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# OFFICIAL GAZETTE of South West Africa.

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van Suidwes-Afrika.

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WINDHOEK

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**PROCLAMATIONS**

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

No. 16 of 1930.]

WHEREAS it is expedient to make provision for the payment of a local allowance to the Judge of the High Court of South West Africa;

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

1. Sub-section (2) of section *three* of the Administration of Justice Proclamation, 1919 (Proclamation No. 21 of 1919) is hereby amended by the insertion between the words "per annum" and the words "and he shall" of the words "and in addition a local allowance not exceeding two hundred and fifty pounds per annum".

2. No payment in respect of a local allowance made to the Judge of the High Court of South West Africa before the commencement of this Proclamation shall be deemed to be invalid by reason of no provision having been made therefor in the laws of this Territory.

3. This Proclamation may be cited for all purposes as the Administration of Justice Proclamation Amendment Proclamation, 1930, and shall commence and come into operation on the first day of February, 1930.

GOD SAVE THE KING.

Given under my hand and seal at Windhoek this 23rd day of May, 1930.

A. J. WERTH,  
Administrator.

No. 17 of 1930.]

WHEREAS it is expedient to enact provisions governing the grant of temporary relief by the Land and Agricultural Bank of South West Africa to persons who, owing to drought or to the absence of adequate markets for farm produce due to the prevailing financial depression, are unable to make payments of capital and interest due by them to that Bank, and governing the grant of similar relief by mortgagee to mortgagors generally;

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

1. Applications to the Land and Agricultural Bank of South West Africa established by the Land Bank Amendment Proclamation, 1922 (Proclamation No. 10 of 1922), for relief under the provisions of section *three* or section *six* shall be made in such form as may be prescribed by the Manager of the Bank. No application shall be considered unless it is lodged with the said Manager on or before the thirtieth day of November, 1930.

2. (1) Before deciding whether or not relief under the provisions of section *three* shall be granted to any applicant, the Board of management of the Bank shall satisfy itself—

(a) that the applicant has suffered from the effects of drought or from the absence of adequate markets for farm produce due to the prevailing financial depression to such an extent as to be incapable of making the payments of capital or interest in respect of which relief is sought;

(b) that the applicant is of sober habits and good character;

(c) that it is reasonably probable that the applicant, if granted relief, will be able to carry on his farming operations and pay his debts;

(d) where relief is sought in respect of a mortgage bond, if there is any bond registered against the title of the land in favour of any person other than the Bank and ranking after the bond in favour of the Bank, that the applicant has obtained the written consent of that person, expressed in such form as may be prescribed by the Manager of the Bank, to the land being mortgaged with a further amount in the manner and with the effect set forth in section *five*; and

(e) where relief is sought in respect of a charge, if there is any mortgage bond registered against the title of the land in favour of any person other than the Bank, that the applicant has obtained the written consent of that person, expressed in such form as may be prescribed by the Manager of the Bank, to the land being charged with a further amount in the manner and with the effect set forth in section *five*.

**PROKLAMASIES**

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

No. 16 van 1930.]

NADEMAAL dit wenslik is om voorsiening te maak vir die betaling van 'n plaaslike toelaag aan die Regter van die Hooggereghof van Suidwes-Afrika;

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

1. Onderartikel (2) van artikel *drie* van "De Rechtsbedeling Proclamatie 1919" (Proklamasie No. 21 van 1919) word hierby gewysig deur invloeding van die woorde "en behalwe dit een plaaslike toelaag van ten hoogste twee honderd en vijftig pond per jaar" tussen die woorde "per jaar" en die woorde "ontvangen".

2. Geen betaling ten opsigte van 'n plaaslike toelaag aan die Regter van die Hooggereghof van Suidwes-Afrika, voor die inwerkingtreding van hierdie Proklamasie gemaak, mag as ongeldig beskou word nie, omdat geen voorsiening daaroor in die wette van hierdie Gebied gemaak was nie.

3. Hierdie Proklamasie kan vir al die doeleindes aangehaal word as die Wysigsproklamasie van "De Rechtsbedeling Proclamatie" 1930 en sal op die eerste dag van Februarie 1930 in werking tree.

GOD BEHOEDE DIE KONING.

Gegee onder my handtekening en seël te Windhoek op hierdie 23ste dag van Mei 1930.

A. J. WERTH,  
Administrator.

No. 17 van 1930.]

NADEMAAL dit wenslik is om bepalings te verordineer beheersende die verlening van tydelike verligting deur die Land- en Landboubank van Suidwes-Afrika aan persone, wat ten gevolge van droogte of van die gebrek aan voldoende markte vir boerdery-produkte veroorsaak deur die bestaande finansiële depressie nie in staat is om betalings van kapitaal en rente, deur hulle aan daardie bank verskuldig, te voldoen nie en beheersende die verlening van sortgelyke verligting deur verbandhouers aan verbandnemers oor die algemeen;

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

1. Aansoeke aan die Land- en Landboubank van Suidwes-Afrika, opgerig deur "De Landbank Wijzigings Proklamatie 1922" (Proklamasie No. 10 van 1922), vir verligting op grond van artikel *drie* of artikel *ses* moet in sodanige vorm gedoen word as deur die bestuurder van die bank voorgeskryf mag word. Geen aansoek mag in aanmerking geneem word nie, tensy dit by die voormalde bestuurder op of voor die dertigste dag van November 1930 ingedien is.

2. (1) Voordat hy besluit of verligting kragtens die bepalings van artikel *drie* aan enige applikant verleen mag word, moet die bestuursraad van die Bank hom oortuig—

(a) dat die applikant in sodanige mate gely het deur die gevolge van droogte of deur die gebrek aan voldoende markte vir boerdery-produkte, veroorsaak deur die bestaande finansiële depressie, dat hy nie in staat was om die betalings van kapitaal of rente, ten opsigte waarvan verligting gevra word, te voldoen nie;

(b) dat die applikant sober gewoontes en 'n goeie karakter het;

(c) dat dit redelikerwys waarskynlik is dat die applikant, as daar verligting aan hom verleen word, in staat sal wees om sy boerderywerksaamhede voort te set en sy skulde te betaal;

(d) waar verligting ten opsigte van 'n verband gevra word, as daar enige verband geregistreer is teen die tiel van die grond ten gunste van enige persoon ander as die Bank en in rang na die verband ten gunste van die Bank volg, dat die applikant die skriftelike toestemming van daardie persoon verkry het, uitgedruk in sodanige vorm as deur die bestuurder van die Bank voorgeskryf mag word, dat die grond met 'n verder bedrag verbind mag word op die wyse en met die uitwerking uiteengesit in artikel *vif*; en

(e) waar verligting gevra word ten opsigte van 'n lastingsnota, as daar enige verband geregistreer is teen die tiel van die grond ten gunste van enige persoon ander as die Bank, dat die applikant die skriftelike toestemming van daardie persoon verkry het, uitgedruk in sodanige vorm as deur die bestuurder van die Bank voorgeskryf mag word, dat die grond belas mag word met 'n verder bedrag op die wyse en met die uitwerking uiteengesit in artikel *vif*.

Wysiging van artikel 3 (2) van Proklamasie No. 21 van 1919.

Betalings voor die inwerkingtreding van hierdie Proklamasie gemaak word nie as ongeldig beskou nie.

Kort tittel.

Vorm van aansoek aan Landbank vir verligting.

Landbank Raad moet oortuig wees van sekere feite.