



# OFFICIAL GAZETTE

OF THE

HIGH COMMISSIONER FOR BASUTOLAND, THE  
BECHUANALAND PROTECTORATE, AND SWAZILAND

PUBLISHED BY AUTHORITY OF HIS EXCELLENCY THE HIGH COMMISSIONER.

VOL. CXXXIV.]

PRETORIA, FRIDAY, 8 MAY 1936

[No. 1826.]

No. 27 of 1936.]

## PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is desirable to repeal the Cape Cruelty to Animals Act No. 18 of 1888 as in force in the Bechuanaland Protectorate by virtue of Proclamation No. 36 of 1909;

And whereas it is desirable to make provision for the more effectual prevention of cruelty to animals;

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

1. In this Proclamation unless inconsistent with the context—

- (a) "animal" shall mean any horse, mare, gelding, bull, cow, ox, heifer, steer, calf, mule, ass, sheep, lamb, hog, pig, sow, goat, fowl, ostrich, dog, cat, or any other domestic animal, fowl, or bird and shall also include any wild animal, fowl or bird in a state of captivity;
- (b) "owner" shall in addition to its ordinary meaning, include any person having the charge custody or control of any animal;
- (c) "police officer" shall mean any commissioned officer, non-commissioned officer, constable or trooper of a police force established under any law or of any body of persons carrying out under any law the powers, duties and functions of a police force in the Bechuanaland Protectorate; and "police" has a corresponding meaning;
- (d) "District Commissioner" shall include any Acting District Commissioner or Assistant District Commissioner.

2. (i) Any person who—

- (a) shall cruelly beat, kick, ill-treat, over-drive, over-ride, over-load, or torture any animal, or cause any animal to be so used, or shall drive or use any animal which is so diseased, or so injured, or in such a physical condition that it is unfit to do any work, or shall by wantonly or unreasonably doing or omitting to do any act, or causing or procuring the commission or omission of any act, cause any unnecessary suffering, or being the owner, permit in any manner aforesaid, any unnecessary suffering to be caused to any animal; or
- (b) shall convey or carry, or cause or procure, or being the owner permit, to be conveyed or carried, any animal in such a manner or position as to cause that animal any unnecessary suffering; or
- (c) shall cause, procure or assist at the fighting of any animal or shall keep, use, manage, or act or assist in the management of any premises or place used for the purpose or partly for the purpose of fighting any animal, or shall permit any premises or place so to be used, kept or managed, or shall receive, or cause or procure any person to receive money for the admission of any person to such premises or place; or

- (d) shall without reasonable cause or excuse, administer, or cause or procure, or being the owner permit such administration of, any poisonous or injurious drug or substance to any animal, or shall, without any reasonable cause or excuse, cause any such substance to be taken by any animal; or
- (e) shall subject, or cause or procure, or being the owner permit, to be subjected, any animal to any operation which is performed without due care and humanity,

shall be guilty of cruelty and of an offence under this Proclamation, and shall on conviction be liable to a fine not exceeding twenty-five pounds, or in default of payment to imprisonment with or without hard labour for a period not exceeding six months or to such imprisonment without the option of a fine, and any fine so imposed may be paid in instalments or in any such manner as the Court may direct.

(ii) For the purpose of this section an owner shall be deemed to have permitted cruelty if he shall have failed to exercise reasonable care and supervision in respect of the protection from such cruelty of any animal which is his property or in his charge.

3. Where the owner of an animal is convicted of an offence under this Proclamation in respect of such animal, it shall be lawful for the Court if satisfied that it would be cruel to keep the animal alive, to direct that the animal be destroyed, and to assign the animal to any suitable person for that purpose; and the person to whom such animal is so assigned shall, as soon as possible, destroy such animal, or cause or procure such animal to be destroyed in his presence without unnecessary suffering. Any reasonable expense incurred in destroying the animal and removing and burying the carcass may be ordered by the Court to be paid by such owner, and thereupon shall be recoverable from him as a civil debt.

4. Where the owner of an animal is convicted of an offence under this Proclamation in respect of such animal, the Court may in addition to any other punishment deprive such person of the ownership of the animal and make such order as to the disposal of such animal as it shall think fit; Provided that no order shall be made under this section unless it is shown by evidence as to a previous conviction, or as to the character of the owner, or otherwise, that the animal if left with the owner is likely to be exposed to further cruelty.

5. (i) Whenever any person is convicted of an offence under this Proclamation and it appears to the Court that such person has by that offence caused damage to any person, the Court may, at the request in person of the aggrieved person, and in the presence of the convicted person, enquire summarily and without pleadings into the amount of damage so caused.

(ii) Upon proof of such amount the Court shall give judgment therefor in favour of the person aggrieved and against the convicted person, and such judgment shall be of the same force and effect, and be executable in the same manner as if it had been given in a civil action: Provided that judgment shall not be given under this section for a sum exceeding one hundred pounds.

