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PROCLAMATIONS

BY HIS HONOUR ALBERTUS JOHANNES WERTH, ADMINISTRATOR OF SOUTH WEST AFRICA.

No. 31 of 1932.]

WHEREAS it is expedient to make provision for the granting of permissions to occupy sites for church, school or mission purposes, on Crown Land or land set apart as a reserve for natives or coloured persons;

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

1. The Administrator may, subject to such conditions as he may see fit to impose, grant to any recognised religious denomination, mission society or educational authority permission to use or occupy one or more sites for church, school or mission purposes on Crown land or land set apart as a reserve for natives or coloured persons, if the required land is available, and if he is satisfied that the use thereof will not hamper the maintenance of public order or public morals, and that the granting of such permission is necessary.

2. (1) Any person who, after the commencement of this Proclamation, uses or occupies, or causes to be used or occupied, any Crown land or land set apart as a reserve for natives or coloured persons, for church, school or mission purposes, without the permission of the Administrator shall be guilty of an offence and liable upon conviction 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 three months.

(2) In any criminal proceedings against a person charged with contravening the provisions of sub-section (1) of this section —

- (a) the burden of proving that he had the required permission for the act in respect of which he is charged shall be upon the accused;
- (b) it shall be no defence that the use or occupation in respect of which such proceedings are instituted relates to land duly allotted as a residential or kraal site or for arable or garden purposes, or that such use or occupation commenced at a date prior to the commencement of this Proclamation.

(3) (a) In addition to any other penalty to which he may be liable, the court may order any person convicted of contravening the provisions of sub-section (1) to remove, within a period to be described in the order, any building erected upon such land for the purposes of the unlawful use or occupation of the land, and in the event of such person failing or neglecting to comply with such order the Chief Native Commissioner, or an officer duly authorised thereto by him, may take all necessary steps to carry out the order himself and may by summary warrant under his hand recover from such person the costs incurred thereby.

(b) Any warrant issued by the Chief Native Commissioner or authorised officer under the provisions of this sub-section shall be executed as if it were a warrant issued in pursuance of a judgment of the court making such order.

3. The Administrator may make regulations prescribing —

- (a) the form in which applications for the use or occupation of sites under the provision of section one are to be made, and the particulars to be contained in such applications;
- (b) the conditions which will apply to the use or occupation of sites under the said provisions; and
- (c) generally for the carrying out of the objects and purposes of this Proclamation.

PROKLAMASIES

DEUR SY EDELE ALBERTUS JOHANNES WERTH, ADMINISTRATEUR VAN SUIDWES-AFRIKA.

No. 31 van 1932.]

NADEMAAL dit wenslik is om voorsiening te maak vir die verlening van permissies om terreine op goewermentsgrond of grond, gereserveer as 'n reservaat vir natuurlike of gekleurde persone, te okkuper vir kerk-, skool- of sendingdoeleindes;

SO IS DIT dat ek, ingevolge en kragtens die bevoegdhede my verleen, hierby proklameer, verklaar en bekend maak as volg:—

1. Die Administrateur kan, onder sodanige voorwaardes as hy doelmatig mag ag om te bepaal, aan enige erkende godsdienstige denominasie, sendinggenootskap of onderwys-otoriteit permissie verleen om een of meer terreine op goewermentsgrond of grond, gereserveer as 'n reservaat vir natuurlike of gekleurde persone, te gebruik of te okkuper vir kerk-, skool- of sendingdoeleindes as die grond, wat verlang word, beskikbaar is en as hy daarvan oortuig is, dat die gebruik daarvan die handhawing van publieke orde of publieke sedes nie sal belemmer nie en dat die verlening van sodanige permissie nodig is.

2. (1) Enige persoon wat, na die inwerkingtreding van hierdie Proklamasie, enige goewermentsgrond of grond gereserveer as 'n reservaat vir natuurlike of gekleurde persone sonder permissie van die Administrateur vir kerk-, skool- of sendingdoeleindes gebruik of okkuper of laat gebruik of okkuper, is skuldig aan 'n oortreding en, by skuldigebevinding, blootgestel aan 'n boete van hoogstens vyf-en-twintig pond of, by wanbetaling, aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande.

(2) In enige strafsak teen 'n persoon wat beskuldig is van oortreding van die bepalings van onderartikel (1) van hierdie artikel —

- (a) rus die las om te bewys dat hy die vereiste permissie vir die handeling, ten opsigte waarvan hy beskuldig is, gehad het of die beskuldigde;
- (b) is dit geen verdediging nie dat die gebruik of okkupatie ten opsigte waarvan sodanige hofsak gemaak word, betrekking het op grond wat behoorlik toegeken is as 'n woon- of kraalterrein of vir landbou- of tuindoelindes of dat sodanige gebruik of okkupatie op 'n datum voor die inwerkingtreding van hierdie Proklamasie begin het.

(3) (a) Benewens enige ander straf, waaraan hy blootgestel mag wees, kan die hof enige persoon, wat skuldig gevind is van oortreding van die bepalings van onderartikel (1), gelas om binne 'n tydperk, wat in die order vermeld moet word, enige gebou, wat op sodanige grond opgerig is vir die onwettige gebruik of okkupatie van die land, te verwyder en, ingeval sodanige persoon in gebreke bly of versuim om aan sodanige order te voldoen, kan die Hoofnaturellekommissaris of 'n beampete, wat behoorlik deur hom daartoe gemagtig is, al die nodige stappe doen om die order self uit te voer en kan hy deur summiere lasbrief, wat deur hom onderteken is, op sodanige persoon die onkoste in verband daarmee verhaal.

