



English Edition

Official Gazette

of the

Protectorate of South-West Africa

in Military Occupation of the Union Forces

Published by Authority

ce 6d

Windhuk, 5th March 1920

No. 29

PROCLAMATIONS

BY HIS HONOUR SIR EDMOND HOWARD LACAM GORGES, KNIGHT COMMANDER OF THE MOST DISTINGUISHED ORDER OF SAINT MICHAEL AND SAINT GEORGE, A MEMBER OF THE ROYAL VICTORIAN ORDER, ADMINISTRATOR OF THE PROTECTORATE OF SOUTH-WEST AFRICA IN MILITARY OCCUPATION OF THE UNION FORCES.

No. 10 of 1920.]

Under and by virtue of the powers in me vested by section 2 (f) of the Magistrates' Courts Act 1917, of the Union Parliament as applied to the Protectorate by section 9 (1) of the Administration of Justice Proclamation 1919, I do hereby appoint Tsumeb in the District of Grootfontein as a place for the holding of a periodical court and prescribe that the local limits within which the said periodical court shall have jurisdiction shall be as defined in the schedule attached hereto.

GOD SAVE THE KING.

Given under my hand at Windhuk this 24th day of February 1920.

E. H. L. Gorges
Administrator.

SCHEDULE.

Periodical Court at Tsumeb, District of Grootfontein.
Area of Jurisdiction.

To comprise an area bounded as follows:—

From the point of intersection of the eastern boundary of Ovamboland with the northern boundary of the Protectorate, eastwards, along the Protectorate boundary to its point of intersection with the 18th degree of longitude east of Greenwich, thence south along said 18th degree of longitude to its point of intersection with the northern boundary of the farm Tsintsabis, thence eastwards, southwards and westwards along the boundary of and including the farms Tsintsabis, Gorooab No. 2 and Gorooab No. 1, to the point of intersection of the 18th degree east longitude with the southern boundary of the farm Gorooab No. 1, then south along the 18th degree, east longitude to the point of its intersection with the northern boundary of the farm 162, thence generally south-westwards along the boundaries of but

excluding the farms 162, 154, 153, 148 to the south-western beacon of the last mentioned farm, thence south-eastwards and generally westwards along the boundaries of and including the farms Block III, Ghaub, Ghaub West, Mosbach, Emelienhof, Danevis Nord, Danevis Sud, Khorab Ost, S 37, Sovis, 103, 97, thence northwards along the boundaries of and including the farms 98, 99, 100, 101 to the north-western beacon of the last mentioned farm, thence along a line drawn due westwards to the point of its intersection with the Grootfontein-Outjo District boundary, thence north-westwards and northwards along said District boundary to where it meets the southern boundary of Ovamboland, thence eastwards and northwards along the boundary of Ovamboland to the point of beginning.

No. 11 of 1920.]

WHEREAS it is desirable to define more accurately the dimensions of the territory known as the Sperrgebiet, referred to in the Ordinance of the German Imperial Colonial Office of the 22nd September, 1908,

NOW THEREFORE, under and by virtue of the powers in me vested, I do hereby declare, proclaim and make known that the territory described in the said Ordinance as bordered:

In the north by the 26th degree southern latitude;
In the south by the northern bank of the Orange River;
In the west by the Atlantic Ocean; and
In the east by a line running at a distance of one hundred kilometres from the seashore and parallel thereto,

is delimited as follows:—

Eastern boundary. Commencing in the north-east at the beacon 1, 100 kilometres from the coast on the 26° southern latitude, then southwards through the beacons 2, 3, 4, 5, 6, 7, 8, 9, to the beacon 10 on the north bank of the Orange River.

Southern boundary. Thence westwards along the north bank of the Orange River to the Atlantic coast line.

Western boundary. Thence northwards along the Atlantic coast line to the beacon 11 on the seashore on the 26° southern latitude.

Northern boundary. Thence eastwards along the 26° southern latitude to the point of origin at beacon 1, as shewn on the plan of the Sperrgebiet filed in the office of the Inspector of Mines at Windhuk and Luderitzbucht.

The following geographical co-ordinates and descriptions apply to the above-mentioned beacons, viz:—

Beacon No. 1	26.00' Latitude	In the dunes west of
	15.57' Longitude	Namtib
Beacon No. 2	26.20' Latitude	About 8 kilometres
	15.58' Longitude	N. N. W. of Tafelkuppe.
Beacon No. 3	26.25' Latitude	About 6 km. N. N.
	16.7' Longitude	W. of trigonometrical point Kleinspitz.
Beacon No. 4	26.38' Latitude	Near point "km. 5" of the east boundary of the Fiskusblock 12 near Narisis.
Beacon No. 5	26.40' Latitude	About 1½ km. N. N.
	16.5' Longitude	W. of Sesselberg, and about 1½ km. S. W. of the Erzberg.
Beacon No. 6	26.54' Latitude	About 1 km. south of Bankwater Ganaam.
Beacon No. 7	26.55' Latitude	About 1½ km. N. N. W. of the south-west corner of the farm Kubub.
Beacon No. 8	27.18' Latitude	About 1 km. north of the confluence of the Anib and Auns Rivers.
Beacon No. 9	27.57' Latitude	About 7 km north of the watering place Obib.
Beacon No. 10	28.8' Latitude	On the northern peak of the Dreigratberg at the Orange River.
Beacon No. 11	26.00' Latitude	
	14.58' Longitude	

GOD SAVE THE KING.

