

PROCLAMATION.

BY

HIS EXCELLENCY THE HIGH COMMISSIONER.

No. 11, 1911.—DATED 2nd MARCH, 1911.

Preamble.

WHEREAS it is expedient to extend the power of making regulations for the good government of the place styled Francistown, and in the neighbourhood thereof within the Bechuanaland Protectorate and for that purpose to repeal Proclamation No. 2 of 1898 which provides for the making and carrying out of sanitary regulations only in the said place:

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

Repealing Proclamation No. 2 of 1898.

1. Proclamation No. 2 of 1898 shall be and is hereby repealed but without prejudice to anything lawfully done, or penalty incurred thereunder or under the regulations in the schedule thereto.

Areas to which Proclamation applies.

2. This Proclamation shall apply and be of force and effect within the area shown upon the map lodged in the Assistant Commissioner's Office at Francistown within the Bechuanaland Protectorate and styled thereupon the area of Francistown in the said Protectorate; and also within an area extending therefrom up to the line of railway constructed by the Bechuanaland Railway Company as shown upon the said plan and for a distance of one thousand yards westwards from the said line of railway between two lines formed by the extension of the streets styled First Avenue and Sixth Avenue upon the north and south sides respectively of the said area of Francistown as shown upon the said plan.¹

¹See High Commissioner's Notice No. 15 of 1911 for inspection of areas.

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High Commissioner may make regulations.

3. The High Commissioner may from time to time by notice in the *Gazette* make, alter and revoke regulations to be applied to the aforementioned areas or any portion thereof for all or any of the following purposes:—

- (a) For compelling the use by the inhabitants of the said areas of proper sanitary appliances and conveniences;
- (b) for regulating and compelling the removal of night soil, stable litter, filth and refuse from private premises and from all streets, roads and public places;
- (c) for prohibiting the deposit of garbage, refuse, or rubbish in any street, road or public place or on unoccupied land;
- (d) for preventing the overcrowding of any premises and regulating the number of persons who may occupy any premises;
- (e) for preventing the occupation of unoccupied land by unauthorized persons or squatters;
- (f) for regulating and controlling the movements of natives during the night and the issue of passes to natives;
- (g) for preserving the public health and proper sanitation of the said areas;
- (h) generally for maintaining the good rule and government of the said areas;
- (i) for regulating the slaughtering of animals and for prohibiting the slaughtering of animals in the said areas elsewhere than in a public abattoir appointed for the purpose, or in such private abattoirs as may be approved by the Assistant Commissioner or Resident Magistrate, and for fixing the charges to be paid for use of a public abattoir;¹
- (j) for regulating butchers, and the inspection, storage, and sale of butchers' meat.

Every such regulation when published in the *Gazette* shall have the force of law within the said area.²

High Commissioner may appoint inspectors.

4. The High Commissioner may from time to time appoint persons whose duty it shall be to inspect the aforementioned areas, and to take all necessary steps for the due observance of the said regulations, and to assist in prosecutions for the breach thereof.

Penalty for contravention.

5. Any person contravening the said regulations shall be liable to prosecution in any court having jurisdiction and upon conviction may be sentenced to pay a fine not exceeding £20, and upon non-payment of such fine to be imprisoned with or without hard labour for any period not exceeding one month.

Regulations in force.

6. The regulations set out in the Schedule hereto shall until altered or revoked be the regulations in force throughout the aforementioned areas.

Commencement of Proclamation.

7. This Proclamation shall have force and take effect from the date of its publication in the *Gazette*.

¹Printed as amended by Proclamation No. 44 of 1915.

²Printed as amended by Proclamation No. 44 of 1915. See also High Commissioner's Notice No. 103 of 1915.

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SCHEDULE.

REGULATIONS.

1. Every occupier of a house or premises shall provide thereupon suitable closet fitted with one or more earth pails, and shall provide for the same being emptied at least twice a week.
2. No person shall use any unoccupied portion of land for purposes for which, properly, only sanitary offices should be used.
3. Every occupier of a house or premises shall keep the same free from garbage, refuse, or rubbish, and shall provide a suitable receptacle on his premises for the said rubbish, and shall provide for the removal of the contents thereof at least once a week.
4. No person shall deposit any garbage, refuse, or rubbish in the streets or upon any unoccupied land within the area to which the foregoing Proclamation applies.
5. No dwelling-house, out-building, or any other tenement or premises shall be occupied by more inmates than any official appointed under section *four* of the foregoing Proclamation or some duly qualified medical man may pronounce to be fit and proper, and it shall be lawful for such official or medical man to give twenty-four hours' notice to the occupier of such house or tenement directing him to cause such number of persons as such official or medical man may think it expedient to remove to quit such house or tenement. Any person refusing to quit such premises or tenement after the service of such notice upon the occupier shall be held to be guilty of a contravention of this regulation.
6. No native shall squat upon any unoccupied stand.
7. Every native shall be compelled to be in his location or place provided for him by his master from 9 p.m. to 4 a.m. unless he is provided with a special pass from the Assistant Commissioner or other officer authorized by the Assistant Commissioner to grant such passes, or from his master setting forth the object of his absence. Any person offending against the provisions of this regulation may be arrested by the police.

The word "native" for the purpose of this and the preceding regulations shall have the meaning attached to it by section *eleven* of the High Commissioner's Proclamation of the 4th April, 1892.
8. Every person contravening any of the aforesaid regulations shall be liable upon prosecution and conviction to the penalties provided in the foregoing Proclamation.
9. Every occupier shall give all reasonable assistance to the person or persons appointed to attend to the due observance of these regulations, and any person failing so to do or obstructing the said persons in the execution of their duties shall be liable on conviction to the penalties provided for contravention of these regulations.