

BECHUANALAND PROTECTORATE.

No. 56 of 1921.

[Promulgated 2nd September, 1921.]

PROCLAMATION

BY HIS ROYAL HIGHNESS THE HIGH COMMISSIONER.

Making provision for controlling the purchase of land in the Bechuanaland Protectorate by Native Tribes and for securing for the benefit of the said Tribes any land acquired by them.

Whereas it is expedient to make provision for controlling the purchase of land in the Bechuanaland Protectorate by Native Tribes and for securing for the benefit of the said Tribes any land acquired by them;

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

1. For the purpose of this Proclamation unless the context otherwise requires "land" shall include any interest in land.

2. No contract for the sale or lease of any land in the Bechuanaland Protectorate to any Native Tribe, or to anyone acting in any way as the nominee, trustee, agent or representative of such Tribe (hereinafter referred to as a Tribal representative), and no bond or other instrument whereby any such land is hypothecated to any such Tribe or Tribal representative shall be of any force or effect until such contract, bond or other instrument has been approved by the High Commissioner

3. The Registrar of Deeds shall not register in the name of any Native Tribe or Tribal representative any land in the Bechuanaland Protectorate, or any bond or other instrument whereby any such land is hypothecated to any such Tribe or Tribal representative except with the approval of the High Commissioner.

4. A certificate under the hand of the Resident Commissioner that the High Commissioner has approved of any contract, bond or other instrument, or has approved of the registration of any land or any bond, shall for the purposes of this Proclamation be conclusive evidence of such approval.

5. In the case of any contract for the sale or lease of land in the Bechuanaland Protectorate to any person for the benefit or on behalf of any Native Tribe, the High Commissioner may as a condition of his approval impose such conditions on the purchaser or lessee as may in his opinion be necessary to secure that the land shall be used and occupied in the best interests of the said Tribe, and such conditions when notified to the Registrar of Deeds under the hand of the Resident Commissioner shall be endorsed on the title to such land.

6. No land in the Bechuanaland Protectorate acquired by any native tribe or Tribal representative either before or after the date of this Proclamation for the benefit of such tribe shall be sold, leased, alienated or encumbered except with the approval of the High Commissioner, and no contract, bond or other instrument entered into for the purpose of any such transaction which has not been approved by the High Commissioner shall be of any force or effect.

7. Where any money has been paid by way of consideration on any such contract, bond or other instrument as is referred to in this Proclamation and the approval of the High Commissioner shall be withheld from such contract, bond or other instrument, the money so paid may be recovered by the persons having paid the same by action in any competent Court.

8. This Proclamation 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 Que Que this Twentieth day of August 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.