6. (i) If a police officer find any animal so diseased or so severely injured or in such a physical condition that in his opinion it ought to be destroyed, he shall, if the owner be absent or refuse to consent to the destruction of the animal, at once summon a veterinary surgeon, if any veterinary

surgeon be within reasonable distance, or two responsible persons, and if such veterinary surgeon, or such responsible persons, after having duly examined such animal, shall give a certificate that the animal is mortally injured, or so severely injured or so diseased or in such a physical condition that it is cruel to keep it alive it shall be lawful for the police officer without the consent of the owner to slaughter the animal, or cause or procure it to be slaughtered, with such instruments or appliances and with such precautions, and in such manner, as to inflict as little suffering as practicable, and if the slaughter takes place on any public road to remove the carcase or cause it to be removed therefrom.

(ii) Any expenses which may be reasonably incurred by any police officer in carrying out the provisions of this section (including the expenses of any veterinary surgeon or the said responsible persons and whether the animal is slaughtered under this section or not) may be recovered from the owner as a civil debt.

(iii) Where a person having charge of a vehicle or animal is apprehended by a police officer for any offence under this Proclamation it shall be lawful for that or any other police officer to take charge of such vehicle or animal, and to deposit the same in some place of safe custody until the termination of the proceedings or until the Court shall direct such vehicle or animal to be delivered to the person charged or the owner, and the reasonable costs of such detention shall in the event of a conviction in respect of the said animal be recoverable from the owner as a civil debt, or where the owner is himself convicted, shall be part of the costs of the case.

7. (i) In all cases where the offender is not in custody and where proceedings are instituted under this Proclamation it shall be lawful for the Court to issue a summons directed to—

(a) the employer of any driver or conductor of any vehicle against whom any proceedings are instituted under this Proclamation;

(b) the owner of any animal in respect of which any proceedings are instituted under this Proclamation,

requiring him as the case may be, and if in his power to do so, to produce the driver or conductor at the hearing of the case, or the animal for inspection (if such can be done without cruelty) either at, or at any time before the hearing of the case.

(ii) Where a summons is issued under the foregoing subsection and the owner or employer as the case may be fails to comply therewith, without satisfactory excuse, he shall be liable upon summary conviction to a fine not exceeding five pounds for the first occasion, and not exceeding ten pounds for the second or any subsequent occasion, on which he so fails, and he may be required to pay the costs of any adjournment rendered necessary by his failure.

8. A police officer may without any search warrant, and at any time upon obtaining permission from the owner, or failing such permission, on obtaining an order from the officer in charge of the District, enter any premises where animals are kept for the purpose of examining the conditions under which they are so kept.

9. Every person who is suspected on reasonable grounds of having committed an offence against this Proclamation may, if there is reason to believe that the ends of justice would be defeated by the delay in obtaining a warrant, be arrested without warrant by a police officer and shall be brought before a District Commissioner's Court and dealt with in accordance with this Proclamation.

10. If upon the prosecution of any person for any offence under this Proclamation the Court, upon hearing the charge or complaint, shall pronounce the same unfounded or vexatious, the Court may award costs, on such scale as it may direct, against the person at whose instance the charge or complaint was laid.

11. This Proclamation may be cited as the Bechuanaland Protectorate Cruelty to Animals Proclamation, 1936, 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 Thirtieth day of April One thousand Nine hundred and Thirty-six.

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. 70 of 1936.

The following order of His Majesty-in-Council dated the 6th June, 1935, applying, as from the 30th July, 1935, the Extradition Acts, 1870 to 1932, in the case of Austria under and in accordance with a Convention with Austria signed on the 29th October, 1934, is published for general information.

By Command of His Excellency  
the High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Capetown, 27th April, 1936.

#### THE AUSTRIA (EXTRADITION) ORDER IN COUNCIL, 1935.

AT THE COURT AT BUCKINGHAM PALACE,

the 6th day of June, 1935.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by the Extradition Acts, 1870 to 1932 it was, amongst other things, enacted that, where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, His Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that His Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of His Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions and qualifications as may be deemed expedient:

And whereas a Treaty was signed on the 3rd day of December, 1873, between Her late Majesty Queen Victoria and His late Majesty the Emperor of Austria and King of Hungary for the mutual extradition of fugitive criminals which Treaty was amended by a Declaration signed on the 26th day of June, 1901:

And whereas the said Treaty and Declaration were duly ratified:

And whereas a further Convention was signed on the 29th day of October, 1934, between His Majesty and the Federal President of Austria, which Convention is in the terms following:—

His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the Federal President of Austria,

Desiring to make further provision for the reciprocal extradition of fugitive criminals, have resolved to conclude a Supplementary Convention to this end and for this purpose have appointed as their plenipotentiaries:—

His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India.

For Great Britain and Northern Ireland:—

Sir Walford Selby, K.C.M.G., C.B., C.V.O., His  
Envoy Extraordinary and Minister Plenipotentiary at  
Vienna;

The Federal President of Austria.

M. Egon Berger-Waldenegg, Minister for Foreign  
Affairs;

who, having communicated to each other their full powers, found in good and due form, have agreed as follows:—

#### ARTICLE 1.

From the date of the coming into force of the present Convention Article 2 of the Extradition Treaty, signed at Vienna on the 3rd December, 1873, shall be amended by the addition of the following clause:—

"Extradition may also be granted at the discretion of the High Contracting Party applied to in respect of any other crime or offence for which, according to the laws of both of the High Contracting Parties for the time being in force, the grant may be made."

