



OFFICIAL GAZETTE

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

PUBLISHED BY AUTHORITY OF HIS EXCELLENCY THE HIGH COMMISSIONER.

VOL. CXLVII.]

PRETORIA, FRIDAY, 15 SEPTEMBER, 1939

[No. 2010.]

No. 47 of 1939.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is desirable further to amend the Swaziland Native Tax Proclamation, 1916 (No. 1 of 1916), 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:—

Amendment of section 5 of Proclamation No. 1 of 1916.

1. Section *five* of the principal law, as amended by section *three* of Proclamation No. 4 of 1934, is hereby further amended by the addition thereto of the following subsection:—

"(3) Any native who shall prove to the satisfaction of the District Commissioner that he is unable on account of poverty to pay the tax or any arrears thereof without being deprived of his means of subsistence may be exempted in whole or in part by the District Commissioner, after consultation with the Chief of the district in which such native resides, from payment of such tax or arrears."

Short title and commencement.

2. This Proclamation may be cited as the Swaziland Native Tax (Amendment) Proclamation, 1939, 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 Thirteenth day of September, One thousand Nine hundred and Thirty-nine.

W. H. CLARK,
High Commissioner.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

(Printed by the Government Printer, Pretoria.)

BECHUANALAND PROTECTORATE.

HIGH COMMISSIONER'S NOTICE

No. 154 of 1939.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint Gerhardus Petrus Engelbrecht, Esquire, as a Stock Inspector in the Bechuanaland Protectorate with effect from the 1st August, 1935.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 7th September, 1939.

BASUTOLAND.

HIGH COMMISSIONER'S NOTICE
No. 155 OF 1939.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint Gideon Elliot Pott, Esquire, Assistant District Commissioner, to act as District Commissioner, Mohale's Hoek, during the absence on leave of Reginald Seymour Balfe, Esquire, District Commissioner, with effect from the 6th September, 1939.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 7th September, 1939.

SWAZILAND.

HIGH COMMISSIONER'S NOTICE
No. 156 OF 1939.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint the Reverend Trygve Leonard Gjøsund, of the Full Gospel Mission of Norway, to be a Marriage Officer 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.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 9th September, 1939.

SWAZILAND.

HIGH COMMISSIONER'S NOTICE
No. 157 OF 1939.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint the Reverend Roy Howard Erickson, of the Scandinavian Alliance-Mission of North America, to be a Marriage Officer 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.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 9th September, 1939.

NOTICE.

Notice is hereby given that an application by ISAAH MAGAGULA, of Stegi, Swaziland, for a speculator's licence, will be heard at the Stegi Court-house, at 10 a.m., Thursday, 28th September, 1939.

Any objections must be lodged in writing at the office of the undersigned, as well as with the applicant, not later than the 23rd September, 1939.

J. F. B. PURCELL,
Assistant District Commissioner,
Central District, Stegi.

Stegi, Swaziland, 5th September, 1939.

IN THE HIGH COURT OF SWAZILAND.

BEFORE HIS HONOUR THE DEPUTY
RESIDENT COMMISSIONER.

(H. B. A. McCARTER, O.B.E.)

Mbabane, 11th September, 1939.

In the matter of Ex parte Application of JOHN RAE ARMSTRONG, in his capacity as the Government Secretary of Swaziland, and as such representing the Government of Swaziland (hereinafter referred to as the Grantor).

Upon the motion of Mr. A. Millin, of Counsel for the Applicant, and upon reading Applicant's petition praying for an order—

(a) confirming the free grant of that portion of the "Plain" or "Square" reserved as a square for the use of the public of the Township of Bremersdorp, Swaziland, such portion being now known as Erf No. 280, in extent 12,030 square feet, by the Grantor to the Government of the Union of South Africa (in its Railways and Harbours Administration) (hereinafter referred to as the Grantee) upon the following terms and conditions:—

- (i) That the land shall be granted free of charge.
- (ii) That the Grantee shall pay an annual quitrent of 10s. to the Grantor.
- (iii) That the Grantee shall pay all costs of survey, transfer, including transfer duty and any other costs and charges in connection with the registration of title into the name of the Grantee.
- (iv) That the land so granted shall be deemed to be an Erf in the Township of Bremersdorp, and shall be subject to all such terms, conditions, servitudes and laws as all other Erven in the said township are subject to.

(b) authorising and directing the Surveyor-General for Swaziland to examine, approve and register in his office a diagram of the property so granted.

(c) authorising and directing the Registrar of Deeds for Swaziland to register in his office a Crown Grant or other Title Deed of the property so granted to and in favour of the Grantee.

