



English Edition

Official Gazette

of the
Protectorate of South West Africa
in Military Occupation of the Union Forces

Published by Authority

Price 3d.

Windhuk, 30th September 1915.

No. 3.

The following text of two Royal Proclamations dated the 12th August 1914 and the 9th September 1914 respectively, relating to trading with the Enemy, is published for general information in the Protectorate.

By the King.

A PROCLAMATION

EXTENDING THE SCOPE OF CERTAIN EXISTING PROCLAMATIONS AND A CERTAIN ORDER-IN-COUNCIL CONNECTED WITH THE WAR.

George R. I.

WHEREAS on the fourth day of August, One thousand Nine hundred and Fourteen a State of War came into existence between Us on the one hand and the German Empire on the other;

And whereas We did on the same date and on the fifth day of August, One thousand Nine hundred and Fourteen, issue certain Proclamations and Orders-in-Council connected with such State of War;

And whereas a State of War now exists between Us on the one hand and the Dual Monarchy of Austria-Hungary on the other;

And whereas it is therefore desirable to extend the scope of certain of the Proclamations and Orders-in-Council aforesaid;

NOW, THEREFORE, We have thought fit, by and with the advice of Our Privy Council to issue this Our Royal Proclamation declaring and it is hereby declared as follows:

1. The Proclamation warning all Our Subjects and all persons resident or being in Our Dominions from contributing to, or participating in or assisting in the floating of, any loan raised on behalf of the German Government, or from advancing money to or entering into any contract or dealings whatsoever with the said Government, or otherwise aiding, abetting, or assisting the said Government, shall be deemed as from this date to apply to all loans raised on behalf of, or contracts or dealings entered into with, or to aiding, abetting, or assisting the Austro-Hungarian Government.

2. The Proclamation on Trading with the Enemy shall be deemed as from this date to prohibit with the Dual Monarchy of Austria-Hungary all commercial intercourse, which under the said Proclamation is prohibited with the German Empire, and for this purpose such Proclamation shall be read as if throughout the operative portion thereof, the words „either the German Empire or the Dual Monarchy of Austria-Hungary“ were substituted for the words „the German Empire“.

3. a) In the Order-in-Council issued with reference to the departure from Our Ports of enemy vessels, which at the outbreak of hostilities were in any such Port or which subsequently entered the same, the word „enemy“, as applied to either ships or cargo, shall be deemed as from this date to include Austro-Hungarian ships or cargo.

b) In the application of this Article to Austro-Hungarian ships the date Saturday, the Fifteenth day of August, shall be substituted for the date mentioned in Article 2 of the said Order-in-Council, and the date Saturday, the Twenty-second day of August, shall be substituted for the date mentioned in Article 3 of the said Order-in-Council.

4. The Proclamation specifying the articles which it is Our intention to treat as Contraband of War during the war with Germany shall be deemed to specify the articles which it is Our intention to treat as Contraband of War during the war with Austria-Hungary.

5. In the Proclamation forbidding the carriage in British vessels from any Foreign Port to any other Foreign Port of any article comprised in the list of Contraband of War issued by Us, unless the shipowner shall have first satisfied himself that the articles are not intended ultimately for use in the enemy country, the words „enemy country“ shall be deemed as from this date to include the Dual Monarchy of Austria-Hungary.

Given at Our Court at Buckingham Palace, this Twelfth day of August, in the Year of our Lord One thousand Nine hundred and Fourteen, and in the Fifth year of Our Reign.

GOD SAVE THE KING.

By the King.

A PROCLAMATION

RELATING TO TRADING WITH THE ENEMY.

George R. I.

WHEREAS a state of war has existed between Us and the German Empire as from 11 p.m. on 4th August, 1914, and a state of war has existed between Us and the Dual Monarchy of Austria-Hungary as from midnight on 12th August, 1914;

And whereas it is contrary to law for any person resident, carrying on business or being in Our Dominions, to trade or have any commercial or financial transactions with any person resident or carrying on business in the German Empire or Austria-Hungary without Our permission;

And whereas by Our Proclamation of the 5th August, 1914, relating to trading with the enemy, certain classes of transactions with the German Empire were prohibited;

And whereas by paragraph two of Our Proclamation of the 12th August, 1914, the said Proclamation of the 5th August, 1914, was declared to be applicable to Austria-Hungary;