#### ARTICLE 2.

The foregoing amendment shall apply to extradition proceedings between Austria on the one hand and, on the other hand, the following territories of His Majesty, that is to say, the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man, Newfoundland, British Colonies, British Protectorates to which the Extradition Treaty of the 3rd December, 1873, applies, and mandated territories to which the said Treaty has been or may be extended, and in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

#### ARTICLE 3.

The High Contracting Parties agree that His Majesty The King may accede to the present Convention in respect of any other Member of the British Commonwealth of Nations, whose Government may desire that such accession be effected, by a notice given to that effect by the appropriate diplomatic representative of His Majesty at Vienna. From the date that such notice comes into force the amendment set forth in Article 1 shall apply to extradition proceedings between Austria on the one hand and, on the other, the territory of the Member of the Commonwealth concerned.



Any notice given under the first paragraph of this Article in respect of any Member of the British Commonwealth of Nations may include any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is exercised by the Government of the Member concerned.

## ARTICLE 4.

The present Convention shall be ratified. The ratifications shall be exchanged in London as soon as possible.

## ARTICLE 5.

The present Convention shall enter into force three months after the exchange of ratifications and shall have the same duration as the Extradition Treaty of the 3rd December, 1873.

In faith whereof the above-named plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done in duplicate in English and German at Vienna, the 29th of October, 1934.

(L.S.) W. Selby.

(L.S.) Egon Berger.

And whereas the ratifications of the said Convention were exchanged at London on the 30th day of April, 1935:

And whereas His Majesty has ratified the said Convention in respect of, and the said Convention thereby extends to, the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man, Newfoundland, and British Colonies:

Now, therefore, His Majesty, by and with the advice of His Privy Council, and in virtue of the authority committed to Him by the said recited Acts, doth order, and it is hereby ordered, that from and after the 30th day of July, 1935, the said Acts shall apply in respect of the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man, Newfoundland, and British Colonies in the case of Austria under and in accordance with the said Treaty of the 3rd December, 1873, as modified by the Declaration of the 26th June, 1901, and by the Convention of the 29th October, 1934.

This Order may be cited as the Austria (Extradition) Order in Council, 1935.

M. P. A. Hankey.

(Printed by the Government Printer, Pretoria.)

## HIGH COMMISSIONER'S NOTICE No. 71 of 1936.

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 the said Proclamation shall apply in the case of Austria during the continuance of the Convention made on the twenty-ninth day of October, 1934, between His Majesty the King and the Federal President of Austria under which the Bechuanaland Protectorate is to surrender fugitive criminals to Austria in terms of article one of the said Convention.

It is also notified that, under the Extradition Act, 1932 (No. 39 of 1932), the offences against any enactment for the time being in force in the Bechuanaland Protectorate relating to dangerous drugs, and attempts to commit such offences, shall be extraditable offences in terms of the above-mentioned Proclamation.

By Command of His Excellency the  
High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Capetown, 27th April, 1936.

(Printed by the Government Printer, Pretoria.)

## HIGH COMMISSIONER'S NOTICE No. 72 of 1936.

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 the said Proclamation shall apply in the case of Austria during the continuance of the Convention made on the twenty-ninth day of October, 1934, between His Majesty the King and the Federal President of Austria under which Swaziland is to surrender fugitive criminals to Austria in terms of article one of the said Convention.

It is also notified that, under the Extradition Act, 1932 (No. 39 of 1932), the offences against any enactment for the time being in force in Swaziland relating to dangerous drugs and attempts to commit such offences, shall be extraditable offences in terms of the above-mentioned Proclamation.

By Command of His Excellency the  
High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Capetown, 27th April, 1936.

(Printed by the Government Printer, Pretoria.)

## HIGH COMMISSIONER'S NOTICE No. 73 of 1936.

The following order of His Majesty-in-Council, dated 15th July, 1935, applying as from the 6th September, 1935, the Extradition Acts, 1870 to 1932, in the case of Switzerland under and in accordance with a Convention with Switzerland signed on the 19th December, 1934, is published for general information.

By Command of His Excellency the  
High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Capetown, 27th April, 1936.

## THE SWITZERLAND (EXTRADITION) ORDER IN COUNCIL, 1935.

AT THE COURT AT BUCKINGHAM PALACE,  
the 15th day of July, 1935.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN  
COUNCIL.

Whereas by the Extradition Acts, 1870 to 1932, it is amongst other things, enacted that, where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, His Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that His Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of His Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions and qualifications as may be deemed expedient:

And whereas a Treaty was signed on the 26th day of November, 1880, between Her late Majesty Queen Victoria and the Swiss Federal Council for the mutual extradition of fugitive criminals, which Treaty was amended by a Convention signed on the 29th day of June, 1904:

And whereas the said Treaty and Convention was duly ratified:

And whereas a further Convention was signed on the 19th day of December, 1934, between His Majesty and the Swiss Federal Council, which Convention is in the terms following:—

His Majesty the King of  
Great Britain, Ireland and  
the British Dominions beyond  
the Seas, Emperor of  
India,

Sa Majesté le Roi  
Grande-Bretagne, d'Irlande  
et des Territoires britanniques  
au delà des Mers, Empereur  
des Indes,

and  
the Swiss Federal Council,

et  
le Conseil Fédéral Suisse

desiring to make further provision for the reciprocal extradition of fugitive criminals have resolved to conclude a Supplementary Convention to this end and for this purpose have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India: for Great Britain and Northern Ireland:

désireux de prendre des dispositions plus étendues pour l'extradition réciproque des malfaiteurs fugitifs, ont résolu de conclure une convention additionnelle dans ce but et ont nommé à cet effet leurs Plénipotentiaires, savoir:

