



OFFICIAL GAZETTE

OF THE
HIGH COMMISSIONER FOR SOUTH AFRICA.

PUBLISHED BY AUTHORITY OF HIS EXCELLENCY THE HIGH COMMISSIONER.

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PRETORIA, FRIDAY. 5TH OCTOBER, 1934.

[No. 1737.]

No. 42 of 1934.]

PROCLAMATION

By His Excellency the High Commissioner.

Whereas it is deemed expedient to amend the law relating to the review of convictions and sentences passed by Courts of Assistant Resident Magistrates and by Special Justices of the Peace 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. (1) Whenever any person shall upon conviction in a Court of an Assistant Resident Magistrate be sentenced to imprisonment with or without hard labour for a period exceeding one month or to a fine exceeding five pounds or to receive lashes or a whipping, the Assistant Resident Magistrate pronouncing such sentence shall not later than fourteen days thereafter forward the record of the proceedings in the case to the Magistrate of the district in which the Court of Assistant Resident Magistrate was held for review by such Magistrate, who may affirm, alter or reverse the conviction or confirm, reduce or vary the sentence.

(2) If at any time there shall be no Magistrate acting in the district in which the Court of Assistant Resident Magistrate was held the record of proceedings in any such case shall be forwarded to and be reviewed by a Magistrate of such other district as may from time to time be designated by the Resident Commissioner for that purpose.

2. Section nine of Act No. 10 of 1876 of the Colony of the Cape of Good Hope as of force in the Bechuanaland Protectorate is hereby repealed and the following section substituted in place thereof:—

"9. (1) When and as often as any Special Justice of the Peace shall exercise summary judgment under and by virtue of this Act he shall forthwith, after having disposed of the case, forward the record of the proceedings with such remarks, if any, he may desire to append to the record and with any written statement or arguments which the accused may desire to have so appended, to the Clerk of the Magistrate's Court of the district in which the Court of the Special Justice of the Peace was held. Such Clerk shall forthwith place such record including the remarks, statements and arguments aforesaid, if any, before the Magistrate of his district for his consideration.

"(2) Such Magistrate shall thereupon if the conviction and sentence appear to be in accordance with justice endorse his certificate to that effect upon the said record and the record shall then be returned to the Special Justice of the Peace.

"(3) If, upon considering the said record, it appears to the said Magistrate that the conviction or sentence is not in accordance with justice he shall set aside or correct the proceedings and may reduce or vary the sentence and transmit the record with his instructions thereon to the said Special Justice of the Peace."

3. This Proclamation may be cited as the Bechuanaland Protectorate Assistant Resident Magistrate and Special Justice of the Peace (Review) Proclamation, 1934, 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 Pretoria this Twentieth day of September One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency the
High Commissioner.

H. LESTER SMITH,
for Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 140 of 1934.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint the Reverend Joseph Edwin Reeves of the Methodist Church of South Africa to be a Marriage Officer in and for the Territory of Swaziland, with power to solemnize marriages among Europeans, in terms of Transvaal Law No. 3 of 1871, and among Coloured Persons, in terms of Transvaal Law No. 3 of 1897, both of which laws are in force in Swaziland.

By Command of His Excellency
the High Commissioner.

H. LESTER SMITH,
for Administrative Secretary.

High Commissioner's Office,
Pretoria, 27th September, 1934.

HIGH COMMISSIONER'S NOTICE No. 141 of 1934.

It is hereby notified for general information that under the provisions of section *three hundred and twenty-five* (3) (a) of the Bechuanaland Protectorate Criminal Procedure and Evidence Proclamation, 1933 (No. 20 of 1933), His Excellency the High Commissioner has been pleased to make the subjoined rule:—

1. There shall be in each calendar half-year one session of the Special Court of the Bechuanaland Protectorate for the trial of criminal cases (provided that there are cases awaiting trial), on such days and at such place or places as the Resident Commissioner after consultation with the President of the Special Court may fix by notice in the *Gazette* and in each case extending until the business of the said Court shall be completed; the Special Court shall also sit at such other times as the Resident Commissioner after like consultation may appoint by notice in the *Gazette*.

High Commissioner's Notice No. 156 of 1933 is hereby cancelled.

By Command of His Excellency the
High Commissioner.

