



English Edition.

Official Gazette

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

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Windhuk, 23rd January 1917

No. 13

PROCLAMATION

BY HIS HONOUR EDMOND HOWARD LACAM GORGES, A MEMBER OF THE ROYAL VICTORIAN ORDER, ADMINISTRATOR OF THE PROTECTORATE OF SOUTH WEST AFRICA IN MILITARY OCCUPATION OF THE UNION FORCES.

No. 1. 1917.]

WHEREAS by Ordinance of the Imperial Governor of German South West Africa, dated 23rd. February 1907, provision was made for the taxing of dogs,

AND whereas it is desirable to make other provision for regulating and taxing the keeping of dogs in the 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 The said Ordinance of the Imperial Governor of German South West Africa shall be repealed with effect from the 1st. April 1917.
2. The necessary other provision for dealing with this matter shall be made in Martial Law Regulations published in the usual manner in the Official Gazette of the Protectorate.

GOD SAVE THE KING.

Given under my hand at Windhuk, this 9th day of January 1917.

E. H. L. GORGES
 Administrator.

His Honour the Administrator has been pleased to direct the publication of the following order issued by him under Martial Law.

Government Buildings,
 Windhuk, 10th January 1917.

J. F. HERBST

Secretary for the Protectorate.

RECOVERY OF MONIES DUE TO THE PROTECTORATE ADMINISTRATION.

1. It is hereby ordered and notified for general information that, for the purposes of the collection of revenue and of other monies due to the Administration of the Protectorate of South West Africa in military occupation of the Union Forces, the term „duly constituted competent authorities“ (zuständigen Verwaltungsbehörden) where it occurs in Section 1 of the German Imperial Ordinance regarding the powers of coercion and punishment appertaining to Administrative authority in the African and South Sea Protectorates, of the 14th July, 1905, shall be taken to mean the Administrator of the Protectorate aforesaid.

2. The Secretary for the Protectorate, or any person authorised by him in writing, shall be the proper officer empowered to levy distress in accordance with the provisions of the Ordinance aforementioned in the name, and on behalf of, the Administrator.

3. The Officer in charge of the Police in each of the Districts of the Protectorate shall be the officer competent and proper for the execution of all warrants of distress in each such district.

Given under my hand at Windhuk this 9th day of January 1917.

E. H. L. GORGES
 Administrator.

GOVERNMENT NOTICES.

The following Government Notices are published for general information.

J. F. HERBST

Secretary for the Protectorate.

Administrator's Office.

Windhuk, 20th January 1917.

No. 47.] [18th December 1916.

FUNCTIONS OF THE SECRETARY FOR THE PROTECTORATE IN RESPECT OF REVENUE, CUSTOMS AND EXCISE LAWS OF THE UNION.

It is hereby notified for general information that the Officer for the time being holding the office of Secretary for the Protectorate will, by the authority of the Administrator, exercise in the Protectorate such functions in respect of those Revenue, Customs and Excise Laws of the Union which have been applied to the Protectorate by Proclamation of the Military Governor or the Administrator as are exercised in the Union by the Commissioners for Inland Revenue, Customs and Excise respectively.

No. 48.] [18th December 1916.

TRADING WITH THE ENEMY.

Attention is drawn to the Martial Law Regulations published in this issue relating to trading with the enemy, and for the information of the public it is hereby notified that the proclamations at present in force in this Protectorate prohibit any person resident, or carrying on business or being in this Protectorate, from trading or having any commercial or financial transactions or completing any transactions already entered into with any person resident or carrying on business in Enemy country.

No. 49.] [21st December 1916.

PERIODICAL COURT AT AUS.

It is notified for general information that the post of Detached Assistant Military Magistrate at Aus has been abolished and that a Periodical Court will be held at that place by the Military Magistrate of Luderitzbucht on Wednesday the 10th January 1917, and thereafter on the second and fourth Wednesdays of each month, for the trial of such cases as may be brought before the Court in respect of crimes or offences committed within the district of Luderitzbucht.

No. 50.] [23rd December 1916.

POST OFFICE SAVINGS BANK

Established on 1st July 1916 under the authority of Protectorate Proclamation No. 8 of 1916.

Statement of Transactions to 31st October 1916.	
Amount deposited during October	£ 2896.18.7
Number of deposits	225
Amount withdrawn during October	1565.11.0
Number of withdrawals	117
Amount deposited from 1st July 1916 to 31st October 1916	11595.14.4
Number of deposits	950
Amount withdrawn from 31st July 1916 to 31st October 1916	3379.15.7

Number of withdrawals	356
Amount due to depositors	11215.18.9
Amount invested	11000. 0.0

JAMES A. VENNING

Controller.

