



OFFICIAL GAZETTE

OF THE
HIGH COMMISSIONER FOR SOUTH AFRICA.

PUBLISHED BY AUTHORITY OF HIS EXCELLENCY THE HIGH COMMISSIONER.

VOL. CXXVIII.]

PRETORIA, FRIDAY, 9TH NOVEMBER, 1934.

[No. 1742.]

No. 57 of 1934.]

PROCLAMATION

By His Excellency the High Commissioner.

Whereas it is expedient to amend sections *two hundred and eighty-six* and *two hundred and eighty-eight* of the Bechuanaland Protectorate Criminal Procedure and Evidence Proclamation No. 20 of 1933 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. Sub-section (1) of section *two hundred and eighty-six* of the said Proclamation shall be and is hereby amended by deleting the first proviso and substituting therefor the following proviso:

"Provided that where a woman by any wilful act or omission causes the death of her newly-born child, but at the time of the act or omission she had not fully recovered from the effect of giving birth to such child, and by reason thereof the balance of her mind was then disturbed, she shall, notwithstanding that the circumstances were such that but for this proviso the offence would have amounted to murder, be guilty of culpable homicide, and may for such offence be dealt with and punished as if she had been guilty of the offence of culpable homicide of such child; and provided further that where a woman is convicted of the murder of her newly-born child, the Court may in its discretion impose a sentence other than that of sentence of death."

2. Sub-section (2) of section *two hundred and eighty-six* of the said Proclamation shall be and is hereby amended by inserting the following proviso at the end of the sub-section:

"Provided that no child under the age of fourteen years shall be sentenced to imprisonment."

3. Section *two hundred and eighty-eight* of the said Proclamation shall be and is hereby repealed and the following substituted in lieu thereof:—

"288. (1) Where a woman convicted of an offence punishable with death is found in accordance with the provisions of this section to be pregnant, the sentence to be passed on her shall be sentence of imprisonment with hard labour instead of sentence of death.

(2) Where a woman convicted of an offence punishable with death alleges that she is pregnant, or where the Court before whom a woman is so convicted thinks fit to order, the question whether or not the woman is pregnant shall, before sentence is passed on her, be determined by the Court.

(3) The question whether the woman is pregnant or not shall be determined on such evidence as may be led before the Court either on the part of the woman or on the part of the Crown, and the Court shall find that the woman is not pregnant unless it is proved affirmatively to its satisfaction that she is pregnant.

(4) The rights conferred by this section on a woman convicted of an offence punishable with death shall be in substitution for the right of such a woman to allege in stay of execution that she is quick with child."

4. This Proclamation may be cited as the Bechuanaland Protectorate Criminal Procedure and Evidence (Amendment) 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 Thirty-first day of October, One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency
the High Commissioner.

E. COHEN,
for Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

No. 58 of 1934.]

PROCLAMATION

By His Excellency the High Commissioner.

Whereas it is desirable to provide for the registration and inspection of schools in Swaziland;

Now therefore under and by virtue of the powers, authorities and jurisdiction conferred upon and committed to me by His Majesty under the Swaziland Order-in-Council 1903 as amended by the Swaziland Order-in-Council 1906 and the Swaziland Order-in-Council 1909, I do hereby declare, proclaim and make known as follows:—

1. In this Proclamation, unless inconsistent with the context—

"the Inspector of Education" shall mean the Inspector of Education appointed under section *six* of Proclamation No. 4 of 1907, or any person lawfully acting in such capacity;

"school" shall mean any building or enclosure permanently used for the purpose of giving or purporting to give systematic instruction in agricultural, industrial or scholastic subjects to European or native children.

2. The person in charge of every school already established and which may hereafter be established in Swaziland shall within one month of the taking effect of this Proclamation or within one month of the establishment of any such school, respectively, forward to the office of the Inspector of Education, through the Assistant Commissioner of the District, a signed notice stating the name of the school, the name and address of the head teacher thereof, its locality, and in the case of a school under a religious denomination, the name of such denomination and the name and address of the responsible head thereof.

3. Upon receipt of any notice mentioned in section *two* hereof the Inspector of Education shall cause to be registered in a register to be kept in his office the particulars contained in any such notice.

