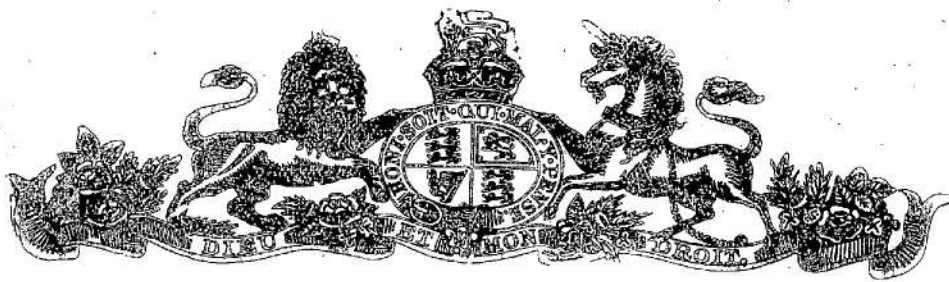


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OFFICIAL GAZETTE

OF THE
HIGH COMMISSIONER FOR SOUTH AFRICA.

PUBLISHED BY AUTHORITY OF HIS EXCELLENCY THE HIGH COMMISSIONER.

VOL. LXXXV.]

PRETORIA, FRIDAY, 1ST FEBRUARY, 1924.

[No. 1173.]

HIGH COMMISSIONER'S NOTICE No. 3 OF 1924.*

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to approve of the Rule of Court hereto appended, made by His Honour the Resident Commissioner for the Bechuanaland Protectorate, by virtue of section two of the High Commissioner's Proclamation No. 2 of 1896, providing scales of fees and charges to be taken and made by attorneys of the Courts of the Bechuanaland Protectorate in civil cases when the cause of action exceeds fifty pounds sterling, and in applications for compulsory sequestration and voluntary surrender of estates as insolvent.

By Command of His Excellency the
High Commissioner.

H. J. STANLEY,
Imperial Secretary.

High Commissioner's Office,
Capetown, 11th January, 1924.

RULE OF THE COURT OF THE RESIDENT COMMISSIONER FOR THE BECHUANALAND PROTECTORATE.

1. In the taxation of costs in civil cases where the cause of action exceeds fifty pounds sterling, and in applications for compulsory sequestration and voluntary surrender of estates as insolvent, the taxing officer shall be guided, so far as the circumstances of each particular case will permit, by the following scales of fees and charges to be taken and made by attorneys of the Courts of the Bechuanaland Protectorate:—

TARIFF OF FEES.

Plaintiff's Costs as between party and party in a defended case,

	£	s.	d.
Attending client and conferring and advising, perusing documents (or 3s. 4d. per brief sheet if documents afterwards used on trial)	1	1	0
Instructions for demand	0	6	8
Writing same	0	5	0
Fair copy	0	2	6
Attending to deliver	0	3	4
Attending on receipt of reply from defendant's attorneys	0	3	4
Perusing and considering (per brief sheet)	0	6	8
Attending client thereon	0	6	8
Instructions to sue	0	13	4
Warrant	0	5	0
Attending signature	0	3	4
Drawing summons	1	1	0
Fair copy	0	10	6

In an important case, whenever necessary that counsel should settle summons, then after this item the following items stand as costs between party and party, viz.:—

Fair copy for counsel to settle	0	10	6
Brief to accompany	0	5	0
Attending him	0	3	4
Paid his fee	0	3	4
Attending on receipt of summons as settled	0	3	4
Perusing	0	6	8
Engrossing same	0	10	6
Attending to sue out	0	3	4
Paid	0	10	6
Each copy for service	0	3	4
Attending messenger	0	3	4
Attending search for return and pay charges	0	3	4
Paid	0	3	4
Attending searching for appearance	0	3	4
Copy to serve, at per brief sheet	0	5	0
Attending serving	0	3	4
Making note of service	0	5	0
Affidavit of service (where necessary)	0	5	0
Attending <i>jurat</i>	0	3	4
Attending filing	0	3	4
Paid	0	3	4

* Republished as corrected.

Attending to search for pleas	£	s.	d.
Attending on receipt of pleas	0	3	4
Perusing and considering	0	13	4
or per b.s.	0	6	8
Attending client conferring on pleas	0	13	4
Instructions for replication	0	13	4
Drawing same, at per brief sheet	0	6	8
to	0	10	6
Fair copy, per brief sheet	0	3	4

Engrossing same, charges upon same scale as summons—
(a) Attending to file.
(b) Copy to serve and copy to keep, and all further pleadings, notices, attendances, etc., on same scale.