Post Office, Windhuk,
25th November 1916.

No. 51.] [23rd December 1916.

POST OFFICE SAVINGS BANK

Established on 1st July 1916 under the authority of Protectorate Proclamation No. 8 of 1916.

Statement of Transactions to 30th November 1916.

Amount deposited during November	£ 1899.13. 2
Number of deposits	202
Amount withdrawn during November	1064. 8. 3
Number of withdrawals	128
Amount deposited from 1st July 1916 to 30th November 1916	16495. 7. 6
Number of deposits	1152
Amount withdrawn from 31st July 1916 to 30th November 1916	4444. 3.10
Number of withdrawals	484
Amount due to depositors	12051. 3. 8
Amount invested	11000. 0. 0

JAMES A. VENNING

Controller.

Post Office, Windhuk.
14th December 1916.

No. 52.] [23d December 1916.

ESTABLISHMENT OF MONEY ORDER SERVICE.

It is hereby notified for general information that Money Order business will be transacted in the Protectorate on and from the 1st January 1917.

Money Orders will be issued and paid at the following Post Offices during such hours as may from time to time be prescribed:

AUS,	OTJIWARONGO,
GIBÉON,	OUTJO,
GROOTFONTEIN.	REHOBOTH,
KARIBIB.	SWAKOPMUND,
KEETMANSHOOP,	TSUMEB.
LUDERITZBUCHT.	USAKOS.
OKAHANDJA,	WALVIS BAY.
OMARURU,	WARMBAD,
OTAVI,	WINDHUK.

The following rates of commission will be charged on Money Orders issued in the Protectorate for payment in the undermentioned countries:

Protectorate of South West Africa or the Union of South Africa	6 d per Unit of £ 4 or part thereof.
Southern Rhodesia Northern Rhodesia. Mozambique	9 d per Unit of £ 4 or part thereof.
All other countries with which Money Order business is transacted	1/- per Unit of £ 4 or part thereof.

No single Money Order shall be issued or paid for a sum exceeding forty pounds sterling.

Further information is obtainable at any of the above mentioned Post Offices.

Amount due to depositors	13232.17
Amount invested	11000.0.0

JAMES A. VENNING
Controller.

Savings Bank,
Post Office, Windhuk,
11th January 1917.

No. 1.] [9th January 1917.
APPOINTMENTS OF MILITARY MAGISTRATES.

It is notified for general information that the Administrator has approved in terms of Section 1 of Proclamation No. 11 of 1915 as amended by Proclamations Nos 23 of 1915, 3 of 1916 and 5 of 1916, of the following provisional appointments of Military Magistrates, each, except where otherwise stated herein, with effect from the date of assumption of duty:

CAPTAIN D. A. STEWART, as Detached Assistant Military Magistrate at Aroab, in place of Captain F. W. NINOW transferred.

CAPTAIN D. A. STEWART, Detached Assistant Military Magistrate at Aroab, as Military Magistrate at Aroab, with effect from the 1st January 1917.

CAPTAIN J. J. DE WITT, Detached Assistant Military Magistrate at Bethany, as Military Magistrate at Bethany, with effect from the 1st January 1917.

CAPTAIN E. W. WILKINS, Detached Assistant Military Magistrate at Gobabis, as Military Magistrate at Gobabis, with effect from the 1st January 1917.

CAPTAIN R. H. GAGE, Detached Assistant Military Magistrate at Karibib, as Military Magistrate at Karibib, with effect from the 1st January 1917.

MAJOR C. M. S. FORSBROOK, Detached Assistant Military Magistrate at Maltahöhe, as Military Magistrate at Maltahöhe with effect from the 1st January 1917.

CAPTAIN A. J. ATTWOOD, Detached Assistant Military Magistrate at Otjiwarongo, as Military Magistrate at Otjiwarongo, with effect from the 1st January 1917.

CAPTAIN R. D. G. TENNANT, Detached Assistant Military Magistrate at Outjo, as Military Magistrate at Outjo, with effect from the 1st January 1917.

CAPTAIN A. W. RAWLINSON, Detached Assistant Military Magistrate at Tsumeb, as Military Magistrate at Tsumeb, with effect from the 1st January 1917.

CAPTAIN L. G. CLOETE as Military Magistrate at Outjo, in place of CAPTAIN R. D. G. TENNANT returned for duty to the Union

MAJOR C. M. S. FORSBROOK, Military Magistrate at Maltahöhe as Military Magistrate at Bethany, in place of CAPTAIN J. J. DE WITT, transferred.

No. 2.] [12. January 1917.

POST OFFICE SAVINGS BANK.

