES.

59. Appointment of Deputy Resident Commissioner and Government Secretary ... 14
61. Appointment of Marriage Officer ... 14
— Appointment of Road Board for Northern District ... 15

GOVERNMENT GAZETTE

OF THE

Union of South Africa.

(Published on Fridays.)

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Manuscript of advertisements should be written on one side of the paper only, and **all proper names plainly inscribed;** in the event of any name being incorrectly printed as a result of indistinct writing, the advertisement can be republished only on payment of the cost of another insertion.

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All cheques, bank drafts, postal orders, or money orders must be made payable to the Government Printer, Pretoria, and crossed "South African Reserve Bank". *Cheques will only be accepted when initialed by the Bank.*

J. J. KRUGER,
Government Printer.

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VAN DIE

Unie van Suid-Afrika.

(Verskyn elke Vrydag.)

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Geen advertensie kan geplaas word nie tensy dit vooruitbetaal is.

Alle tjeks, bankwissels, posorders of poswissels moet uitgemaak word op naam van die Staatsdrukker, Pretoria, en gekruis wees „Suid-Afrikaanse Reserwebank". *Alleen tjeks wat deur die Bank geparafeer is, sal aangeneem word.*

J. J. KRUGER,
Staatsdrukker.