Sorting and arranging documents	1	1	0
Attending client and going over same, and taking names of witnesses, etc.	1	1	0
Notice to registrar setting down	0	5	0
Attending to set down	0	3	4
Paid			
Notice to defendant's attorneys	0	5	0
Copy to serve	0	2	6
Attending to serve	0	3	4
Affirmation of service, <i>jurat</i> , etc., as in service of plea			
Instructions for subpoenas	0	6	8
Drawing same (<i>duces tecum</i>)	0	7	6
Drawing same (ordinary)	0	5	0
Fair copy (subpoenas <i>duces tecum</i> only)	0	3	9
Each copy to serve (half)	0	1	9
Attending to sue out	0	3	4
Attending messenger. Paid stamps			
Searching for return and paid, etc., same as for suing out summonses.			
Looking out and arranging documents called for, at per brief sheet of notice	0	6	8
Copies to serve if required by opposite attorney, at per brief sheet			
Instructions to minute evidence	0	5	0
Attending client to arrange	0	6	8
Minuting evidence, at per brief sheet	0	6	8
to	0	10	6
Instructions for conference with witnesses	0	13	4
Attending conference of witnesses	1	1	0
Attending Court, case on roll but not called	0	13	4
Same charge for every subsequent day (but not to be more than two attendances to bespeak trial).			
Attending Court all day (per diem)	5	5	0
	(Minimum)		
Clerk's attendance	1	1	0
Attending Court, case concluded, judgment deferred (same as above).			
Attending receipt notice that judgment would be given	0	6	8
Attending Court, judgment for—with costs	1	1	0
Attending record	0	3	4
Copying order for original	0	2	6
Attending to pay fees	0	3	4
Paid			
Attending client informing him	0	6	8
Copy order for service on other side, at per brief sheet	0	5	0
Attending serving	0	3	4
Attending on receipt of memo. of professional witness' expenses	0	3	4
Attending to pay each witness and take receipt	0	3	4
Attending to fix taxation	0	3	4
Drawing notice same	0	5	0
Fair copy	0	2	6
Attending taxation, not less than 10s. 6d. per hour	1	11	6
Bill of costs, first sheet	0	5	0
Every subsequent sheet	0	2	6
Copy for service	0	1	3
Attending to serve copy thereof	0	3	4
Attending to make note	0	5	0

(If defendant or his attorney does not appear at the taxation, then charges for affidavit service shall be allowed.)

	£	s.	d.
Letters, papers, messages, at per brief sheet	0	1	0
Letter demanding costs	0	5	0
Copy	0	2	6
Delivery	0	3	4
Attending on settlement	0	3	4
(The defendant's bill of costs as between party and party to be on the same principle as plaintiff's, the following preliminary charges being also allowed.)			
Attending defendant on receipt of letter of demand	0	3	4
Conferring thereon	0	10	6
Instructions for reply	0	6	8
Writing same (same as plaintiff's).			
Attending defendant on receipt of summons, perusing and considering thereon	1	1	0
Instructions to defend	0	6	8
to	0	13	4

Costs on Exceptions—Respondent's Costs.

Attending on receipt of exceptions and pleas	0	6	8
Perusing and considering	0	13	4
Attending client on receipt of exception and pleas, conferring	0	13	4
Instructions for reply	0	6	8
Drawing same, at per brief sheet	0	10	6
Fair copy	0	3	4
Attending on receipt of replication or rejoinder (as case may be)	0	3	4
Perusing and considering	0	6	8
or per b.s.	0	3	4
Engrossing same, at per brief sheet	0	5	0
Attending to file	0	3	4
Attending on receipt of notice setting down exceptions for argument	0	3	4
Perusing	0	6	8
Attending Court, case on roll but not heard	0	13	4
Attending record	0	3	4
Attending on receipt of notice that judgment would be given	0	3	4
Attending Court and arguing (per diem)	5	5	0
(Minimum)			
Attending Court on judgment (if reserved)	1	1	0
Attending client, advising	0	6	8
Attending to record	0	3	4
Paid	0	2	6
Copy order for original	0	5	0
Copy order to serve	0	3	4
Attending serving	0	3	4
Making note of service	0	5	0
Subsequent charges same as in actions.			

Model Bill in Illiquid Cases by Default.