Established on 1st July 1916 under the authority of Protectorate Proclamation No. 8 of 1916.

STATEMENT OF TRANSACTIONS TO 31st DECEMBER 1916.

Amount deposited during December	£ 2590.3.8
Number of deposits	210
Amount withdrawn during December	1409.5.9
Number of withdrawals	126
Amount deposited from 1st July 1916 to 31st December 1916	19085.11.2
Number of deposits	1362
Amount withdrawn from 1st July 1916 to 31st December 1916	5853.9.7
Number of withdrawals	610

No. 3.] [19th January 1917.
MARTIAL LAW REGULATIONS.

Regulations Nos. 63-67 issued under Martial Law by and with the approval of the Administrator.

TRADING WITH THE ENEMY.

63. (a) Any person who shall take part in any transaction or perform any act which was at the date thereof prohibited by or under any proclamation of His Majesty the King relating to Trading with the Enemy, or who shall attempt, offer, propose, or agree, whether directly or indirectly, to take part in any such transaction or perform any such act, shall be guilty of an offence.
- (b) Any person who shall in any manner aid or abet any other person outside the Protectorate in entering into, negotiating, or completing any transaction, or in doing any act which if effected or done in this Protectorate would constitute an offence of trading with the enemy, shall be guilty of an offence.
- (c) Any person who shall deal, or attempt, offer, propose or agree, whether directly or indirectly, to deal with any money or security for money or other property or assets in his hands or over which he has any claim or control in such manner as may enable an enemy to obtain any money or property or assets or credit thereon, shall be guilty of an offence.
- (d) The burden of proving any fact which would be a defence to a charge of contravening any of the provisions of the Trading with the Enemy Proclamations or these regulations shall lie upon the person charged.
- (e) If any company has entered into a transaction or has done any act which is an offence hereunder, every director, manager, secretary or other officer of the Company who is to his knowledge a party to such transaction or act shall be deemed guilty of such offence, and if any firm or partnership has entered into any such transaction or done any such act, every member of the firm or partnership and every servant thereof who is to his knowledge a party to such transaction or act shall be deemed guilty of such offence.
- (f) Any person found guilty of contravening the provisions of any Proclamation relating to Trading with the Enemy now or hereafter in force, or of an offence under these Regulations shall, upon conviction, be liable to a fine not exceeding five hundred pounds or to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment, and any Court by which such offender is convicted may order that any goods or money or securities for money, in respect of which the offence has been committed, shall be forfeited to the Crown. Upon the authority of any such order, any police officer of commissioned rank may enter upon any premises at any hour by day or by night and seize any goods or money or securities for money, the subject of such order.

(g) For the purpose of criminal proceedings hereunder, any document purporting to be under the hand of or signed by any person, partnership or company shall be deemed to be issued by such person, partnership or company, unless satisfactory proof to the contrary be adduced.

MUNICIPAL CENSUS.

64. (a) A Census shall be taken under the direction of the Officer in Charge, Criminal Investigation Department and Town Police, Windhuk, on the 24th day of January, 1917, in the Municipalities of Windhuk and Klein Windhuk.

(b) All persons are hereby called upon to render all assistance in their power to any officer engaged in the taking of such Census.

(c) Any person who

- (1) fails to answer to the best of his knowledge and belief any questions asked of him by any such officer, in the execution of his duty as such, or makes a false answer to such a question, knowing the answer to be false;
(2) makes, signs or delivers, or causes to be made, signed or delivered any false or incorrect form or return, knowing the same to be false;
(3) obstructs or hinders any such officer in the performance of his duties;

shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding three months, or to such fine and such imprisonment.

NATIVE STOCK BRANDS.

65. It is notified that the Form of Special Brand for Native Stock allotted in Paragraph 20 of the Ordinance of the Imperial Governor of South West Africa dated the 12th June 1912, relative to the Branding of Large Stock, will in future consist of the divisional letter and a second letter both in italics, and of a number added thereto under the letters, and Paragraph 21 of the aforesaid Ordinance shall be deemed to be amended accordingly.

POSSESSION OF EXPLOSIVES.

66. (1) Any person having in his possession, custody or control any explosive without the permission in writing of the Inspector of Explosives or of the Military Magistrate of the District in which such explosive is, shall be guilty of an offence.

(2) Any person who has knowledge of the presence in any place of any explosive and fails to report forthwith the same to the Military Magistrate of the District in which such place is situated, shall be guilty of an offence.

This provision shall not apply to explosives in the possession, control or custody of any person with such written permission as aforesaid.

(3) In any prosecution under this Regulation the burden of proof that any person is in possession of such written permission shall be upon the accused.