Sa Majesté le Roi Grande-Bretagne, d'Irlande et des Territoires britanniques au delà des Mers, Empereur des Indes: pour la Grande-Bretagne et l'Irlande Nord:

Sir Howard Kennard, His Majesty's Envoy Extraordinary and Minister plenipotentiary in Switzerland;

Sir Howard Kennard, Envoy extraordinaire et Ministre plénipotentiaire en Suisse de Sa Majesté Britannique

*Swiss Federal Council:*

Monsieur Giuseppe Motta, Federal Councillor, Chief of the Federal Political Department, who, having communicated each other their full powers found in good and form have agreed as follows:—

*Article 1.*

From the date of the coming into force of the present Convention Article 2 of the Extradition Treaty concluded at Berne on the 26th November, 1880, shall be amended by the addition of the following clause:

"Extradition may also be granted at the discretion of the High Contracting Party applied to in respect of any other crime or offence for which, according to the laws of both of the High Contracting Parties for the time being in force, the grant may be made."

*Article 2.*

The foregoing amendment shall apply to extradition proceedings between Switzerland on the one hand and, on the other hand, the following territories of His Majesty, that is to say, the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man, Newfoundland, British Colonies, British Protectorates to which the Extradition Treaty of the 26th November, 1880, applies, and mandated territories to which the said Treaty has been or may be extended, and in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

*Article 3.*

The High Contracting Parties agree that His Majesty the King may accede to the present Convention in respect of any other members of the British Commonwealth of Nations, whose Government may desire that such accession be effected, by notice given to that effect to the appropriate diplomatic representative of His Majesty at Berne. From the date that such notice comes to effect the amendment set forth in Article 1 shall apply to extradition proceedings between Switzerland on the one hand, and the territory of the member of the Commonwealth concerned on the other hand.

Any notice given under the first paragraph of this Article in respect of any member of the British Commonwealth of Nations may include any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is exercised by the Government of the member concerned.

*Article 4.*

The present Convention shall be ratified. The ratifications shall be exchanged in London as soon as possible.

*Le Conseil Fédéral Suisse:*

Monsieur Giuseppe Motta, Conseiller fédéral, Chef du Département politique fédéral,

lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, ont convenu de ce qui suit:

*Article premier.*

A partir de la date de l'entrée en vigueur de la présente convention, l'article 2 du traité d'extradition, signé à Berne le 26 novembre 1880, sera modifié par l'addition de la clause suivante:

"L'extradition pourra également être obtenue, si la Partie requise y consent, pour tout autre crime ou délit pour lesquels les lois en vigueur sur le territoire de l'une et de l'autre des Hautes Parties contractantes prévoient la possibilité d'une extradition."

*Article 2.*

La stipulation additionnelle susindiquée s'appliquera aux procédures d'extradition entre la Suisse, d'une part, et les territoires suivants de Sa Majesté, d'autre part, soit le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, les îles normandes, l'île de Man, Terre Neuve, les colonies britanniques, les protectorats britanniques auxquels le traité du 26 novembre 1880, est applicable, ainsi que les territoires sous mandat auxquels ledit traité s'étend ou pourra s'étendre, si le mandat y est exercé par le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord.

*Article 3.*

Les Hautes Parties contractantes conviennent que Sa Majesté le Roi pourra, au moyen d'une notification du représentant diplomatique qualifié de Sa Majesté à Berne, accéder à la présente convention pour tout autre membre de la Communauté de Nations britannique dont le Gouvernement le désirerait. A partir de la date à laquelle une telle notification produira son effet, la modification contenue à l'article premier s'appliquera aux procédures d'extradition entre la Suisse, d'une part, et le territoire du membre accédant de la Communauté de Nations britannique, d'autre part.

Toute notification faite, aux termes du premier paragraphe de cet article, pour un membre de la Communauté de Nations britannique pourra comprendre n'importe quel territoire pour lequel un mandat a été accepté par Sa Majesté, au nom de la Société des Nations, et y est exercé par le Gouvernement du membre dont il s'agit.

*Article 4.*

La présente convention sera ratifiée. Les ratifications seront échangées à Londres aussitôt que possible.

*Article 5.*

The present Convention shall enter into force three months after the exchange of ratifications and shall have the same duration as the Extradition Treaty of the 26th November, 1880.

In faith whereof the above-named Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done in duplicate in English and French at Berne the nineteenth day of December nineteen hundred and thirty-four.

(L.S.)

H. W. Kennard.

*Article 5.*

La présente convention entrera en vigueur trois mois après l'échange des ratifications et aura la même durée que le traité d'extradition du 26 novembre 1880.

En foi de quoi, les Plénipotentiaires susnommés ont signé la présente convention et y ont apposé leurs sceaux.

Fait en double, en anglais et en français, à Berne, le dix-neuf décembre mil neuf cent trente-quatre.

(L.S.)

Motta.