And whereas it is desirable to restate and extend the prohibitions contained in the former Proclamations, and for that purpose to revoke the Proclamation of the 5th August, 1914, and paragraph two of the Proclamation of the 12th August, 1914, and to substitute this Proclamation therefor;

And whereas it is expedient and necessary to warn all persons resident, carrying on business or being in our Dominions, of their duties and obligations towards Us, Our Crown and Government;

NOW, THEREFORE, We have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation declaring and it is hereby declared as follows:

1. The aforesaid Proclamation of the 5th August, 1914, relating to trading with the enemy, and paragraph two of the aforesaid Proclamation of the 12th August 1914, together with any public announcement officially issued in explanation thereof, are hereby, as from the date hereof, revoked, and from and after the date hereof, this present Proclamation is substituted therefor.

2. The expression „Enemy Country“ in this Proclamation means the territories of the German Empire and of the Dual Monarchy of Austria-Hungary, together with all the colonies and dependencies thereof.

3. The expression „enemy“ in this Proclamation means any person or body of persons of whatever nationality resident or carrying on business in the enemy country, but does not include persons of enemy nationality who are neither resident nor carrying on business in the enemy country. In the case of incorporated bodies, enemy character attaches only to those incorporated in an enemy country.

4. The expression „outbreak of war“ in this Proclamation means eleven p.m. on the 4th August, 1914, in relation to the German Empire, its colonies and dependencies, and midnight on the 12th August, 1914, in relation to Austria-Hungary, its colonies and dependencies.

5. From and after the date of this Proclamation the following prohibitions shall have effect (save so far as licences may be issued as herein after provided), and We do hereby accordingly warn all

persons resident, carrying on business or being in Our Dominions —

- i) not to pay any sum of money to or for the benefit of an enemy;
- ii) not to compromise or give security for the payment of any debt or other sum of money with or for the benefit of an enemy;
- iii) not to act on behalf of an enemy in drawing, accepting, paying, presenting for acceptance or payment, negotiating or otherwise dealing with any negotiable instrument;
- iv) not to accept, pay, or otherwise deal with any negotiable instrument which is held by or on behalf of an enemy, provided that this prohibition shall not be deemed to be infringed by any person who has no reasonable ground for believing that the instrument is held by or on behalf of an enemy;
- v) not to enter into any new transaction, or complete any transaction already entered into with an enemy in any stocks, shares, or other securities;
- vi) not to make or enter into any new marine, life, fire, or other policy or contract of insurance with or for the benefit of an enemy; nor to accept, or give effect to any insurance of, any risk arising under any policy or contract of insurance (including re-insurance) made or entered into with or for the benefit of an enemy before the outbreak of war;
- vii) not directly or indirectly to supply to or for the use or benefit of, or obtain from, an enemy country or an enemy, any goods, wares, or merchandise, nor directly or indirectly to supply to or for the use or benefit of, or obtain from any person any goods, wares or merchandise, for or by way of transmission to or from an enemy country or an enemy, nor directly or indirectly to trade in or carry any goods, wares or merchandise destined for or coming from an enemy country or an enemy;
- viii) not to permit any British ship to leave for or enter or communicate with any port or place in an enemy country;
- ix) not to enter into any commercial, financial, or other contract or obligation with or for the benefit of an enemy;
- x) not to enter into any transactions with an enemy if and when they are prohibited by an Order-in-Council made and published on the recommendation of a Secretary of State, even though they would otherwise be permitted by law or by this or any other Proclamation.

And we do hereby further warn all persons that whoever in contravention of the law shall commit, aid, or abet any of the aforesaid acts, is guilty of a crime and will be liable to punishment and penalties accordingly.

6. Provided always that where an enemy has a branch locally situated in British, Allied, or neutral territory, not being neutral territory in Europe, transactions by or with such branch shall not be treated as transactions by or with an enemy.

7. Nothing in this Proclamation shall be deemed to prohibit payments by or on account of enemies to persons resident, carrying on business or being in Our Dominions, if such payments arise out of transactions entered into before the outbreak of war or otherwise permitted.

8. Nothing in this Proclamation shall be taken to prohibit anything which shall be expressly permitted by Our licence, or by the licence given on Our behalf by a Secretary of State, or the Board of Trade, whether such licences be especially granted to individuals or be announced as applying to classes of persons.

9. This Proclamation shall be called Trading with the Enemy Proclamation No. 2.

Given at Our Court at Buckingham Palace, this Ninth day of September, in the year of Our Lord One thousand Nine hundred and Fourteen, and in the Fifth Year of Our Reign.

