

BECHUANALAND PROTECTORATE.

No. 42 of 1942.

(Promulgated 25th September, 1942.)

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER
Entitled the Bechuanaland Protectorate High Court
(Amendment) Proclamation, 1942.

Whereas it is expedient to amend the Bechuanaland Protectorate High Court Proclamation, 1938, hereinafter referred to as "the principal law":

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

1. Section *seven* of the principal law is hereby amended by deleting the words—

Amendment of section 7 of Proclamation No. 50 of 1938.

"The opinion of each officer so associated with the Court shall be given and shall be considered by the Court, but the decision shall be vested exclusively in the Judge."

and substituting therefor the following words:—

"It shall be the duty of such Officer or Officers to give, either in open Court or otherwise, such assistance and advice as the Judge may require, but the decision shall be vested exclusively in the Judge. The agreement or disagreement of such Officer or Officers with the decision of the Judge shall be noted on the record."

2. Section *eight* of the principal law is hereby amended by deleting the words—

Amendment of section 8 of Proclamation No. 50 of 1938.

"The Assessor or Assessors shall give his or their opinion and such opinion shall be considered by the Court, but the decision shall be vested exclusively in the Judge."

and substituting therefor the following words:—

"It shall be the duty of such Assessor or Assessors to give, either in open Court or otherwise, such assistance and advice as the Judge may require, but the decision shall be vested exclusively in the Judge. The agreement or disagreement

of such Assessor or Assessors with the decision of the Judge shall be noted on the record."

Amendment of section 10 of Proclamation No. 50 of 1938.

3. Sub-section (1) of section *ten* of the principal law is hereby amended by inserting at the beginning thereof the words "Save as otherwise provided in this Proclamation."

Short title and commencement.

4. This Proclamation may be cited as the Bechuanaland Protectorate High Court (Amendment) Proclamation, 1942, and shall be deemed to have had force and effect as from the seventeenth day of September, 1942.

GOD SAVE THE KING.

Given under my Hand and Seal at Pretoria this Twenty-second day of September, One thousand Nine hundred and Forty-two.

HARLECH,
High Commissioner.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.