And whereas the ratifications of the said Convention were exchanged at London on the 6th day of June, 1935:

And whereas His Majesty has ratified the said Convention in respect of, and the said Convention thereby extends to, the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man, Newfoundland, and British Colonies:

Now, therefore, His Majesty, by and with the advice of His Privy Council, and in virtue of the authority committed to Him by the said recited Acts, doth order, and it is hereby ordered, that from and after the 6th day of September, 1935, the said Acts shall apply in respect of the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man, Newfoundland and British Colonies in the case of Switzerland under and in accordance with the said Treaty of the 26th November, 1880, as modified by the Conventions of the 29th June, 1904, and the 19th December, 1934.

This Order may be cited as the Switzerland (Extradition) Order in Council, 1935.

M. P. A. Hankey.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 74 of 1936.

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 the said Proclamation shall apply in the case of Switzerland during the continuance of the Convention made on the nineteenth day of December, 1934, between His Majesty the King and the Swiss Federal Council under which the Bechuanaland Protectorate is to surrender fugitive criminals to Switzerland in terms of article one of the said Convention.

By Command of His Excellency the High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Capetown, 27th April, 1936.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 75 of 1936.

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 the said Proclamation shall apply in the case of Switzerland during the continuance of the Convention made on the nineteenth day of December, 1934, between His Majesty the King and the Swiss Federal Council under which Swaziland is to surrender fugitive criminals to Switzerland in terms of Article one of the said Convention.

By Command of His Excellency the High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Capetown, 27th April, 1936.

(Printed by the Government Printer, Pretoria.)



## HIGH COMMISSIONER'S NOTICE No. 77 of 1936.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint the undermentioned persons, whilst holding the posts of Native Clerks in the District Administrations of the Swaziland Service, to be Marriage Officers in and for the Territory of Swaziland, with power to solemnize marriages among Coloured Persons, in terms of Transvaal Law No. 3 of 1897 as in force in Swaziland:—

Mr. Gilbert October Kunene, Clerk in the Office of the Assistant District Commissioner, Northern District, Pigg's Peak;

Mr. Joshua Lukele, Clerk in the Office of the District Commissioner, Central District, Bremersdorp;

Mr. Samuel Thornton Msindazwe Sukati, Clerk in the Office of the Assistant District Commissioner, Central District, Mankaiana;

Mr. Peter Stephen Katangana, Clerk in the Office of the Assistant District Commissioner, Central District, Stegi.

By Command of His Excellency the  
High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Capetown, 29th April, 1936.

## HIGH COMMISSIONER'S NOTICE No. 78 of 1936.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint the Reverend Wilfred Holford Brooke, M.A., of the Church of the Province 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. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Capetown, 1st May, 1936.

## SWAZILAND.

## GOVERNMENT NOTICE.

It is hereby notified for general information that, under section two of the Crown Mineral Areas (Swaziland) Proclamation, 1912, the area of land described in the Schedule hereunder is from the date of this notice defined as Crown Mineral Area No. 11.

A. G. MARWICK,  
Resident Commissioner, Swaziland.

Resident Commissioner's Office,  
Mbabane, Swaziland, 27th April, 1936.

## SCHEDULE.

No. 11, *Southern District.*

All that portion of Mineral Concession No. 7 M (Diagram No. S. 137/11), exclusive of three portions of Native Area No. 31.

## SWAZILAND.

## GOVERNMENT NOTICE.

It is hereby notified for general information that, under and by virtue of the powers in me vested by section five (2) of the Crown Mineral Areas (Swaziland) Proclamation, 1912, I hereby declare that Crown Mineral Area No. 11 (defined by Swaziland Government Notice dated the 27th April, 1936) shall be open after 10 a.m. on the 1st day of June, 1936, for prospecting and mining for precious and base metals, under the provisions of the Crown Mineral Areas (Swaziland) Proclamation, 1912, as amended.

Prospecting permits will be issued on or after the 1st June, 1936, upon personal application at the office of the District Commissioner, Hlatikulu.

A. G. MARWICK,  
Resident Commissioner, Swaziland.

Resident Commissioner's Office,  
Mbabane, Swaziland, 28th April, 1936.

## SWAZILAND.

## GOVERNMENT NOTICE.

## LEASE OF RIGHT TO MINE BASE METALS ON PORTION OF MINERAL CONCESSION No. 21 M (TO BE KNOWN AS CROWN MINERAL AREA No. 12).

1. Notice is hereby given that the Resident Commissioner of Swaziland, under section five (3) of the Crown Mineral Areas (Swaziland) Proclamation, No. 25 of 1912, as amended has decided to issue a "special authority" for the exclusive right to mine base metals for a period of five years from the 19th February, 1937, with the right of renewal for four years on the portion of Mineral Concession No. 21 M (exclusive of the overlapping portions of Native Areas Nos. 10 and 11) which Concession lapses to the Crown on the 18th February 1937, and will be defined (excluding the Native Area portions as Crown Mineral Area No. 12, situate near Ezulweni Northern District, Swaziland.

Applications for the lease (special authority) of the said rights are hereby invited.

2. A plan of the area, records of Tin produced on the property, etc., may be seen at the office of the Government Secretary, Mbabane.

3. Every application shall be in writing and shall be marked on the cover "Tender for Lease of Crown Mineral Area No. 12", and shall be in the hands of the Government Secretary, Mbabane, not later than the 30th September, 1936.