4. The Inspector of Education and any other person acting under his written authority shall be entitled at all reasonable times to enter and inspect any school in Swaziland

whether it be in session or not and to examine the records of any such school and to demand any information as to the nature of the teacher's qualifications and attendance of scholars as to him shall seem fit.

5. Any person who fails to submit any notice required by section two of this Proclamation and any person who obstructs the Inspector of Education or any other person acting under his authority in the performance of his duties or who shall refuse or fail to deliver information demanded by such inspector or other person under this Proclamation shall be deemed to be guilty of an offence and be liable upon conviction to a fine not exceeding five pounds or to imprisonment with or without hard labour for a period not exceeding one month.

6. This Proclamation may be cited as the Swaziland Registration and Inspection of Schools 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 Thirty-first day of October One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency
the High Commissioner.

E. COHEN,
for Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

No. 59 of 1934.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to proclaim certain portions of land in Swaziland to be Crown Lands;

Now therefore under and by virtue of the powers, authorities and jurisdiction conferred upon and committed to me by His Majesty under the Swaziland Order-in-Council 1903 as amended by the Swaziland Order-in-Council 1906 and the Swaziland Order-in-Council 1909 and by virtue of the further authority conferred upon me under the Swaziland Crown Lands and Minerals Order-in-Council 1908, as amended by the Swaziland Crown Lands and Minerals Amendment Order-in-Council 1910, I do hereby declare, proclaim and make known as follows:

The areas of land in Swaziland described in the Schedule to this Proclamation shall, from the date of the publication of this Proclamation in the *Gazette*, be Crown Lands and shall be registered and known as numbered in the said Schedule, provided always that the proclamation of the said areas as Crown Land shall not affect any concession lease servitude or other right subsisting in respect of the said areas which is registered at the date of such publication and is not vested in the Crown.

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Third day of November, One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency
the High Commissioner.

E. COHEN,
for Administrative Secretary.

SCHEDULE.

LOT NO. 226 CENTRAL DISTRICT.

Portion B of Land Concession No. 132 L, in extent 1,628 morgen 527 square roods, as shown on Diagram No. S. 43/15, approved by the Surveyor-General, by the figure lettered A, B, C, D, A.

LOT NO. 227 CENTRAL DISTRICT.

Portion of land held under Land Concession No. 182 L, in extent 11 morgen 487 square roods, as shown on Diagram No. S. 93/16, approved by the Surveyor-General, by the figure lettered A, B, mid Road C, D, A.

LOT NO. 228 CENTRAL DISTRICT.

The remaining extent held under Land Concession No. 125 L, in extent 4,393 morgen 267 square roods, as shown on Diagram No. S. 202/10, approved by the Surveyor-General, by the figure lettered D, mid Mnyama River to G, H, K, e, d, e, b, a, inner edge of Tembe Road to D.

LOT NO. 229 CENTRAL DISTRICT.

Portion of Land Concession No. 8 L, in extent 313 square roods, as shown on Diagram No. S. 9/11, approved by the Surveyor-General, by the figure lettered A, B, C, D, A.

(Printed by the Government Printer, Pretoria.)

No. 60 of 1934.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to provide for the suspension of the operation of the Bechuanaland Protectorate Gold Premium Taxation Proclamation, 1934 (No. 25 of 1934) (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. Notwithstanding anything to the contrary contained in section seven thereof, the operation of the said Proclamation shall be and is hereby suspended until the thirty-first day of December, 1934.

2. This Proclamation may be cited as the Bechuanaland Protectorate Gold Premium Taxation (Suspension) Proclamation, 1934, and shall be deemed to have had force and to have taken effect from the 1st day of July, 1934.

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Fifth day of November, One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency the
High Commissioner.

E. COHEN,
for Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

No. 61 of 1934.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is desirable to make provision out of the public revenue or other funds of Basutoland for the services of the year ending on the thirty-first day of March, 1935;

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

1. The public revenue or other funds of Basutoland are hereby charged towards the service of the year ending on the 31st day of March, 1935, with a sum of £287,872. 0s. 0d. (Two hundred and eighty-seven thousand eight hundred and seventy-two pounds).

2. The moneys granted by this Proclamation shall be applied to the purposes and services set forth in the Schedule annexed hereto and more particularly specified in the Estimates of Expenditure of Basutoland for the year ending on the 31st day of March, 1935, submitted to and approved by the Secretary of State for Dominion Affairs.

