

**BECHUANALAND PROTECTORATE.**

**GOVERNMENT NOTICE No. 4 of 1941.**

**BECHUANALAND PROTECTORATE TRADING WITH  
THE ENEMY PROCLAMATION, 1939.**

It is hereby notified for general information that in exercise of the powers conferred upon me by section *six* A of the Bechuanaland Protectorate Trading with the Enemy Proclamation, 1939 (No. 40 of 1939), as amended by the Bechuanaland Protectorate Trading with the Enemy (Amendment) Proclamation, 1940 (No. 27 of 1940), hereinafter referred to as "the Proclamation", I do hereby make the following Order:—

1. Where any company goes into liquidation or a person becomes insolvent or enters into a deed of assignment or where a debtor enters into a composition or a scheme of arrangement with his creditors, the benefit of all debts and of all claims which would but for the existence of a state of war be provable by an enemy in the liquidation or in the insolvency or under the deed of assignment, composition or scheme of arrangement, as the case may be, and of all securities therefor shall forthwith stand vested in the Custodian.

2. The Custodian shall in relation to any such debt or claim be entitled to prove in the liquidation or insolvency or under the deed of assignment, as the case may be, to settle and agree accounts, to compromise disputed matters, to appeal from any rejection of a proof, and otherwise to take in relation thereto such proceedings as he may think fit.

3. It shall be the duty of the liquidator in the liquidation of a company, the trustee in any insolvency and of the assignee under any deed of assignment and (except where a return has been duly made under clause 4 of this Order) of the trustee under any such composition or scheme as aforesaid, within fourteen days of the facts coming to his knowledge, to make a return in writing to the Custodian of all debts and claims vested in the Custodian by virtue of this Order and provable in such liquidation or insolvency or under such deed of assignment or under such composition or scheme and to furnish such accounts and information and produce for inspection such documents in relation thereto as the Custodian may require.

4. It shall be the duty of a debtor who proposes to make or enter into any such composition or scheme of arrangement as aforesaid, within fourteen days of his lodging his proposal, to make a return in writing to the Custodian of all debts and claims which will vest in the Custodian by virtue of this Order, if such composition or scheme be approved by the Court, and to furnish such accounts and information and produce for inspection such documents in relation thereto as the Custodian may require.

5. The Custodian shall exercise all the powers conferred on him by this Order in such manner as he may from time to time be directed by the Resident Commissioner and, subject to any such direction, as he may from time to time think fit.

6. In this Order the expression "enemy" has the same meaning as that assigned to it by the Proclamation;

"The Custodian" means the Custodian of Enemy Property for the Bechuanaland Protectorate;

"Company" means any company with respect to which the High Court has jurisdiction to make a liquidation order.

**C. N. A. CLARKE,**  
Resident Commissioner.

Resident Commissioner's Office,  
Mafeking, 19th February, 1941.