



OFFICIAL GAZETTE

OF THE
HIGH COMMISSIONER FOR BASUTOLAND, THE
BECHUANALAND PROTECTORATE, AND SWAZILAND

PUBLISHED BY AUTHORITY OF HIS EXCELLENCY THE HIGH COMMISSIONER.

VOL. CXXX.]

PRETORIA, FRIDAY, 3RD MAY, 1935.

[No. 1768.]

No. 24 of 1935.]

PROCLAMATION

By His Excellency the High Commissioner.

Whereas it is expedient to amend the Schedule to Proclamation No. 16 of 1907 (hereinafter referred to as "the said Proclamation") so as to provide more adequately for the stamping of documents used in civil cases in the courts of Basutoland;

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

1. The Schedule to the said Proclamation shall be and is hereby amended by the deletion of the sections headed "Courts of Law, (a) Assistant Commissioners' Courts" and "Civil Cases, (b) Resident Commissioner's Court" and the substitution of the following therefor:—

COURTS OF LAW.

Tariff of Fees.

(a) Court of the Resident Commissioner.

For every petition to appeal to the King in Council...	£2 0 0
For every recognisance in such appeal cases, for each person ...	1 0 0
For every other recognisance or bond of security for restitution ...	0 10 0
For the prosecution of any appeal from the Court of an Assistant Commissioner, an amount in the discretion of the Court not exceeding ...	3 0 0
For every order of rehabilitation or release from insolvency ...	1 0 0
For every other Rule or Order of Court ...	0 10 0
For every certificate of completion of security on application for rehabilitation ...	0 5 0
For every balance-sheet on application for rehabilitation ...	0 5 0
For every warrant to sue or defend ...	0 6 0
For every appearance by Counsel, attorney or agent with the permission of the Court ...	0 6 0
For every summons ...	0 12 0
For every declaration, plea or other pleading ...	0 10 0
For every notice entering or setting down any illiquid, default or provisional case ...	0 5 0
For every notice setting down for trial, argument or judgment in any contested case ...	0 10 0
For every certified copy of any document: For the first four folios of 100 words each, a minimum fee of ...	0 5 0
For each additional folio of 100 words ...	0 1 0
For affixing the Seal of the Court to Commissions for the examination of witnesses, or to any other document ...	0 15 0
For every liquid document upon which provisional sentence is prayed not being a document for which a stamp is by law provided ...	0 5 0
For every petition, memorial, notice of motion or other application to the Court filed ...	0 5 0
For every subpoena (NOTE: Not more than four witnesses shall be included in any one subpoena) ...	0 12 0

For every annexure, other than an original affidavit, to any summons, pleading, petition, or notice of action ...	£0 1 0
For every original affidavit ...	0 3 0
For every annexure thereto ...	0 1 0
For every document exhibited or admitted or filed of record ...	0 1 0
For every writ or process of execution ...	0 12 0
For every writ of arrest or for the attachment of the person or of property to found jurisdiction ...	1 0 0
For every application to search for any entry, record or document ...	0 1 0
Through one year ...	0 2 0
For every additional year ...	0 1 0
For every certificate under the hand of the Registrar, not being a certified copy or a certificate accompanied by seal ...	0 5 0
For taxation of costs for each £1 or fraction thereof	0 1 0

(b) Courts of Assistant Commissioners.

(i) In all civil cases wherein the cause of action exceeds fifty pounds (£50) or wherein no specific amount is claimed:—	
For every notice of or petition to appeal to the Court of the Resident Commissioner ...	1 0 0
For every petition to appeal from any judgment given in the Court of the Paramount Chief ...	0 10 0
For the prosecution of such appeal an amount in the discretion of the Court not exceeding ...	1 10 0
For every warrant to sue or defend ...	0 6 0
For every appearance by counsel, attorney or agent, with the permission of the Court ...	0 6 0
For every summons ...	0 12 0
For every plea or other pleading ...	0 10 0
For every notice ...	0 5 0
For every subpoena (NOTE: Not more than four witnesses shall be included in any one subpoena) ...	0 12 0
For every certified copy of any document:	
For the first four folios of 100 words each, a minimum fee of ...	0 5 0
For each additional folio of 100 words ...	0 1 0
For every writ or process of execution ...	0 10 0
For every recognisance or bond of security for restitution ...	0 10 0
For every annexure to a summons, pleading, or other document ...	0 0 6
For every document exhibited or admitted to be filed of record ...	0 0 6
For affixing the Seal of the Court to any document	0 10 0
For every certificate under the hand of an officer of the Court, not being a certified copy or a certificate accompanied by Seal ...	0 2 6
For every bill of costs, 6d. in the £1 or part thereof of the amount allowed.	
(ii) In all cases wherein the cases of action does not exceed fifty pounds (£50).	
For every notice of or petition to appeal to the Court of the Resident Commissioner ...	0 10 0
For every petition to appeal from any judgment given in the Court of the Paramount Chief ...	0 5 0