Attending on receipt of letter from client enclosing documents	0	3	4
Perusing and considering same	0	6	8
or per b.s.	0	3	4
Instructions for Demand	0	6	8
Writing letter of demand	0	5	0
Fair copy	0	2	6
Attending to deliver	0	3	4
Instructions to sue	0	6	8
Drawing power	0	5	0
Paid stamp and filing	1	1	0
Drawing summons	0	10	6
Fair copy	1	1	0
Copy to serve and copy to keep	0	3	4
Attending to sue out			
Paid stamps and signing	0	6	8
Attending messenger therewith	0	3	4
Attending to search for return			
Paid service	0	5	0
Drawing setting-down paper	0	3	4
Attending to file			
Paid stamp and filing	5	5	0
Attending Court (per diem)	(Minimum)		
Attending to record	0	3	4
Attending to pay fees	0	3	4
Paid same	0	2	6
Making copy of order	0	6	8
Instructions for writ	0	5	0
Drawing same	0	2	6
Fair copy	0	2	6
Copy for messenger	0	3	4
Attending to sue out			
Paid	0	3	4
Attending messenger therewith	0	3	4
Attending to search for return	0	3	4
Drawing bill of costs	0	7	6
Fair copy	0	3	9
Attending taxation	0	10	6
Letters, papers, messages, etc.	0	5	0
Attending on settlement	0	3	4

Costs on Commission De Bene Esse.

Attending client, conferring, and instructions to apply for commission to examine	0	13	4
Instructions for affidavit in support	0	6	8
or per b.s.	0	3	4
Drawing same, at per brief sheet	0	10	6
Fair copy	0	5	3
Copy to serve	0	5	3
Instructions for notice of motion	0	6	8
or per b.s.	0	3	4
Drawing same	0	10	6
Fair copy and copy to serve (each)	0	5	3
Attending to serve and attending to set down, etc., same as charges for filing and serving summons			
Attending on receipt of affidavit opposing	0	3	4
Perusing (at per brief sheet)	0	6	8
or	0	13	4

	£	s.	d.
Instructions for reply (or 3s. 4d. per b.s.)	0	6	8
Drawing same, at per brief sheet	0	10	6
Fair copy, etc.	0	10	6
(Costs of all subsequent affidavits same as usual.)			
Attending Court (per diem)	5	5	0
(Minimum)			
Attending for order, etc. (same as in actions).			
Drawing commission	0	13	4
Fair copy	0	6	8
Attending to issue	0	3	4
Stamps			
Attending commissioner with order, etc., and arranging time of sitting	0	6	8
Drawing notice to other side	0	5	0
Copy, 2s. 6d. Copy to serve, 2s. 6d.			
Serving note of service	0	3	4
Attending commission, etc., and all subsequent attendances, same as in trial cases.			

Costs on Arrest.

Conferring and instructions to arrest defendant	0	13	4
Drawing and engrossing warrant to sue	0	5	0
Paid stamps and filing			
Instructions for affidavit to hold bail	0	6	8
Drawing same, at per brief sheet	0	10	6
Engrossing fair copy for signature	0	5	3
Attending to swear same	0	3	4
Attending to file			
Paid stamps and filing			
Paid stamps (document annexed to affidavit)	1	1	0
Drawing writ of arrest	0	10	6
Engrossing fair copy for signature	0	3	4
Attending to sue out and pay charges			
Paid stamps and signing	0	10	6
Copy of writ for defendant	0	6	8
Attending to leave same with messenger and instructions	0	1	0
Paid registration of writ			
Paid registration to messenger	0	6	8
Attending to search for return	0	3	4
Attending thereafter on messenger to settle			
Bill of costs.			
Copy for taxation.			
Attending Master to tax.			
Letters, papers, messages, etc.			
Attending on settlement.			

Usual charges.

Costs on Compulsory Sequestration.