GOD SAVE THE KING.

PROCLAMATIONS

BY BRIGADIER-GENERAL PERCIVAL SCOTT BEVES, MILITARY GOVERNOR OF THE PROTECTORATE OF SOUTH WEST AFRICA IN MILITARY OCCUPATION OF THE UNION FORCES.

No. 16, 1915.]

WHEREAS it is desirable to make provision for solemnization of marriages in this Protectorate, and for the payment of fees in connection with documents relating to Births, Marriages and Deaths;

NOW, THEREFORE, under and by virtue of the authority in me vested, I do hereby declare, proclaim, and make known as follows:

1. Every Military Magistrate and detached Assistant Military Magistrate or any person duly appointed to act in either such capacity shall be and is hereby empowered to exercise in the area of his jurisdiction all and singular the powers and authority of a Marriage Officer as defined in the Civil Code, Ordinances, and Orders relating to the solemnization and regulation of marriages in the Protectorate.

2. So much of the provisions of Sections 1304, 1308, and 1314 of the German Civil Code as refers to the grant in respect of this territory of consent to a marriage by a Court of Chancery (Vormundchaftsgericht) and the issue of certificates by such Court shall be and is hereby suspended, and the functions of such Court in the Protectorate shall from the date of this Proclamation be vested in the Military Governor.

3. For the purposes of Section 1322 of the said Civil Code authority to grant dispensation from the restrictions imposed by the provisions of Section 1312 thereof, shall be vested in the Military Governor; and of Sections 1303, 1313 and 1316, shall be vested in each of the persons mentioned in Section 1 of this Proclamation within the area of his jurisdiction.

Every dispensation issued under the provisions of this Section shall be expressed in writing and shall be signed by the Official granting the same, and shall be recorded with the Register of the Marriage in respect of which such dispensation was required.

In respect of any dispensation from the requirements of Section 1316 of the said Code granted under the provisions of this Section a fee of Five pounds sterling (£ 5) shall be paid by the parties obtaining the same.

4. Section 14 of the Ordinance dated the 4th May, 1870 (Schutzgebietsgesetz 599) shall be and is hereby suspended in the Protectorate.

5. The following charges shall be payable in respect of

a) A search in the registers of Births, Marriages and Deaths, for the entry of an event believed to be recorded therein:

i) If the year is given, a fee of one shilling in respect of each event for the record of which a search is made,

ii) If the year cannot be given, a fee of one shilling in respect of each year for which it is necessary to search the Registers.

b) A copy of an entry of an event certified as correct by the Official responsible for keeping the Register:

a fee of Five shillings in respect of each copy.

c) For an authentication under the hand of the Chief Secretary for the Protectorate or his Deputy, of the signature of an Official who has furnished a certified copy of an entry from a Register in his charge:

a fee of Ten shillings.

6. Every fee chargeable under this Proclamation shall be payable by means of Revenue Stamps, which shall be affixed to and cancelled on the document in respect of which the fee is payable.

GOD SAVE THE KING.

Given under my hand at Windhuk, this 21st day of September 1915.

P. S. BEVES
Brigadier-General.
Military-Governor.

By command of the Military Governor.
E. H. L. GORGES
Chief Secretary for the Protectorate.

No. 17, 1915.]

WHEREAS it is expedient to make provision for the administering of oaths on affidavits, and for the taking of solemn or attested declarations in this Protectorate;

NOW, THEREFORE, under and by virtue of the authority in me vested, I do hereby declare, proclaim, and make known as follows:

1. The Military Governor may, from time to time, designate fit and proper persons to be Commissioners of Oaths during pleasure, whose duty it shall be within the area in respect of which they are appointed, to administer oaths on affidavit or take solemn or attested declarations, whenever requested so to do, or whenever statements on oath or solemn or attested declarations are required by or under the provisions of any law in force in the Protectorate on the 4th of August 1914 or by or under the provisions of any Proclamation, Martial Law Notice or Regulation issued by a General Officer of the Union Forces in the Field or by or under the authority of the Military Governor.

2. Every Member of the Special Criminal Court, every Military Magistrate and detached Assistant Military Magistrate or any person acting under proper

authority in either such capacity, and every Commissioned Officer of the Union Forces on duty in the Protectorate shall ex officio be deemed to be a Commissioner of Oaths with jurisdiction, for the purposes of this Proclamation, throughout the Protectorate.