For the prosecution of such appeal, an amount in the discretion of the Court not exceeding ...	£1 0 0
For every warrant to sue or defend ...	0 3 0
For every appearance by attorney or agent ...	0 6 0
For every original summons, including interpleader summons, 4d. in the £1 or part thereof upon the amount claimed, but not to exceed ...	0 12 0
For every subpoena (NOTE: Not more than four witnesses shall be included in any one subpoena) ...	0 5 0
For every writ, 4d. in the £1 or part thereof upon the amount thereof but not to exceed ...	0 10 0
For every recognisance, bond of security for restitution, 4d. in the £1 or part thereof upon the amount thereof, but not to exceed ...	0 10 0
For every annexure to a summons, pleading or other document ...	0 0 6
For every document exhibited, or admitted to be filed of record ...	0 0 6
For every certified copy of any document:	
For the first four folios of 100 words each, a minimum fee of ...	0 5 0
For each additional folio of 100 words ...	0 1 0
For affixing the Seal of the Court to any document ...	0 10 0
For every certificate under the hand of an officer of the Court not being a certified copy or a certificate accompanied by Seal ...	0 1 0
For every notice of or petition to appeal, the same fees shall be payable as prescribed in the preceding sub-section.	
For every bill of costs, 3d. in the £1 or part thereof upon the amount allowed.	

In any case in which any process shall be prepared by an officer of the Court the same fee shall be payable as is allowed to attorneys for the preparation of such process. The fee last aforesaid shall be in addition to the fees prescribed by this Proclamation in respect of any such process and shall be payable by means of stamps which shall be affixed to the process in respect of which the service is rendered.

2. This Proclamation may be cited for all purposes as the Basutoland Stamp Duties Amendment Proclamation, 1935, 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 Capetown this Twenty-sixth day of April One thousand Nine hundred and Thirty-five.

W. H. CLARK,
High Commissioner.

By Command of His Excellency the
High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary to the High Commissioner.

(Printed by the Government Printer, Pretoria.)

NOTICE.

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 11 o'clock in the forenoon of Monday, the 10th day of June, 1935, or so soon thereafter as the Court can assemble.

R. REILLY,

Acting Resident Commissioner.

Mafeking, 26th April, 1935.

SWAZILAND.

GOVERNMENT NOTICE.

It is hereby notified for public information that the application of the Eastern Transvaal Consolidated Mines, Limited, under sections thirteen to seventeen of the Swaziland Water Proclamation, No. 11 of 1910, for permission to divert and use part of the surplus waters of the Mbabane River for power purposes on the Company's property known as portion H¹ of Farm No. 2, Northern District, Swaziland, will be heard by His Honour the Acting Resident Commissioner, on Wednesday, the 29th May, 1935, at 10 a.m.

All persons having any objections to the said application are hereby required to file their objections with particulars thereof at the office of the Government Secretary, Mbabane, Swaziland, on or before noon on Thursday, the 23rd May, 1935, after which date no further objections will be considered.

L. J. PUTTICK,
Acting Government Secretary.

Government Offices,
Mbabane, Swaziland, 24th April, 1935.

No. 25 of 1935.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient further to amend the Swaziland Poll Tax Proclamation, 1921 (No. 32 of 1921), as amended, hereinafter referred to as "the principal law";

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. Section one of the principal law shall be and is hereby amended (a) by the deletion of the word "domiciled" and the substitution thereof of the word "resident"; (b) by the addition of the following sub-section (2), the existing Section being re-numbered 1 (1):—

"(2) The expression 'resident in Swaziland' shall mean resident within the limits of Swaziland for a period of not less than one hundred and eighty consecutive days during the twelve months ending upon the date upon which any tax imposed under this Proclamation becomes due. A period of residence by any taxpayer shall be deemed to have been continuous for the purposes of this section notwithstanding the temporary absence of such person from Swaziland during a portion of such period."