IT IS ORDERED.

1. That a Rule *nisi* issue calling upon all persons interested, to show cause (if any) to this Court at 10 a.m. on Monday, the 23rd day of October, 1939, why the application shall not be granted as prayed.

2. That this rule be published once in the High Commissioner's *Official Gazette* and once in the "Swaziland Times".

3. That a copy of the petition and of this rule be served on the Registrar of Deeds for Swaziland and on the Surveyor-General for Swaziland by registered post.

By the Court.

W. W. USHER,
Registrar.

NOTICE.

Notice is hereby given that an application by MAVELA GAMEDE, of Sipofaneni, Private Bag Bremersdorp, for a dealer or speculator in livestock or produce licence, will be heard at the Bremersdorp Court-house, at 10 a.m. on Thursday, 5th October, 1939.

Any objections must be lodged in writing at the office of the undersigned, as well as with the applicant, not later than noon on 30th September, 1939.

R. ARMSTRONG,
District Commissioner, Central District.
Bremersdorp, Swaziland, 11th September, 1939.

SWAZILAND.

In the Estate of the late FRANS HENDRIK BADENHORST and surviving spouse, GERTUIDA MAGDALENA BADENHORST (born VAN DER MERWE), of "Meadowbank", District Ermelo, Transvaal.

All creditors and persons interested *ab intestato* or otherwise, in the above estate are hereby called upon within a period of 21 days from the date of publication of this notice to lodge in writing with the Master of the High Court of Swaziland at Mbabane, the particulars of their claims against the said Estate and their objections, if any, to the signing and sealing by him of the Letters of Administration granted by the Master of the Supreme Court of South Africa (Transvaal Provincial Division) on the 10th August, 1938 to GERTRUIDA MAGDALENA BADENHORST, of "Meadowbank", District Ermelo, Transvaal, as Executrix Testamentary in the Estate.

Barclays Bank (Dominion, Colonial and Overseas), Trustee Department,
P.O. Box 434, Pretoria,
Agent for Executrix Testamentary.

**PUBLIC NOTICE TO FURNISH RETURNS UNDER THE
BECHUANALAND PROTECTORATE INCOME TAX
PROCLAMATION, 1922.**

Notice is hereby given that all persons liable to taxation personally or in any representative capacity under the provisions of the Bechuanaland Protectorate Income Tax Proclamation, 1922 (as amended), are required to furnish within thirty days after the date of this notice, returns for the assessment of tax. Returns are also required within thirty days of this notice from any person, whether a taxpayer or not, to whom paragraph (a), (b), (c), (d), (e) or (f) of this notice applies.

Returns are required from—

- (a) Every married person whose income for the year ended 30th June, 1939, exceeded £400;
- (b) Every widowed or divorced person, maintaining a child of his own, or step-child under the age of twenty-one years, whose income for the year ended 30th June, 1939, exceeded £400;
- (c) Every person other than those described in (a) and (b) whose income for the year ended 30th June, 1939, exceeded £300;
- (d) The Public Officer of every company that carried on business in the Territory during the year ended 30th June, 1939;
- (e) Every person who is a representative of any person who is described above;
- (f) Every person to whom a form shall be issued even though the income of such person may not have amounted to £400.

FORMS.

The forms prescribed under the Proclamation may be obtained at the Office of the Collector of Income Tax, Mafeking.

FORWARDING OF RETURNS.

Every return is required to be forwarded by post or to be delivered at the Office of the Collector of Income Tax, Mafeking.

NOTE.—Any envelope marked with the words "Income Tax—On His Majesty's Service" will be carried post free.

PENALTIES.

Any person required to render a return who fails to do so within the period of thirty days from the date of this Notice is liable to a penalty not exceeding £100, or in default of payment thereof to imprisonment with or without hard labour for a period not exceeding one year, and, further to a fine not exceeding £10 for each day during which default continues after conviction, and to an estimated assessment at double the ordinary rate.

Any person who knowingly and wilfully makes any false statement in any return or evades or attempts to evade assessment or taxation, is liable to a penalty not exceeding £100, or in default of payment thereof to imprisonment with or without hard labour for a period not exceeding one year, and in addition, is liable to be assessed and charged twice the amount of the tax which he has sought to evade.

NOTE.—No person is exempted from penalty by reason merely of the fact that he may not have been called upon individually to make a return.

W. H. RUSSELL,

Collector of Income Tax.

Office of the Collector of Income Tax,
Mafeking.

NOTICE.