4. The applicant shall give full particulars and details of his proposals and shall submit satisfactory evidence of his financial resources and of his ability to provide the necessary fund and to fulfil the terms of the lease to be entered into.

5. The consideration to be quoted by the applicant as payable to the Swaziland Government for the lease shall take the form of a percentage of annual profits or annual rental or both. Rental shall be payable in advance.

6. The successful applicant shall be required to pay, in addition to any payments in terms of the previous paragraph a royalty of two and one-half per cent. on the value of severance from the soil of the base metals won. The method of ascertaining such royalty shall be on the same basis as that in use for Concessions—vide section nineteen (b) of the Swaziland Administration Proclamation, 1904.

7. The applicant will be required, if necessary, to acquire rights to the use of water for mining purposes under the Crown Mineral Areas Proclamation, 1912, as amended, and the regulations published thereunder.

8. The mineral rights, which will accrue to the Government on the expiry of Mineral Concession No. 21 M, on the 18th February, 1937, will be later-dated to the land rights, and the successful applicant will be required before mining takes place to come to terms with the respective registered owner of the land rights under section four of the Surface Rights Proclamation No. 12 of 1910.

9. The successful applicant shall pay all costs of preparation and registration (if necessary) of the deed of agreement and the cost of any surveys (if necessary).

10. The Swaziland Administration does not bind itself to accept the highest or any tender.

L. J. PUTTICK,  
Acting Government Secretary  
Government Secretary's Office,  
Mbabane, Swaziland, 28th April, 1936.

## NOTICE.

Notice is hereby given that the undersigned will hear an application by Madika Mngomezulu for a general dealer's licence at Native Area No. 31, Hlatikulu Area, at the Hlatikulu Court-house at 10 a.m. on Tuesday, the 26th May 1936. Any objections must be lodged with me in writing and with the applicant by 10 a.m. on 21st May, 1936.

S. B. WILLIAMS,  
District Commissioner  
Hlatikulu, 27th April, 1936.

## NOTICE OF DISSOLUTION OF PARTNERSHIP.

Notice is hereby given, in terms of section 33 of the Insolvency Act (as amended) Proclamation No. 26 of 1927, that the chemist, druggist and general dealer's business carried on by PHILIP GARB and RICHARD HODGSON HUSTED, under the style or firm of HUSTEDS, at Maseru, Basutoland, will be taken over by the said Philip Garb, who will take over all the assets and liabilities of the said partnership and will continue to carry on the said business for his own account under the same style and at the same address.

STEYTLER GRIMMER & MURRAY,  
Attorneys for the parties.  
Consolidated Building, Johannesburg.

## NOTICE.

Notice is hereby given that the undersigned will hear applications by Mkukwane Dhlamini for (a) dealer or speculator in live stock or produce licence and (b) butcher's licence, at Zombode, Central District, at the Bremersdorp Court-house, at 10 a.m. on Friday, the 29th day of May, 1936. Any objections to be lodged in writing by noon 23rd May.

W. W. USHER,

Acting District Commissioner, Cental District.  
Bremersdorp, 30th April, 1936.

## NOTICE.

In the Estate of the late SARAH GERTRUDE ZIETSMAN (born STRYDOM), of Leribe, Basutoland (No. 294).

The First and Final Liquidation and Distribution Account in the above Estate will lie for inspection at the Offices of the Master of Court, Maseru, and of the Assistant Commissioner at Leribe for a period of twenty-one days from 11th May, 1936.

DE VILLIERS & BECK,

Attorneys for Executrix Testamentary.

P.O. Box 11, Ficksburg.

## NOTICE.

Notice is hereby given that application will be made to the Court of the Resident Commissioner for Basutoland at Maseru on Friday, 26th June, 1936, at 10.30 a.m., for the rehabilitation of DUGALD McNAUGHT, trader, of Mokhotlong, P.O. Himeville, formerly of Tsuis, Maseru, whose estate was placed under sequestration on 2nd February, 1923. Application is being made in terms of section 107 (2) (c) of the Insolvency Proclamation of 1927.

TENNENT & VAN DER MERWE,

Attorneys for Applicant.

P.O. Box 12, Ficksburg.

## NOTICE.

Estate late WILLIAM HENRY ELLAM, of Ghanzi, Bechuanaland Protectorate.

Notice is hereby given that the First and Final Liquidation and Distribution Account in the above Estate will lie open for inspection at the Office of the Master for the Bechuanaland Protectorate, Mafeking, for a period of twenty-one days, reckoned from the 15th day of May, 1936.

Dated at Fish Hoek, this 4th day of May, 1936.

E. P. ELLAM,

Executrix Dative.

Balgownie, Seventh Avenue, Fish Hoek, Cape.

8

Notice is hereby given, in terms of section 4 (1) of the Registration of Businesses (Swaziland) Proclamation, 1933, that the general dealer's business carried on by the Executors of the Estate of the late GEORGE JOHN WAY, in the store premises on Lot No. 8, in the Township of Stegi, Swaziland, including all stock-in-trade, has been sold and transferred to GEORGE GORDON BENNETT as and from the 15th May, 1936.