2. This Proclamation may be cited as the Swaziland Poll Tax Further Amendment Proclamation, 1935, and shall have force and take effect from the first day of April, 1935.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Twenty-sixth day of April, One Thousand Nine Hundred and Thirty-five.

W. H. CLARK,
High Commissioner.

By Command of His Excellency the
High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

No. 26 of 1935.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to amend the Hlatikulu Township Proclamation No. 30 of 1922 by extending the limits of the said township;

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. (1) Portion 9 of Crown Land Lot No. 134, in extent 350 square rods as shown on diagram S.G. No. S. 1/35, is hereby declared to be erf No. 201 in the Township of Hlatikulu.

(2) The Surveyor-General shall endorse the General Plan of the Township of Hlatikulu accordingly and the Registrar of Deeds shall make the necessary endorsements in the relative title deed and in the appropriate register.

2. The provisions of the Hlatikulu Township Proclamation 1922, shall apply to erf No. 201 now included in the township by this Proclamation.

3. This Proclamation shall be read as one with the Hlatikulu Township Proclamation 1922, 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 Capetown this Twenty-seventh day of April, One thousand Nine hundred and Thirty-five.

W. H. CLARK,
High Commissioner.

By Command of His Excellency the
High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 74 of 1935.

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 John Raymond Eglington 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.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Capetown, 26th April, 1935.

NOTICE.

Estate of the late HENRY CAMPBELL TAYLOR, Kanye,
Bechuanaland Protectorate.

Notice is hereby given that the First and Final Liquidation and Distribution Account in the above Estate will lie for inspection at the Office of the Master, Mafeking, and the duplicate thereof at the Office of the Resident Magistrate, Kanye, for twenty-one days reckoned from 6th May, 1935.

Dated at Mafeking, this 25th day of April, 1935.

MINCHIN & KELLY,
Attorneys for the Executors Testamentary.

EDICT No. 678.

The Next-of-kin and Creditors of WILLIAM GIBSON, formerly of Rockforest, County Tipperary, Ireland, and late of Glen Druid, Shankhill, County Dublin, Ireland, who died on the 14th August, 1914, 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, on Friday, 28th June, 1935, at 11 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 the Executor or Executors Dative to the Estate of such deceased person as aforesaid.

D. FITZ-PATRICK,
Assistant Master of the Special Court of Swaziland.
Master's Office,
Mbabane, Swaziland, this 1st day of May, 1935.

NOTICE.

Notice is hereby given, in terms of Section 33 (1) of the Insolvency Proclamation that C. T. VAN RENSBURG, of Rakolos, Leribe District, intends disposing of the assets of his business at Rakolos aforesaid to J. J. SMITH, of Mokhates, Teyateyaneng.

TENNENT & VAN DER MERWE,
Attorneys for the parties.
P.O. Box 12, Ficksburg. 3—10

NOTICE.

Notice is hereby given, in terms of Section 34 of Proclamation No. 25 of 1929 of the sale of the general dealer's business carried on by PERLIN JOSEPH WOOD at Lobatsi to PETRUS FRANCOIS GERBER.

Dated at Mafeking, this 17th day of April, 1935.

MINCHIN & KELLY,
Attorneys for the parties.
P.O. Box 26, Mafeking. 26-3

SWAZILAND.

THE TRADE MARKS OFFICE.

APPLICATION FOR REGISTRATION OF TRADE MARKS.

Any person who has grounds of objection to the following Marks may, within one month after the last publication of this notice, lodge notice of opposition in the Form B—2nd Schedule of the Trade Marks Rules, 1902.

L. J. PUTTICK,
Acting Government Secretary.
Mbabane, Swaziland, 12th April, 1935.

Nos. 2, 3 and 4 of 1935, in Class 43, all in respect of rum, beer and spirituous liquors, in the name of Campania Ron Bacardi, S.A., a Corporation duly organized under the Laws of the Republic of Cuba, Manufacturers of Liquors, of 30 Aguilera Baja Street, Santiago, de Cuba City, Republic of Cuba, who claim to be the proprietors thereof.
Filed 8th April, 1935.

No. 2/1935.

BACARDI DAIQUIRI

No. 3/1935.

DAIQUIRI BACARDI

No. 4/1935.

