

# BECHUANALAND PROTECTORATE.

No. 38 of 1923.

[Promulgated 3rd August, 1923.]

## PROCLAMATION

By HIS ROYAL HIGHNESS THE HIGH COMMISSIONER.

Entitled "The Bechuanaland Protectorate Credit Sales to Natives Proclamation, 1923.

Whereas it is expedient for the protection of the natives of the Bechuanaland Protectorate (herein after referred to as "the territory") to regulate the sale to such natives of goods on credit;

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

1. No contract for the sale of goods on credit to a native by any person not being a native entered into after the taking effect of this Proclamation whether in the territory or elsewhere shall be recognized by the courts of the territory as valid unless—

(a) the same is in writing and attested by an assistant commissioner, resident magistrate, or assistant resident magistrate having jurisdiction at the place where such contract is made and

(b) such assistant commissioner or magistrate certifies in writing that the native signing the contract is known to him and that the same is bona fide and appears to be for the benefit of the native.

2. An assistant commissioner or magistrate shall, before sanctioning any contract under this Proclamation, satisfy himself that the native concerned understands the contract and agrees thereto and that the chief of such native recommends that such sanction be given, and may also require delivery of the goods to be made to the native in his presence or in the presence of some person appointed by him or may require evidence of such delivery having been duly made.

3. In this Proclamation unless the context otherwise requires "native" means any aboriginal native belonging to any native tribe of the territory, and includes half-castes and all persons of mixed race living in the territory as members of any native community, tribe, kraal or location; and "sale" includes barter or exchange.

4. This Proclamation may be cited as the Bechuanaland Protectorate Credit Sales to Natives Proclamation, 1923, and shall have force and take effect from the first day of January, 1924.

GOD SAVE THE KING

Given under my Hand and Seal at Pretoria this Twenty-seventh day of July, One thousand Nine hundred and Twenty-three.

ARTHUR FREDERICK,  
High Commissioner.

By Command of His Royal Highness  
the High Commissioner.

H. J. STANLEY,  
Imperial Secretary.