Attending client on return of unsatisfied judgment, advising thereon, and taking instructions for compulsory sequestration	0	13	4
Attending Registrar's Office to inspect return to writ and copying writ and return	0	6	8
Making copy	0	7	6
Paid office fees			
Paid messenger	0	6	8
Instructions for petition	0	5	0
Drawing warrant			
Stamps	0	10	6
Drawing petition, at per brief sheet	0	5	3
Fair copy	0	5	0
Drawing verifying affidavit	0	3	4
Attending client therewith for signature	0	3	4
Thereafter attending receipt, same signed	0	3	4
Attending to file	0	3	4
Paid stamps and filing	0	5	0
Drawing security bond	0	2	6
Fair copy	0	3	4
Stamps	0	7	6
Attending master for approval	0	3	9
Drawing Master's certificate			
Fair copy			
Stamps			
Paid filing	0	5	0
Drawing notice of setting down	0	3	4
Attending to file			
Paid fees	5	5	0
Attending Court (per diem)	(Minimum)		
Attending to record	0	3	4
Copy order for original	0	2	6
Attending to pay fees and take out order	0	3	4
Paid same	0	3	4
Attending filing same with Master			
Paid filing	0	6	8
Instructions for summons	1	1	0
Drawing same	0	10	6
or per b.s.	0	10	6
Fair copy	0	10	6
Each copy for service	0	3	4
Attending to sue out			
Paid stamps and signing	0	3	4
Attending messenger therewith	0	3	4
Attending search for return			
Paid messenger	0	5	0
Drawing notice of setting down	0	3	4
Attending filing			
Paid fees	5	5	0
Attending Court (per diem)	(Minimum)		
Attending to record	0	3	4
Attending to pay fees and take out order	0	3	4
Paid same	0	2	6
Copy order for original	0	3	4
Attending serving same on Master			
Stamps	0	5	0
Drawing bill of costs for first sheet	0	2	6
And for each subsequent sheet	0	1	3
Copy	0	3	4
Attending Master to fix taxation			

Attending taxation	£ s. d.
or per hour	0 13 4
Letters, papers, messages, etc., at per brief sheet	1 11 6
Attending on settlement and granting receipt	0 1 0
	0 3 4

Costs on Motion.

Attending on client, conferring on acts of respondent, and advising	0 13 4
Warrant (where necessary)	0 5 0
Attending signature (where necessary)	0 3 4
Instructions for each affidavit	0 6 8
Drawing same, at per brief sheet	0 10 6
Fair copy	0 5 3
Copy to serve	0 5 3
Attending <i>jurat</i>	0 3 4
(Same charges upon every additional affidavit.)	
Drawing notice motion, at per brief sheet	0 10 6
Fair copy	0 5 3
Copy to serve	0 5 3
Service affidavit, etc. (same as usual).	
Notice to registrar	0 5 0
Attending to filing	0 3 4
Paid filing and stamps on affidavit	0 3 4
Attending on receipt of respondent's affidavit	0 3 4
Perusing, at per brief sheet	0 6 8
Attending client thereon and conferring	0 10 6
(Same charges on all subsequent affidavits if served.)	
Instructions for reply	0 6 8
Drawing same (charges on same principle as on former affidavits.)	
Attending Court (per diem)	5 5 0
	(Minimum)
Attending to record, etc., same as in bills in defended action.	

Bill for Drawing Schedules.

Attending insolvent, conferring, and advising as to his position	0 10 6
Instructions for notice in <i>Gazette</i>	0 6 8
Drawing same	0 5 0
Fair copy	0 3 9
Letter to Government Printer therewith, 5s.; copy, 2s. 6d.	
Attending on receipt of <i>Gazette</i> with notice	0 3 4
Paid for insertion	0 3 4
Letter enclosing cheque, 5s.; copy, 2s. 6d.	
Attending insolvent taking detailed list of assets and liabilities for purpose of framing schedules	1 1 0
Attending to obtain services of appraiser	0 3 4
Drawing schedules, petition, affidavits, attending <i>jurat</i> , attending appraiser (except in very special cases)	3 3 0
	7 7 0
Attending to file schedules	0 3 4
Paid	5 5 0
Attending Court (per diem)	(Minimum)
Attending to uplift order	0 3 4
Drawing bill of costs	0 5 0
Fair copy	0 2 6
Attending taxing	0 6 8
Papers, messages, etc.	0 5 0
Attending trustee with taxed bill of costs	0 3 4
Attending on settlement	0 3 4

Provisional Case.