(4) In any prosecution under this Regulation the Court may direct that a sum not exceeding one half of the amount of any fine imposed be paid to the informant.

DOG TAX.

67. From and after the first day of April, 1917, the following provisions in regard to the taxation and licensing of dogs shall have force and effect, viz:

(a) The amount of the tax shall be as under, and shall be payable to the Magistrate of the District:

1. If the dog be in possession of a person residing in a Municipality or Township and commonly kept at such residence, the sum of £1.0.0 for one dog. If such person be in possession of and commonly keeps in the Municipality or Township more than one dog, the amount payable in respect of the second dog shall be £1.10.0, and in respect of the third dog £2.0.0, the amount of the tax being progressively increased in like manner by the sum of ten shillings for each additional dog.

2. If the dog is in the possession of a person residing outside a Municipality or Township and commonly kept at such residence, the sum of 5/- for each such dog; provided always that every white person being the resident owner or lessee of a farm or agricultural allotment, outside a Municipality, and in actual occupation of a dwelling thereon may, subject to the issue of the Certificate of the Magistrate hereinafter referred to, keep one animal for use as a watch-dog without payment of the tax. A description of such watch-dog shall be supplied, for registration purposes, to the Magistrate of the District, who may thereupon, on being satisfied that the provisions of these regulations have been otherwise complied with by the applicant, issue in his favour a Certificate of Exemption from payment of tax in respect of such watch-dog.

(b) The tax shall be payable annually for each year commencing on the first day of April. The full amount of the tax shall be payable by any person becoming liable between the 1st April and the 30th September (inclusive) of any financial year, and one half of the full amount shall be payable by any person becoming liable between the 1st October and the 31st March (inclusive) of any financial year.

(c) No tax shall be payable in respect of any dog until it has reached the age of three months.

(d) No person shall be liable to pay the tax until he shall have resided in the area in respect of which the tax is payable for a period of one month.

(e) The proceeds of the tax shall be set aside for Municipal purposes, or such other objects as the Administrator may direct.

(f) If any person having paid the tax due for any period in respect of any one dog, becomes again liable for dog tax in respect of the same dog during the same period, on account of change of residence or for other reason, he shall upon production of the receipt for, or other satisfactory proof of the first payment, be relieved of further payment to the extent of such first payment.

(g) Receipts for dog tax shall be in the following form:

Form for dog tax receipt including fields for District, Municipality, Receipt for dog tax for period (1st April 191 to 31st March 191), Full name of person liable to pay the tax, Residence of person liable to pay the tax, Name of person paying (if not person liable).

DESCRIPTION OF DOGS.

Name	Sex	Age	Colour	Distinguishing marks	Breed	Badge
1.						
2.						
3.						

Amount paid £ / /

Date of Payment

Magistrate

(h) A duplicate of each receipt shall be retained by the receiver of the tax. In addition to the receipt, a metal badge shall be issued for attachment to each dog in respect of which the tax is paid. Such badges shall be serially numbered and the number of each shall be entered in the receipt in the column provided for that purpose.

(i) Payment of the tax shall be due so soon as the person in possession of a dog shall be liable in respect thereof.

(j) Any person failing to pay any sum due hereunder within one month of the due date shall be

guilty of an offence, and shall upon conviction be liable to a fine not exceeding Five Pounds Sterling, or in default of payment, to imprisonment with or without hard labour for a period not exceeding one month, in respect of each dog for which payment is due.

(k) Any stray dog and any dog without a badge issued under paragraph (h) hereof, shall be liable to seizure by the Police, and unless such dog be claimed and proof of the payment of, or non-liability to the tax in respect thereof, be produced within 14 days after such seizure, it may be destroyed, sold, or otherwise disposed of as the Magistrate of the District may see fit. The proceeds of such disposal shall be dealt with in the same manner as the tax.

(l) Upon proof to the satisfaction of the Magistrate of any District that any person is in possession of an excessive number of dogs, the said Magistrate may, after hearing such person, order the destruction or disposal of so many of the said dogs as he deems to be excessive.

(m) The fact that a dog has been found upon any premises shall be prima facie proof that such dog is in the possession of the occupier and commonly kept at such premises.

ADVERTISEMENTS.

ADVERTISING IN THE OFFICIAL GAZETTE OF SOUTH WEST AFRICA.

The Official Gazette will be published periodically but approximately once a month.

Advertisements will be accepted for insertion in the Official Gazette of the Protectorate of South West Africa at the Office of the Secretary for the Protectorate.

Advertisements will be inserted in the Gazette after the official matter or in a supplement to the Gazette, at the discretion of the Secretary.