3. The moneys granted by this Proclamation shall not be issued or applied to any use, intent, or purpose other than the particular services to which the said amounts have been granted respectively by this Proclamation.

4. This Proclamation may be cited as the Basutoland Appropriation (1934-35) Proclamation, 1934, and shall have force and take effect from the first day of April, 1934.

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Fifth day of November, One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency
the High Commissioner.

E. COHEN,
for Administrative Secretary.

SCHEDULE.

No.	Vote.	
1.	Resident Commissioner	£13,446
2.	District Administration	16,971
3.	Police	35,524
4.	Posts and Telegraphs	10,775
5.	Administration of Justice	13,470
6.	Public Works Department	5,589
7.	Public Works Recurrent	25,210
8.	Public Works Extraordinary	988
9.	Medical	26,237
10.	Education	41,840
11.	Lerotholi Technical School	5,680
12.	Agriculture:—	
	Veterinary Division	12,631
	Agricultural Division	7,501
13.	Allowances to Chiefs and Headmen	8,966
14.	National Council	1,925
15.	Leper Settlement	19,473
16.	Pensions	16,018
17.	Miscellaneous	17,958

£280,202
Capital Expenditure

7,670

£287,872

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 158 of 1934.

It is hereby notified for general information that, under and by virtue of the powers in him vested by section one of Proclamation No. 10 of 1925, His Excellency the High Commissioner has been pleased further to suspend the operation of the Bechuanaland Protectorate Cattle Export Duty Proclamation No. 12 of 1916 for a period of twelve months from the first day of April, 1934.

By Command of His Excellency
the High Commissioner.

E. COHEN,
for Administrative Secretary.

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

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 159 of 1934.

BASUTOLAND.

CUSTOMS—EXCHANGE DUMPING DUTY ON GLUCOSE.

It is hereby notified for general information that, under and by virtue of the powers in him vested by section fifteen of the Customs Tariff and Excise Duties Amendment Proclamation, No. 19 of 1925, as amended, His Excellency the High Commissioner has been pleased to declare that, from and after the twenty-ninth day of October, 1934, there shall be charged, levied, collected and paid on glucose on importation into Basutoland from Belgium, Holland, Germany and the United States of America an "ordinary" dumping duty equal to the difference between—

- (a) the domestic value (viz., the market price at which at the time of purchase thereof by the importer such or similar glucose is offered for sale for consumption in the countries from which it is exported to all purchasers in the usual wholesale quantities in the ordinary course of trade in the principal markets of such country, including the cost of packages ordinarily used in those markets less any drawback of duty granted by the Government of the exporting country in respect of glucose on exportation) plus the extra cost of packing and packages for export, carriage to port of shipment, and all other expenses incidental to placing the glucose on board ship ready for exportation to Basutoland; and
 - (b) the export price (viz., the price free on board at which the glucose is sold by the exporter to the importer in Basutoland);
- provided that such duty shall not exceed one-half of the value of the glucose as defined in section fourteen of the Customs Tariff and Excise Duties Amendment Proclamation, 1925, as amended, and provided further that such dumping duty shall not be imposed in respect of glucose shipped to Basutoland from Belgium, Holland, Germany and the United States of America prior to the above-mentioned date.

By Command of His Excellency the
High Commissioner.

E. COHEN,
for Administrative Secretary.

High Commissioner's Office,
Pretoria, 5th November, 1934.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 160 of 1934.

THE BECHUANALAND PROTECTORATE.

CUSTOMS—EXCHANGE DUMPING DUTY ON GLUCOSE.

It is hereby notified for general information that, under and by virtue of the powers in him vested by section fifteen of the Customs Tariff and Excise Duties Amendment Proclamation, No. 20 of 1925, as amended, His Excellency the High Commissioner has been pleased to declare that, from and after the twenty-ninth day of October, 1934, there shall be charged, levied, collected and paid on glucose on importation into the Bechuanaland Protectorate from Belgium, Holland, Germany and the United States of America an "ordinary" dumping duty equal to the difference between—

