

**PROCLAMATION.**

BY

**HIS EXCELLENCY THE HIGH COMMISSIONER.**

**No. 6 of 1928.—PROMULGATED 1st JUNE, 1928.**

WHEREAS it is desirable to amend the Bechuanaland Protectorate Native Marriage Proclamation 1926, herein after referred to as the said Proclamation;

PROCLAMATIONS.

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

1. Sub-section (1) of section *three* of the said Proclamation is hereby repealed and the following sub-section substituted in lieu thereof:—

(1) Where at the taking effect of this Proclamation a marriage subsists between native spouses having been duly solemnized by a marriage officer or according to the rites of the Christian religion if contracted before the first day of April 1917 and if contracted on or after that date having been solemnized by a marriage officer appointed under the Bechuanaland Protectorate Marriage Proclamation 1917 and where on the dissolution of such marriage by decree of a competent Court or by the death of one of the spouses a question arises as to the disposal or devolution of any property of either or both of the spouses such question shall be heard and determined in accordance with the law of the Bechuanaland Protectorate by the Court of Resident Magistrate having jurisdiction in ordinary civil cases if it shall appear to that Court on application made to it that regard being had to the mode of life of the spouses or to any disposition of the property made by either of the spouses during the subsistence of the marriage it would not be just and equitable that such property should be dealt with according to native law and custom.

2. This Proclamation shall be read as one with the said Proclamation and shall have force and take effect from the date of its publication in the *Gazette*.