Attending on receipt of documents and perusing	0 6 8
Paid noting	0 5 0
Writing letter of demand and postage	0 2 6
Copy letter to keep	0 3 4
Delivery	0 6 8
Instructions to sue	0 3 4
Attending to bespeak	0 5 0
Paid for same	1 1 0
Drawing warrant	0 3 4
Paid fees and stamp	0 3 4
Drawing summons	0 3 4
Attending to sue out	0 3 4
Paid fees	0 3 4
Drawing and engrossing fair copy of summons (half original)	0 10 6
Copy summons to serve	0 10 6
Engrossing copy of document to serve	0 10 6
Attending messenger therewith	0 3 4
Attending to search for return	0 3 4
Paid him	0 3 4
Attending settling with him	0 3 4
Stamp on document	0 3 4
Copy messenger's return	0 5 0
Attending him therewith	0 3 4
Paid him	0 3 4
Drawing notice setting down cause	0 5 0
Attending filing same	0 3 4
Paid fees	0 3 4
Attending Court—provisional sentence granted with costs (per diem)	5 5 0
	(Minimum)
Attending to record and pay charges	0 3 4
Paid same	0 3 4
Making copy of judgment	0 2 6
Instructions for writ	0 6 8
Drawing same	0 5 0
Copy for messenger	0 2 6
Stamp	0 3 4
Attending to sue out	0 3 4
Paid fees	0 3 4
Attending messenger therewith	0 3 4
Drawing bill of costs	0 5 0

Fair copy	£ s. d.
Attending taxation	0 2 6
Letters, papers, messages, etc.	0 3 4
Attending on settlement and granting receipt	0 5 0
Paid taxing fees	0 3 4

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 9 of 1924.

It is hereby notified for general information that, under and by virtue of the powers conferred upon him by section two of the Fugitive Criminals Surrender Proclamation, 1908 (No. 14 of 1908), by which provision is made for the surrender of fugitive criminals in the Bechuanaland Protectorate, His Excellency the High Commissioner has been pleased to direct that as from the 1st day of February, 1924, the said Proclamation shall apply in the case of Belgium and the Belgian Congo under and in accordance with the Treaty which was concluded on the 29th day of October, 1901, between His late Majesty King Edward VII. and His late Majesty the King of the Belgians and the Supplementary Conventions of the 5th day of March, 1907, the 3rd day of March, 1911, and the 8th day of August, 1923.

By Command of His Excellency the
High Commissioner.

H. J. STANLEY,

Imperial Secretary.

High Commissioner's Office,
Capetown, 28th January, 1924.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 10 of 1924.

It is hereby notified for general information that, under and by virtue of the powers conferred upon him by section two of the Fugitive Criminals Surrender Proclamation, 1908 (No. 15 of 1908), by which provision is made for the surrender of fugitive criminals in Swaziland, His Excellency the High Commissioner has been pleased to direct that as from the 1st day of February, 1924, the said Proclamation shall apply in the case of Belgium and the Belgian Congo under and in accordance with the Treaty which was concluded on the 29th day of October, 1901 between His late Majesty King Edward VII. and His late Majesty the King of the Belgians and the Supplementary Conventions of the 5th day of March, 1907, the 3rd day of March, 1911, and the 8th day of August, 1923.

By Command of His Excellency the
High Commissioner.

H. J. STANLEY,

Imperial Secretary.

High Commissioner's Office,
Capetown, 28th January, 1924.

(Printed by the Government Printer, Pretoria.)

O.H.M.S.

SWAZILAND ADMINISTRATION.

Notice is hereby given, under section six (a) of the Bremersdorp Township Proclamation, No. 24 of 1918, that unless all sums due for quitrent in respect of the undermentioned Bremersdorp Erven, together with interest and costs of this notice, are paid within three months of the date of publication of this notice, the said erven will be sold by public auction.

Erf No.	Holder.
31.....	A. C. McSeveney.
51.....	W. McSeveney.
75.....	H. G. Kasterop.
83 and 84.....	Trust Board of the Diocese of Zululand.
103	Mrs. C. F. Manning.
165 and 166.....	P. C. J. R. Coetzer.

D. HONEY,

Resident Commissioner, Swaziland.

Resident Commissioner's Office,
Mbabane, Swaziland, 29th January, 1924.

O.H.M.S.

SWAZILAND ADMINISTRATION.

Notice is hereby given, under section six (a) of the Mbabane Township Proclamation, No. 24 of 1909, that unless all sums due for quitrent in respect of the undermentioned Township Lots, together with interest and costs of this notice, are paid within three months of the date of publication of this notice, the said lots will be sold by public auction.

Lot No.	Holder.
3, 11, and 12.....	A. J. Goosen and W. H. Badenhorst.
61, 74, and 279.....	T. S. Gould.
293 and 294.....	C. S. Gibbons.
361 and 362.....	Mrs. F. F. Mills.

D. HONEY,

Resident Commissioner, Swaziland.

Resident Commissioner's Office,
Mbabane, Swaziland, 29th January, 1924.