Notice is hereby given of the sale of the general dealer's business conducted by JACOB MORRIS POLEVNIK at Thamaga, in the Bakwena Reserve, to SULTAN EBRAHIM. Dated at Mafeking, this 8th day of September, 1939.

MINCHIN & KELLY,
Attorneys for the Parties.

BASUTOLAND.

NOTICE.

Estate late CHARLES CLIFFORD WOOLER, No. E. 344.

Creditors and Debtors of the above Estate are hereby requested to file their claims with and to pay their debts to the undersigned within thirty days of the date of publication of this notice.

Messrs. H. D. Wooler & B. H. Wooler,
c/o Magistrate, Randfontein, Transvaal.

NOTICE.

Notice is hereby given in terms of section four, sub-section (1) of the Registration of Businesses (Swaziland) Proclamation, 1933, that the General Dealers' Licence registered at Vlakhoek on 30/5/39 under the business name of Vlakhoek Store in the name of Isaja Diamond will shortly be transferred to Richard Godeffroy.

1-8-15.

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Staatskoerant

VAN DIE

UNIE VAN SUID-AFRIKA

(Verskyn elke Vrydag.)

ADVERTENSIE-TARIEWE.

WETLIKE KENNISGEWINGS, Verlore Aktes, Sertifikate, Polissee, ens., Kennisgewings van Geregsbodes, en in verband met Handelsmerke, Orders van die Hof, Boedel-oorgawes, Tenders en Verkopings, Maatskappye, ens.

Die advertensietarief is as volg:—

5s. per duim; enkele kolom; herhalings, 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.

KENNISGEWING IN SAKE UITGESTORWE BOEDEL.

Kennisgewings aan krediteure en debiteure in die boedels van oorlede persone en kennisgewings van eksekuteurs betreffende likwidasierekenings wat ter insae lê, word gepubliseer in skedulevorm teen 8s. per boedel.

KENNISGEWINGS IN SAKE DIE INSOLVENSIEWET.

'n Vaste bedrag van 12s. per boedel word bereken vir die publikasie in skedulevorm van kennisgewings voorgeskrewe deur die regulasies opgestel ingevolge die Insolvensiewet, 1916 en 1936.

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

KENNISGEWINGS IN SAKE PATENTE.

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

KENNISGEWINGS IN SAKE NATURALISASIE.

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

SLUITINGSUUR.

Adverteerders dien daarop te let dat die sluitingsuur vir die aanneming van kopie vir die *Unie-Staatskoerant* 4 uur n.m. op Woensdag van elke week voor verskyning is. Wanneer openbare feesdae verskyning raak, sal daar 'n spesiale kennisgewing in die Staatskoerant geplaas word wat eventuele veranderinge van die sluitingsuur aankondig.

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 aanspreeklikheid kan aanvaar word vir verliese wat deur uitlatings of tipografiese of ander foute ontstaan nie.

Die manuskrip van advertensies moet slegs op een kant van die papier geskrywe word en nie op die begeleidende brief nie. **Alle eiename moet duidelik geskrywe word;** ingeval enige naam verkeerd gedruk word tengevolge van onduidelike skrif, kan die advertensie alleen na betaling van die koste van 'n tweede plasing weer gepubliseer word.

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.**

INTEKENGELD.

Die intekengeld vir die *Unie-Staatskoerant* (insluitende die *Offisiële Koerant van die Hoë Kommissaris, Buitengewone Staatskoerante en Byvoegsels*, 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, en kan ingaan van die 1ste van enige maand, maar kan nie vir 'n korter tydperk as ses maande aangeneem word nie.

J. J. KRUGER.
Staatsdrukker.

Government Gazette

OF THE

UNION OF SOUTH AFRICA

(Published on Fridays.)

ADVERTISEMENT RATES.

LEGAL NOTICES, Lost Deeds, Certificates, Policies, etc., Messengers' Notices, Trade Marks, Orders of Court, Surrenders, Tenders and Sales, Company Notices, etc.

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.

DECEASED ESTATE NOTICES.

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.

INSOLVENCY ACT NOTICES.

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 and 1936.

N.B.—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).

PATENT NOTICES.

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

NATURALIZATION NOTICES.

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

CLOSING HOUR.

Advertisers should observe that the closing hour for the acceptance of "copy" for the *Union Gazette* is 4 p.m. on Wednesday of each week preceding publication. When Public Holidays affect publication, a special notice will appear in the *Gazette* notifying any change in the closing hour.

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 not as part of the covering letter. **All proper names must be 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 initiated by the Bank.**

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.

J. J. KRUGER,
Government Printer.