24-1-8

No.	General Notices (continued).	PAGE
MISCELLANEOUS—(continued)—		
* 282.	Notice of Expropriation, Transvaal ... ..	352
* 283.	Notice to Mariners ... ..	353
* 284.	Payment of Bounty by Live Stock and Meat Industries Board ... ..	353
* 285.	Companies Registered, April, 1936 ... ..	354
Tenders ... ..		
	359	
Vacancies for Junior Assistants, Fuel Research Institute of South Africa ... ..		
	366	
Vacancy for Farm Foreman ... ..		
	367	
PUBLIC SERVICE COMMISSION:		
	Vacancy for Roads Engineer, Grade I ... ..	367
	Vacancy for Translator (Foreign Languages) ... ..	367
	Vacancy for Research Officer (Animal Husbandry) ... ..	367
	Vacancies for Assistant Inspectors of Machinery ... ..	368
	Vacancy for Information Officer ... ..	368
	Vacancy for Medical Officer, Rietfontein ... ..	369
	Vacancy for Research Officer (Pasture) ... ..	369
	Vacancy for Senior Probation Officer, Capetown ... ..	369
ADVERTISEMENTS.		
Patents and Trade marks .. .. .	i	
Transvaal Province .. .. .	xi	
Cape of Good Hope Province .. .. .	xxviii	
Natal Province .. .. .	xxxiii	
Orange Free State Province .. .. .	xxxvi	
Estate Notices .. .. .	xxxix	

No.	Algemene Kennisgewings (vervolg).	BLADSY
DIVERSE—(vervolg)—		
* 282.	Kennisgewing van Onteining, Transvaal ... ..	352
* 283.	Kennisgewing aan Seeliede ... ..	353
* 284.	Betaling van Toeslag deur die Raad van Beheer oor die Vee- en Vleisnywerhede ... ..	353
* 285.	Maatskappye Geregistreer, April 1936 ... ..	354
Tenders ... ..		
	359	
Vakature vir Junior Assistent, Brandstofnavorsings-instituut van Suid-Afrika ... ..		
	366	
Vakature vir Plaasvoorman ... ..		
	367	
STAATSDIENSKOMMISSIE:		
	Vakature vir Pad-ingenieur, Graad I ... ..	367
	Vakature vir Vertaler (Vreemde Tale) ... ..	367
	Vakature vir Navorsingsbeampte (Veeteelt) ... ..	367
	Vakatures vir Assistent-inspekteurs van Masjinerie ... ..	368
	Vakature vir Inligtingsbeampte ... ..	368
	Vakature vir Mediese-beampte, Rietfontein ... ..	369
	Vakature vir Navorsingsbeampte (Weiding) ... ..	369
	Vakature vir Senior Proefbeampte, Kaapstad ... ..	369
ADVERTENSIES.		
Patente en Handelsmerke .. .. .	i	
Provinsie Transvaal .. .. .	xi	
Provinsie Kaap de Goede Hoop .. .. .	xxviii	
Provinsie Natal .. .. .	xxxiii	
Provinsie Oranje-Vrystaat .. .. .	xxxvi	
Boedel-Kennisgewings .. .. .	xxxix	

# HIGH COMMISSIONER'S GAZETTE (at back).

No.	Bechuanaland.	PAGE
27.	Cruelty to Animals Proclamation, 1936. ... ..	23
71.	Fugitive Criminals Surrender Proclamation, 1908—Austria ... ..	25
74.	Fugitive Criminals Surrender Proclamation, 1908—Switzerland ... ..	26
Swaziland.		
72.	Fugitive Criminals Surrender Proclamation, 1908—Austria ... ..	25
75.	Fugitive Criminals Surrender Proclamation, 1908—Switzerland ... ..	26
77.	Appointment of Marriage Officers ... ..	27
78.	Appointment of Marriage Officer ... ..	27
	Crown Mineral Area No. 11 ... ..	27
	Crown Mineral Area No. 11: Opening for Prospecting and Mining ... ..	27
	Lease of Right to mine on Crown Mineral Area No. 12 ... ..	27
Miscellaneous.		
70.	Austria (Extradition) Order in Council, 1935 ... ..	24
73.	Switzerland (Extradition) Order in Council, 1935 ... ..	25



# STAATS- KOERANT

VAN DIE

## Unie van Suid-Afrika.

(Verskyn elke Vrydag.)

### INTEKENGELD.

Die intekengeld vir die *Unie-Staatskoerant* (insluitende die *Offisiële Koerant van die Hoë Kommissaris, Buitengewone Staatskoerante en Supplemente*, met Kwartaal-indeks) is as volg:—

£1 per ses maande (posvry).  
£2 per twaalf maande (posvry).  
Prys per los eksemplaar, 6d.

Intekengelde moet vooruitbetaal word aan die Staatsdrukker, Pretoria, and mag begin vanaf die 1ste van enige maand, maar kan nie aangeneem word vir 'n korter tydperk as ses maande nie.

### ADVERTENSIES.

Die advertensietarief is as volg:—

5s. per duim, enkele kolom; herhaling 3s.  
10s. per duim, dubbele kolom; herhalings 6s.  
15s. per duim, driedubbele kolom; herhalings 9s.