(b) Enige lasbrief, wat deur die Hoofnaturellekommissaris of gemagtigde beampete ingevolge die bepalings van hierdie onderartikel uitgereik word, moet uitgevoer word asof dit 'n lasbrief is, wat uitgereik is na aanleiding van 'n vonnis van die hof wat sodanige order uitreik.

3. Die Administrateur kan regulasies maak wat —

- (a) die vorm voorskryf waarin aansoeke vir die gebruik of okkupatie van terreine ingevolge die bepalings van artikel een gemaak moet word en die besonderhede bepaal, wat in sodanige aansoek vervat moet wees;
- (b) die voorwaardes voorskryf wat van toepassing sal wees op die gebruik of okkupatie van terreine onder genoemde bepalings; en
- (c) oor die algemeen voorsiening maak vir die uitvoer van die doeleindes van hierdie Proklamasie.

4. The Proclamation shall apply also to Ovamboland and the Caprivi Zipfel.

5. This Proclamation may be cited as the Control of Sites (Churches, Schools and Missions) Proclamation, 1932.

GOD SAVE THE KING.

Given under my hand and seal at Windhoek this ninth day of November, 1932.

A. J. WERTH,
Administrator.

BY HIS HONOUR ALBERTUS JOHANNES WERTH, ADMINISTRATOR OF SOUTH WEST AFRICA.

No. 32 of 1932.]

WHEREAS a certificate as required by paragraph (a) of sub-section (5) of section two of the Trespass of Animals (Rural Areas) Ordinance, 1931 (Ordinance No. 9 of 1931), has been transmitted to the Secretary for South West Africa by the Magistrate for the district of Rehoboth;

NOW THEREFORE, under and by virtue of the powers in me vested by the said paragraph, I do hereby declare, proclaim and make known that the provisions of the said Ordinance shall not apply to the trespass of animals on land situate within the district of Rehoboth.

GOD SAVE THE KING.

Given under my hand and seal at Windhoek this eleventh day of November, 1932.

A. J. WERTH,
Administrator.

4. Hierdie Proklamasie is ook van toepassing op Ovamboland en die Caprivi Zipfel.

5. Hierdie Proklamasie kan aangehaal word as die Kontrole van Terreine (Kerke, Skole en Sendinggenootskappe) Proklamasie 1932.

GOD BEHOEDE DIE KONING.

Gegee onder my handtekening en seël te Windhoek op hierdie negende dag van November 1932.

A. J. WERTH,
Administrateur.

DEUR SY EDELE ALBERTUS JOHANNES WERTH, ADMINISTRATEUR VAN SUIDWES-AFRIKA.

No. 32 van 1932.]

NADEMAAL 'n sertifikaat soos vereis deur paragraaf (a) van onderartikkel (5) van artikel twee van die Ordonnansie van 1931 betreffende Oortreding van Diere (Plateland Gebiede) 1931 (Ordonnansie No. 9 van 1931) deur die Magistraat vir die distrik Rehoboth aan die Sekretaris vir Suidwes-Afrika gestuur is;

SO IS DIT dat ek, ingevolge en kragtens die bevoegdhede my verleen by genoemde paragraaf, hierby verklaar, proklameer en bekend maak dat die bepalings van genoemde Ordonnansie geen toepassing het nie op die oortreding van diere op grond wat binne die distrik Rehoboth geleë is.

GOD BEHOEDE DIE KONING.

Gegee onder my handtekening en seël te Windhoek op hierdie elfde dag van November 1932.

A. J. WERTH,
Administrateur.

Government Notices.

The following Government Notices are published for general information.

H. P. SMIT,
Secretary for South West Africa.

Administrator's Office,
Windhoek.

No. 186.] [7th November, 1932.

ESTABLISHMENT AND DISESTABLISHMENT OF POUNDS ETC.

The Administrator has been pleased to approve of the following:—

Establishment of Pounds at	Disestablishment of Pounds at	Poundmasters.	With effect from
Riverside, district Gobabis.	—	Mathys Petrus du Preez.	1. 11. 32
Aus, district Luderitz.	—	Louis Philippus Fourie.	15. 11. 32
—	Steinhausen, district Gobabis.	—	1. 11. 32
—	Noasanabis, district Gobabis.	—	1. 11. 32

No. 187.] [7th November, 1932.

SPECIAL JUSTICE OF THE PEACE, OUTJO.

The Administrator has been pleased in terms of sub-section one of section nine of the Special Justices of the Peace Proclamation, 1921, to appoint MICHAEL JOSEPH McHUGH as Special Justice of the Peace at Outjo, in the district of Outjo, with effect from the 24th October, 1932.

Goewermentskennisgewings.

Die volgende Goewermentskennisgewings word vir algemene informasie gepubliseer.

H. P. SMIT,
Sekretaris vir Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

No. 186.] [7 November 1932.

OPRIGTING EN SLUITING VAN SKUTTE ENS.

Dit het die Administrateur behaag om die volgende goed te keur:—

Oprigting van Skutte te	Sluiting van Skutte te	Skutmeesters	Met ingang vanaf
Riverside, distrik Gobabis.	—	Mathys Petrus du Preez.	1. 11. 32
Aus, distrik Luderitz.	—	Louis Philippus Fourie.	15. 11. 32
—	Steinhausen, Distrik Gobabis.	—	1. 11. 32
—	Noasanabis, Distrik Gobabis.	—	1. 11. 32

No. 187.] [7 November 1932.

SPESIALE VREDEREGTER, OUTJO.

Dit het die Administrateur behaag, om ooreenkomstig onderartikkel een van artikel nege van die Spesiale Vrederegter Proklamasie 1921 MICHAEL JOSEPH McHUGH aan te stel, as Spesiale Vrederegter te Outjo, in die distrik van Outjo, ingaande vanaf 24 Oktober 1932.