Given under my hand at Windhuk this 4th day of February, 1920.

E. H. L. Gorges
Administrator.

No. 12 of 1920.

WHEREAS it is desirable to amend further the provisions of the law relating to mining in the Protectorate.

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

- (1) In section (1), clause (g) of Proclamation No. 24 dated 12th December, 1919, (hereinafter termed "the Proclamation") the word "objection" shall be deleted and the following words substituted therefor:— "finding on review".
- (2) Section 2 of the Proclamation shall be amended by the addition thereto of the following proviso:— "provided, however, that the said date may upon application be extended to a date not later than the 30th June, 1920, if in the opinion of the Mining Authority the erection or re-erection of such beacon could not have been completed within the prescribed period."
- (3) The provisions of the German Imperial Colonial Office Ordinance of the 25th June, 1908, relating to mining along the line of railway between Lu-

deritzbucht and Keetmanshoop are repealed in so far as they relate to those blocks of land situate along the said railway line between Aus and Keetmanshoop which by virtue of the aforesaid Ordinance were exclusively reserved for the winning of minerals to the Government of German South-West Africa.

- (4) The said blocks of land referred to in paragraph three hereof shall be and are hereby declared to be open for prospecting and mining in accordance with the provisions of the Imperial Mining Ordinance for German South-West Africa of the 8th August, 1905, as amended by the aforesaid Proclamation No. 24 of the 12th December, 1919.

GOD SAVE THE KING.

Given under my hand at Windhuk this 12th day of February, 1920.

E. H. L. Gorges
Administrator.

No. 13 of 1920.]

WHEREAS by Act No. 49 of 1919 of the Parliament of the Union of South Africa authority was conferred upon the Governor-General of the said Union to give effect to any Mandate issued to the Union in pursuance of the Treaty of Peace signed at Versailles on the 28th day of June, 1919, with reference to the Protectorate of South-West Africa lately under the sovereignty of Germany and by proclamation to apply to the said Protectorate with such modifications as he may deem necessary, having regard to the conditions obtaining therein, the provisions of all or any of the following laws, to wit:— the Land Settlement Act, 1912, of the Union Parliament; the Land Settlement Act Amendment Act, 1917, of the Union Parliament; the Crown Land Disposal Ordinance 1903, of the Transvaal; and the Crown Land Disposal Amendment Ordinance, 1906, of the Transvaal,

AND WHEREAS it has not been found expedient by the Governor-General to exercise the authority there-by conferred,

AND WHEREAS it is desirable forthwith to apply the provisions of the Crown Land Disposal Ordinance, 1903, and the Crown Land Disposal Amendment Ordinance, 1906, aforesaid, to the Protectorate,

NOW THEREFORE, under and by virtue of the powers in me vested and in pursuance of instructions conveyed to me by the Prime Minister of the said Union I do hereby declare, proclaim, and make known as follows:—

1. Subject to the amendments set forth in Schedule hereto the Crown Land Disposal Ordinance 1903 of the Transvaal, as amended by the Crown Land Disposal Amendment Ordinance 1906 of the Transvaal shall have effect in the Protectorate.
2. This Proclamation may be cited for all purposes as the "Crown Land Disposal Proclamation, 1920".

GOD SAVE THE KING.

Given under my hand at Windhuk, this 25th day of February, 1920.

E. H. L. Gorges
Administrator.

SCHEDULE.

I. GENERAL AMENDMENTS.

1. "Crown Lands" means all unalienated land within the Protectorate of South-West Africa however acquired, which was lately the property of the German Government and such further land as may be acquired by the Government of the Union of South Africa within the said Protectorate.

2. "Gazette" means the Official Gazette of the said Protectorate.
3. "Governor-General" is substituted for "Lieutenant-Governor" wherever the latter term occurs in the Ordinance abovementioned or any amendment thereof and means the officer for the time being administering the Government of the Union of South Africa acting by and with the advice of the Executive Council thereof.
4. "Land Board" or "Board" means the Land Board appointed by the Governor-General in respect of the Protectorate.
5. "Minister" is substituted for "Commissioner" wherever the latter term occurs in the Ordinance abovementioned, or any amendment thereof, and means the Minister of Lands of the Union of South Africa or any person lawfully acting in that capacity.