Advertisements will be accepted for the English, Dutch or German Editions and will be published in the language in which they are written in the relevant editions of the Gazette.

The Secretary will have the right to refuse to accept for publication any advertisement which he considers is not of a suitable nature.

The annual subscription for every number of the Gazette is six shillings per annum, post free. Single copies of the Gazette may be obtained at the price of 6d per copy.

The charge for the insertion of Advertisements will be at the rate of 6/- per inch single column and 12/- per inch double column, repeats half price.

IN THE ESTATE

of the late Frederick Kiddy, who died at Windhuk on the 25th November 1916.

Creditors and Debtors in the above Estate are hereby required to file their claims with and pay their debts to the undersigned within one month from the date of publication hereof.

J. F. Herbst,
Public Trustee.

Government Buildings,
Windhuk, 9th January 1917.

IN THE ESTATE

of the late James Alexander Thomson of Mowbray, Cape Town.

Creditors and Debtors in the above Estate are hereby required to file their claims with and pay their

debts to the undersigned within one month from the date of publication hereof.

J. F. HERBST
Public Trustee.

Government Buildings,
Windhuk, 16th January 1917.

IN THE ESTATE

of the late Viktor Schnurer of Grootfontein.

Creditors and Debtors in the above Estate are hereby required to file their claims with and pay their debts to the undersigned within one month from the date of publication hereof.

J. F. HERBST
Public Trustee.

Government Buildings,
Windhuk, 16th January 1917.

IN THE ESTATE

of the late Antonio Popolino of Omaruru.

Creditors and Debtors in the above Estate are hereby required to file their claims with and pay their debts to the undersigned within six weeks from the date of publication hereof.

J. F. HERBST
Public Trustee.

Government Buildings,
Windhuk, 16th January 1917.

IN THE ESTATE

of the late Christoffel van der Merwe Breytenbach of the S. W. A. Railways, Keetmanshoop.

Creditors and Debtors in the above estate are hereby required to file their claims with and pay their debts to the undersigned within six weeks from the date of publication hereof.

J. F. HERBST
Public Trustee.

Government Buildings,
Windhuk, 16th January 1917.

IN THE ESTATE

of the late P. S. Ell, of the S. W. A. Railways, Keetmanshoop.

Creditors and Debtors in the above estate are hereby required to file their claims with and pay their debts to the undersigned within six weeks from the date of publication hereof.

J. F. HERBST
Public Trustee.

Government Buildings,
Windhuk, 16th January 1917.

IN THE ESTATE

of the late Joachim Giebelhausen of Kusib, District Grootfontein.

Creditors and Debtors in the above estate are hereby required to file their claims with and pay their debts to the undersigned within six weeks from the date of publication hereof.

J. F. HERBST
Public Trustee.

Government Buildings,
Windhuk, 16th January 1917.

IN THE ESTATE

of the late Bertram Reginald Gowar of the S. W. A. Railways Windhuk.

Creditors and Debtors in the above estate are hereby required to file their claims with and pay their debts to the undersigned within six weeks from the date of publication hereof.

J. F. HERBST
Public Trustee.

Government Buildings,
Windhuk, 16th January 1917.

IN THE ESTATE

of the late Eduard Wenzel of Farm Achauhmund, District Rehoboth.

Creditors and Debtors in the above Estate are hereby required to file their claims with and pay their debts to the undersigned within one month from the date of publication hereof.

Windhuk, 16th January 1917.

MAX POETTER.

IN THE ESTATE

of the late Karl Hermann of farm Rothenstein, District Rehoboth.

Creditors and Debtors in the above Estate are hereby required to file their claims with and pay their debts to the undersigned within one month from the date of publication hereof.

Windhuk, 16th January 1917.

MAX POETTER.

IN THE ESTATE

of Georg Eberhardt of Weissenfels, District Rehoboth.

Creditors and Debtors in the above Estate are hereby required to file their claims with and pay their debts to the undersigned within one month from the date of publication hereof.

Windhuk, 16th January 1917.

MAX POETTER.

IN THE ESTATE

of the late Heinrich Storm, Carpenter of Karibib who died on the 18th August 1916.

Creditors and Debtors in the above Estate are hereby required to file their claims with and pay their debts to the undersigned within one month from date of publication hereof.

JOSEF BRUNZ,

Karibib, 19th January, 1917.

IN THE ESTATE

of the late Arthur Gerhardt who died at Okatumba East on the 7th April 1916.

Creditors and Debtors in the above Estate are hereby required to file their claims with and pay their debts to the undersigned within two months from the date of publication hereof.

Dr. ZERSCH,
Attorney.
Box 53, Windhuk.