- (a) the domestic value (viz., the market price at which at the time of purchase thereof by the importer such or similar glucose is offered for sale for consumption in the countries from which it is exported to all purchasers in the usual wholesale quantities in the ordinary course of trade in the principal markets of such country, including the cost of packages ordinarily used in those markets less any drawback of duty granted by the Government of the exporting country in respect of glucose on exportation) plus the extra cost of packing and packages for export, carriage to port of shipment, and all other expenses incidental to placing the glucose on board ship ready for exportation to the Bechuanaland Protectorate; and

- (b) the export price (viz., the price free on board at which the glucose is sold by the exporter to the importer in the Bechuanaland Protectorate);

provided that such duty shall not exceed one-half of the value of the glucose as defined in section fourteen of the Customs Tariff and Excise Duties Amendment Proclamation, 1925, as amended, and provided further that such dumping duty shall not be imposed in respect of glucose shipped to the Bechuanaland Protectorate from Belgium, Holland, Germany and the United States of America prior to the above-mentioned date.

By Command of His Excellency the
High Commissioner.

E. COHEN,
for Administrative Secretary.

High Commissioner's Office,
Pretoria, 5th November, 1934.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 161 of 1934.

SWAZILAND.

CUSTOMS—EXCHANGE DUMPING DUTY ON GLUCOSE.

It is hereby notified for general information that, under and by virtue of the powers in him vested by section fifteen of the Customs Tariff and Excise Duties Amendment Proclamation, No. 21 of 1925, as amended, His Excellency the High Commissioner has been pleased to declare that, from and after the twenty-ninth day of October, 1934, there shall be charged, levied, collected and paid on glucose on importation into Swaziland from Belgium, Holland, Germany and the United States of America an "ordinary" dumping duty equal to the difference between—

- (a) the domestic value (viz., the market price at which at the time of purchase thereof by the importer such or similar glucose is offered for sale for consumption in the countries from which it is exported to all purchasers in the usual wholesale quantities in the ordinary course of trade in the principal markets of such country, including the cost of packages ordinarily used in those markets less any drawback of duty granted by the Government of the exporting country in respect of glucose on exportation) plus the extra cost of packing and packages for export, carriage to port of shipment, and all other expenses incidental to placing the glucose on board ship ready for exportation to Swaziland; and
- (b) the export price (viz., the price free on board at which the glucose is sold by the exporter to the importer in Swaziland);

provided that such duty shall not exceed one-half of the value of the glucose as defined in section fourteen of the Customs Tariff and Excise Duties Amendment Proclamation, 1925, as amended, and provided further that such dumping duty shall not be imposed in respect of glucose shipped to Swaziland from Belgium, Holland, Germany and the United States of America prior to the above-mentioned date.

By Command of His Excellency the
High Commissioner.

E. COHEN,
for Administrative Secretary.

High Commissioner's Office,
Pretoria, 5th November, 1934.

(Printed by the Government Printer, Pretoria.)

BECHUANALAND PROTECTORATE.

MOTOR ROAD.

It is hereby notified for general information that, under and by virtue of the powers conferred upon me by section fourteen, sub-section (3), of Proclamation No. 10 of 1929, I do hereby declare the hereinafter described portion of road in the Batawana and Bamangwato Reserves to be a motor road:—

From the Government Camp at Maun along the well-defined motor track to the Maun Bridge; thence along the motor track to the Samedupe Causeway across the Botletle River; thence along the motor track to the southern terminus of the fence erected on the Batawana-Bamangwato border; thence in a southerly direction along the well-defined motor track at present in use to the Notice Board near Tamba's Village, about 9 miles north of Rakops Village, where the motor track and the old wagon road intersect.

This notice takes effect from the date of publication.

C. F. REY,
Resident Commissioner.

Resident Commissioner's Office,
Mafeking, November, 1934.

BECHUANALAND PROTECTORATE.

NOTICE.

Notice is hereby given that a Court open to the public will be held in the Court of the Resident Magistrate, Lobatsi, at 10 a.m. on Wednesday, the 5th December, 1934, for the consideration of applications for the granting, renewal, transfer or removal of any liquor licence in the Lobatsi District of the Bechuanaland Protectorate for the year 1935.

C. LEDEBOER,
Resident Magistrate.

Resident Magistrate's Office,
Lobatsi, 31st October, 1934.

NOTICE.

Application is being made by me for the transfer of the general dealer's licence of the Goedgegun Store to Mr. J. LAPIDOS, of Hlatikulu.

2-8-16

L. A. DAVEY.