3. Any person who, in an affidavit or solemn or attested declaration made before a person competent under the provisions of this Proclamation to administer the oath or take the declaration, makes a false statement corruptly or maliciously, or makes such statement knowing it to be false and with the intention of injuring another person or benefiting himself, shall be guilty of an offence and liable

upon conviction to the penalties provided for perjury by the laws in force in this Protectorate.

GOD SAVE THE KING

Given under my hand at Windhuk, this 21st day of September 1915.

P. S. BEVES
Brigadier-General.
Military-Governor.

By command of the Military Governor
E. H. L. GORGES
Chief Secretary for the Protectorate.

GOVERNMENT NOTICES.

The following Government Notices are published for general information. That marked with an asterisk (*) has already been issued in poster form on the date indicated at the head of the notice.

E. H. L. GORGES
Chief Secretary for the Protectorate.

Government Buildings,
Windhuk, 30th September, 1915.

No. 19] [30th September 1915.

PERIODICAL COURT — USAKOS.

It is notified for general information that a Periodical Court for the trial of offences committed at and in the vicinity of Usakos will be held at Usakos by the Detached Assistant Military Magistrate of Karibib, on Wednesday, October 6th, 1915, and thereafter on every alternate Wednesday, until further notice.

No. 20] [30th September 1915.

APPOINTMENT OF ACTING MILITARY MAGISTRATE.

It is notified for general information that Captain S. T. Davie, 4th S. A. M. R., has been appointed to act as Military Magistrate at Gibeon, during the absence on special duty of Major E. Manning.

* No. 21] 25th September 1915.

EXCHANGE OF MEDICAL AND SANITARY PERSONNEL.

Under an agreement between the British and German Governments all Medical and Sanitary personnel must be exchanged. Germany requires the services of its subjects and the British Government is prepared to allow German subjects in its power, trained in medical and sanitary work, to comply with that request.

All German Medical and Sanitary personnel of the Active list now on parole and all those on the Reserve of the same services will leave Lüderitzbucht about the 20th October, for Europe.

The wives and families of all who are so transferred will be repatriated to a Netherlands port for Germany at the Union Government's expense as soon as shipping is available and if possible by the same boats as the persons being exchanged.

All members of the Active German Medical and Sanitary service now on parole and all members of the Reserve of the same services are required at once to furnish statements to the Provost Marshal, Windhuk, shewing whether they are married or single, and if married whether their wives and families are in the Protectorate, and if so, the number, names and ages of their children.

Notice will be issued later as to when and where the persons above referred to will be assembled for the journey to Lüderitzbucht.

GENERAL NOTICE.

REWARD OFFERED FOR INFORMATION LEADING TO ARREST OF UNDERMENTIONED ESCAPED PRISONERS OF WAR.

A REWARD of three pounds sterling (£ 3) will be paid to any person other than the prisoners herein mentioned for any information that will lead to the capture of any of the escaped prisoners of war, described herunder, who escaped from the Prisoners of War Camp AUS, on the nights 6/7th and 8/9th of Augt. 1915.

(The above reward will be paid in respect of each prisoner.)

ALL INHABITANTS of this Protectorate are hereby warned that any person or persons who harbour or in any manner whatsoever assist these escaped prisoners of war to evade re-capture shall be guilty of an offence and will be severely dealt with under Martial Law.

Name	Age	Rank	Height	Weight	Complexion	Colour eyes	Colour hair	Remarks
Bobert, Karl Max Otto	27	Sergeant	5ft 10	lbs 180	fair	blue	fair	Tattoo marks right forearm and left hand
Demant, Emil August	24	Lieut. Corporal	5ft 6	140	dark	lt. brown	dark brown	Burn scars on left breast
Statter, Gustav, Adolf	22	Sgt. Major	6ft	180	sallow	dk. blue	light brown	
Ott, Friedrich Karl Martin	23	Under Off.	5ft 11	171	fresh	brown	light brown	
Schafer, Josef	25	Vize-Feldwebl.	5ft 9	160	fresh	blue	dark brown	
Krahe		Private						No. 1 Company
Kuller		Private						Survey Troop. Supposed to have permit in possession in name of Heinrich Muller
Wehner, Clemens	—	—	5ft 7	—	—	blue	—	Slender build, ears inclining forward Nose, mouth, teeth ordinary; hair close cut but colour not known.