H. LESTER SMITH,
for Administrative Secretary.

High Commissioner's Office,
Pretoria, 28th September, 1934.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 142 of 1934.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint the Reverend Rudolf Johannes Raath, of the Nederduits Hervormde of Gereformeerde Gemeente, to be a Marriage Officer in and for the Territory of Swaziland, with power to solemnize marriages among Europeans, in terms of the Transvaal Law No. 3 of 1871 as in force in Swaziland.

By Command of His Excellency
the High Commissioner.

E. COHEN,
for Administrative Secretary.

High Commissioner's Office,
Pretoria, 2nd October, 1934.

HIGH COMMISSIONER'S NOTICE No. 143 of 1934.

It is hereby notified for general information that, under and by virtue of the powers in him vested by section *twenty-one* of the Bechuanaland Protectorate Proclamation of the 10th June, 1891, as amended by Proclamation No. 41 of 1932, His Excellency the High Commissioner has been pleased to appoint Sergeant Donald Macfarlane to administer oaths and take affidavits and solemn declarations within the Bechuanaland Protectorate in all cases where the same may be lawfully administered or taken.

By Command of His Excellency
the High Commissioner.

E. COHEN,
for Administrative Secretary.

High Commissioner's Office,
Pretoria, 3rd October, 1934.

HIGH COMMISSIONER'S NOTICE No. 144 of 1934.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint Richard Rowland, Esquire, to be a Justice of the Peace for the Bechuanaland Protectorate.

By Command of His Excellency
the High Commissioner.

E. COHEN,
for Administrative Secretary.

High Commissioner's Office,
Pretoria, 3rd October, 1934.

HIGH COMMISSIONER'S NOTICE No. 145 of 1934.

With reference to the High Commissioner's Notice No. 81 of 1926, it is hereby notified for general information that His Excellency the High Commissioner has been pleased further to amend the regulations made under section *four* of the Game Preservation Ordinance, 1905, of the Transvaal, as in force in Swaziland, published under Government Notice No. 4 (Swaziland) of 1906, by the addition at the end of Regulation 3 (a) of the following words:—

"save under permission in writing given to him by the Resident Commissioner for the purposes defined in subsection (b) of section *ten* of the Ordinance."

By Command of His Excellency the
High Commissioner.

E. COHEN,
for Administrative Secretary.

High Commissioner's Office,
Pretoria, 3rd October, 1934.

(Printed by the Government Printer, Pretoria.)

POUND SALE.

The following will be sold by public auction on Wednesday, 17th October, 1934, at the Government Offices, Bremersdorp, if not previously claimed:—

One white and red heifer.
One large black and white speckled ox.
One very large red ox.
One red cow and calf.

Terms: Cash to the highest bidder.

J. S. MURPHY,
Poundmaster, Bremersdorp.

NOTICE.

MBABANE LIQUOR LICENSING COURT.

Notice is hereby given that the next sitting of the above Court will be held in the Court-room of the Assistant Commissioner, Northern District, Mbabane, Swaziland, on Monday, the 10th December, 1934, at 10 o'clock in the forenoon, and that all applications for the granting, renewal, transfer or removal of any licence should be in the hands of the Secretary not later than 12 noon on Monday, the 29th October, 1934.

N. W. A. McCARTER,
Secretary, Mbabane Liquor Licensing Court.

Office of the Assistant Commissioner,
Northern District,
Mbabane, Swaziland, 28th September, 1934.

SALE IN EXECUTION.

CHARLIE NDHLOVU *VERSUS* VANYANE NKOSI.

In pursuance of a judgment of the Assistant Commissioner for the Central District, Bremersdorp, dated 22nd May, 1934, I will sell the following by public auction at the Court-house, Bremersdorp, at 12 noon on Wednesday, 17th October, 1934.

Seven head of mixed cattle.

J. S. MURPHY,
Deputy Messenger of the Court,
Bremersdorp, 27th September, 1934.

NOTICE.

In the Estate of the late FORBES STRATTON (No. 26166), in lifetime Labour Agent, of Mafeteng, Basutoland, married to ANNIE STRATTON (born BURR) according to the Law of Scotland.

All Creditors in the above-mentioned Estate are hereby requested to lodge their claims and all Debtors are hereby requested to pay their debts at the Office of the undersigned within thirty (30) days reckoned from the 5th October, 1934.

OCHSE & VAN RENSBURG,
Attorneys for Executors Testamentary.

Market Square, P.O. Box 7,
Wepener, 2nd October, 1934.