Om die ruimte wat 'n advertensie sal beslaan, by benadering te bereken, moet adverteerders die woorde in die advertensie tel en reken—

Vir enkele kolom, 6 woorde per reël;  
Vir dubbele kolom, 14 woorde per reël;  
Vir driedubbele kolom, 21 woorde per reël;  
en 8 reëls per duim.

In elke geval moet 'n ekstra half-duim aan die bo- en onderkant bereken word vir die titel en ondertekening respektiewelik. **Gedeeltes van 'n duim moet as een volle duim gereken word.**

Kennisgewings aan Krediteure en Debiteure in die Boedels van Orlede Persone en Kennisgewings van Eksekuteurs betreffende Likwidasierekenings wat ter insae lê, word gepubliseer in skedulevorm teen 8s. per Boedel.

'n Vaste bedrag van 12s. per Boedel word bereken vir die publikasie in skedulevorm van kennisgewings voorgeskrewe deur die Regulasies opgestel volgens die Insolvensiewet, 1916.

In die geval van vorms 3 en 4, moet adverteerders die woorde in die advertensies tel en reken: 12s. vir die eerste 36 woorde (of gedeelte daarvan) en 2s. vir elke addisionele 12 woorde (of gedeelte daarvan).

Kennisgewings van aanneming van volledige spesifikasies met betrekking tot aansoeke om Oktrooibriewe word vir 10s. in drie agtereenvolgende uitgawes geplaas.

Aansoeke om Naturalisasie word vir 13s. geplaas, watter bedrag 'n eksemplaar van die *Staatskoerant* insluit.

**Alleen wetlike advertensies word vir publikasie** in die *Staatskoerant* aangeneem en is onderworpe aan die goedkeuring van die Staatsdrukker, wat kan weier om advertensies aan te neem of verder te publiseer.

Die Staatsdrukker behou hom die reg voor om kopie te redigeer.

Geen verantwoordelikheid kan aanvaar word vir verliese wat deur uitlatinge of tipografiese of ander foute ontstaan nie.

Die manuskrip van advertensies moet alleen op een sy van die papier geskrywe word, **en alle eiename moet duidelik geskrywe word**; ingeval enige naam verkeerd gedruk word ten gevolge van onduidelike skrif, kan die advertensie alleen weer gepubliseer word teen betaling van die koste van 'n tweede plasing.

**Geen advertensie kan geplaas word nie tensy dit vooruitbetaal is.**

Alle tjeks, bankwissels, posorders of poswissels moet uitgemaak word op naam van die Staatsdrukker, Pretoria, en gekruis wees „Suid-Afrikaanse Reserwebank”. **Alleen tjeks wat deur die Bank geparafeer is, sal aangeneem word.**

J. J. KRUGER,  
Staatsdrukker.

# GOVERNMENT GAZETTE

OF THE

## Union of South Africa.

(Published on Fridays.)

### SUBSCRIPTION RATES.

The subscription rates to the *Union Gazette* (including *Official Gazette of the High Commissioner, Gazettes Extraordinary, and Supplements*, with Quarterly Index) are as follows:—

£1 for six months (post free).  
£2 for twelve months (post free).  
Price per single copy, 6d.

Subscriptions are payable in advance to the Government Printer, Pretoria, and may commence from the 1st of any month, but cannot be accepted for a shorter period than six months.

### ADVERTISEMENTS.

Rates of advertising are as follows:—

5s. per inch single column; repeats 3s.  
10s. per inch double column; repeats 6s.  
15s. per inch treble column; repeats 9s.

In order to arrive at the approximate space which an advertisement will occupy, advertisers should count the words in the body of the advertisement, and reckon—

For single column, 6 words to the line;  
For double column, 14 words to the line;  
For treble column, 21 words to the line;  
and 8 lines to the inch.

In each case an additional half-inch at top and bottom should be allowed for heading and signature respectively. **Fractions of an inch to be reckoned an inch.**

Notices to Creditors and Debtors in the Estates of Deceased Persons and Notices by Executors concerning Liquidation Accounts lying for inspection are published in schedule form at 8s. per Estate.

A fixed charge of 12s. per Estate is made for publishing notices in the schedule forms prescribed in the Regulations made under the Insolvency Act, 1916.

In the case of forms 3 and 4, advertisers should count the words in the advertisement and reckon: 12s. for the first 36 words (or portion thereof) and 2s. for every additional 12 words (or portion thereof).

Notices of acceptance of complete specifications in respect of Applications for letters Patent are inserted in three consecutive issues for 10s.

Applications for Naturalization are inserted for 13s. (which includes a copy of the *Gazette*).

**Only Legal Advertisements are accepted for publication** in the *Gazette*, and are subject to the approval of the Government Printer, who can refuse to accept or decline further publication of any advertisement.

The Government Printer reserves to himself the right to edit "copy".

No responsibility can be accepted for losses arising from omissions or typographical errors.

Manuscript of advertisements should be written on one side of the paper only, and **all proper names plainly inscribed**; in the event of any name being incorrectly printed as a result of indistinct writing, the advertisement can be republished only on payment of the cost of another insertion.

**No Advertisement can be inserted unless it is Prepaid.**

All cheques, bank drafts, postal orders, or money orders must be made payable to the Government Printer, Pretoria, and crossed "South African Reserve Bank". *(Cheques will only be accepted when initialed by the Bank.)*

J. J. KRUGER,  
Government Printer.