II. PARTICULAR AMENDMENTS.

1. Sections 1, 2, and 3 are deleted.
2. Section 5 is amended by the deletion of the words "This Colony" in line three and the substitution therefor of the words "the Protectorate".
3. Section 7 sub-sections (1) and (2) are deleted.
4. Section 7 sub-section (4) is amended by the deletion of the words "on the proclamation as public diggings under Law No. 15 of 1898, or any amendment thereof or as a mine alluvial diggings or mining area under the Precious Stones Ordinance 1903, or any amendment thereof of any land alienated under this Ordinance or", in lines one to seven: that sub-section is further amended by the deletion therefrom of the words "mining or" in line three: that sub-section is also amended by the deletion of the words "in manner provided by the Expropriation of Lands and Arbitration Clauses Proclamation 1902" in lines twelve to fourteen and the substitution therefor of the words "in accordance with the provisions of the law for the settlement of differences by arbitration which is in force in the Protectorate".
5. Section 8 is deleted and the following section is substituted therefor:

"All grants and leases of Crown Lands shall be signed by the officer authorised in that behalf by the Governor-General and the date of any such grant or lease shall be deemed to be the date of its issue and every grant or lease shall be registered in the Deeds Office at Windhuk".
6. Section 9 is amended by the deletion of the words "under the Settlers' Ordinance, 1902, or" in lines three and four, and by the deletion of the words "the Transfer Duty Proclamation 1902, the Stamp Duties Proclamation of 1902, the Deeds Proclamation of 1902, Deeds Office Regulations or any amendments of the afore-mentioned enactments" in lines six to eleven, and the substitution therefor of the words "any law".
7. Section 9 is further amended by the deletion of the word "Crown" in line eighteen and the substitution therefor of the word "Government".
8. Section 10 is amended
 - (a) by the deletion of the words "grantee" and "lessee" in line five, and the substitution therefor of the words "grantor" and "lessor";
 - (b) by the deletion of the word "such" in line six and the substitution therefor of the word "the";
 - (c) by the deletion of the words "of the Department" in line twenty and the substitution therefor of the words "attached to the grant or lease filed in the Deeds Office at Windhuk".
9. Section 12 is amended
 - (a) by the deletion of the words "to His Majesty His Heirs and Successors" in lines four and five;
 - (b) by the addition of the words "coloured persons" after the word "natives" in line two of sub-section (1);
 - (c) by the deletion of sub-section (2) and the substitution therefor of the following sub-section:

"For the use or requirements of the Protectorate Administration, or for military or police purposes"
 - (d) by the deletion in sub-section (12) of the words "this Colony" in line two and the substitution therefor of the words "the Protectorate";
 - (e) by the deletion in sub-section (15) of the words "This Colony" in line five and the substitution therefor of the words "the Protectorate".
10. Section 15 is amended by the deletion from the second paragraph thereof of the words "Legislative Council" wherever they occur, and the substitution therefor of the words "Parliament of the Union of South Africa".
11. Section 16 is amended by the deletion of the words "Department of Lands and Surveys" in lines three and four, and the substitution therefor of the words "Office of the Surveyor-General at Windhuk".
12. Section 17 is deleted.
13. Section 18 is amended by the deletion of the words "for all or any of the following purposes" in lines three and four.
14. Section 18 is further amended by the deletion of sub-sections (1), (2) and (3), and by the deletion of the figure "(4)" in line thirteen of the section.
15. The Schedule to the Ordinance is deleted.

No. 14 of 1920.]

WHEREAS by Act No. 49 of 1919 of the Parliament of the Union of South Africa authority was conferred upon the Governor-General of the said Union to give effect to any Mandate issued to the Union in pursuance of the Treaty of Peace signed at Versailles on the 28th day of June, 1919, with reference to the Protectorate of South-West Africa lately under the sovereignty of Germany and by proclamation to apply to the said Protectorate with such modifications as he may deem necessary, having regard to the conditions obtaining therein, the provisions of all or any of the following laws, to wit:— the Land Settlement Act, 1912, of the Union Parliament; the Land Settlement Act Amendment Act, 1917, of the Union Parliament; the Crown Land Disposal Ordinance 1903, of the Transvaal; and the Crown Land Disposal Amendment Ordinance, 1906, of the Transvaal,

AND WHEREAS it has not been found expedient by the Governor-General to exercise the authority thereby conferred,

AND WHEREAS it is desirable forthwith to apply the provisions of the Land Settlement Act, 1912, and the Land Settlement Act Amendment Act, 1917, aforesaid, to the Protectorate,

NOW THEREFORE, under and by virtue of the powers in me vested and in pursuance of instructions conveyed to me by the Prime Minister of the said Union I do hereby declare, proclaim, and make known as follows:—

1. Subject to the amendments set forth in the Schedule hereto the Land Settlement Act 1912 of the Union Parliament, as amended by the Land Settlement Act Amendment Act 1917, of the Union Parliament, shall have effect in the Protectorate.