

INCORPORATED LAW SOCIETY v.  
HESOM, JUN.

1909. August 15. MAASDORP, C.J., and WARD, J.

*Contempt of court.—Assumption of royal coat of arms.—Imitation of process of court.*

The respondent, a butcher of Harrismith, was summoned to show cause why his person should not be attached for contempt of court on the ground that he issued his business accounts in a form which was intended to convey to his debtors that they were processes of court, and that in this way the processes of court were improperly interfered with. The form, which was printed on official blue paper, was headed "In the Orange River Colony," bore the royal coat of arms and contained the following printed matter: "Final notice of intention to proceed in the court of civil justice for recovery of debt. Whereas.....is truly and justly indebted to.....therefore you are hereby given final notice of.....intention to take legal proceedings, &c."

*Blaine, K.C.*, for the applicants: See *Incorporated Law Society v. Cohen* (16 C.T.R. 360).

Respondent, who appeared in person, stated that the form was a very common one in Harrismith, and produced the original from which his forms had been printed, which bore the imprint "E.P. Herald, Port Elizabeth." He further expressed his regret at having been guilty of a breach of the law, and stated that he had done so unwittingly.

MAASDORP, C.J.: As the respondent was evidently misled by the *Herald* form, and as he has apologised, no further steps will be taken; but it is a very serious matter for any

one to assume the use of the royal coat of arms, and if a similar case comes before the Court again the offender will not be so lightly dealt with. The respondent will pay the costs of the application.

WARD, J., concurred.

Applicant's Attorney: *C. J. Reitz.*

