

BECHUANALAND PROTECTORATE.

No. 40 OF 1921.

[Promulgated 22nd July, 1921.]

PROCLAMATION

By HIS ROYAL HIGHNESS THE HIGH COMMISSIONER
Entitled the Bechuanaland Protectorate War Indemnity
Proclamation, 1921.

Whereas it is expedient to prohibit the taking of legal proceedings in the courts of law of the Bechuanaland Protectorate (herein after referred to as "the territory") in respect of certain acts and matters done during the war by such persons as are herein after mentioned:

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

1. No action or other legal proceedings whatsoever, whether civil or criminal, shall be instituted in any court of law in the territory in respect of any act matter or thing done, whether within or without the territory, during the war before the date of the taking effect of this Proclamation if done in good faith and done or purported to be done in the execution of his duty or for the defence of the territory or the public safety or for the enforcement of discipline or otherwise in the public interest by a person holding office under or employed in the service of the Crown in any capacity whatsoever, or by any other person acting under the authority of a person so holding office or so employed; and if any such proceeding has been instituted whether before or after the date of the taking effect of this Proclamation it shall be discharged and made void, subject in the case of a proceeding instituted before such date to such order as to costs as the court may think fit to make.

2. For the purposes of this Proclamation a certificate under the hand of the Resident Commissioner that any act, matter, or thing was done under the authority of a person so holding office or so employed as aforesaid, or was done by such a person in the execution of his duty, shall be sufficient evidence of such authority or duty and of such act, matter, or thing having been done thereunder, or in execution thereof, and any such act, matter, or thing done by or under the authority of a person so holding office or so employed as aforesaid shall be deemed to have been done in good faith unless the contrary is proved.

3. In this Proclamation "the war" means the war declared by His Majesty against Germany, Austria-Hungary, Turkey and Bulgaria on the fourth day of August, the twelfth day of August, and fifth day of November, nineteen hundred and fourteen and the fifteenth day of October nineteen hundred and fifteen, respectively.

4. This Proclamation may be cited for all purposes as the Bechuanaland Protectorate War Indemnity Proclamation, 1921, and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown, this Thirteenth day of July One thousand Nine hundred and Twenty-one.

ARTHUR FREDERICK,

High Commissioner.

By Command of His Royal Highness the
High Commissioner.

C. L. O'B. DUTTON,

Acting Imperial Secretary.