

BECHUANALAND PROTECTORATE.

(No. 18 of 1819.)

[Promulgated 4th September, 1919.]

PROCLAMATION

By HIS EXCELLENCY THE HIGH COMMISSIONER.

Entitled the Bechuanaland Protectorate Former Enemy Aliens Proclamation, 1919.

Whereas it is expedient to regulate the entry into the Bechuanaland Protectorate of persons who are citizens or subjects of States with which His Majesty the King was at war at any time during the year one thousand nine hundred and eighteen.

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

1. From and after the date of the coming into force of this Proclamation it shall not be lawful for any former enemy alien to enter the Bechuanaland Protectorate (hereinafter referred to as "the Territory") unless and until he shall have received a permit authorising him to do so issued to him by the Government Secretary. Such permit may be granted for a limited period of time therein specified.

2. Any person who being required by this Proclamation to obtain a permit enters or remains within the Territory without such permit shall be guilty of an offence and shall be liable upon conviction:—

- (a) to a fine not exceeding fifty pounds or in default to imprisonment with or without hard labour for a period not exceeding three months, and in addition
 - (b) to be removed from the Territory forthwith or upon the expiration of any period of imprisonment which he may be serving under this Proclamation or otherwise under a warrant in the form prescribed by the Schedule to this Proclamation, and issued either by the Resident Commissioner, or by any Assistant Commissioner or by the judicial officer by whom such offender is convicted;
 - (c) in the case of second and subsequent convictions under this Proclamation in addition to removal, as provided in sub-section (b), to a fine not exceeding one hundred pounds, or in default to imprisonment with or without hard labour for a period not exceeding six months, or to both such fine and such imprisonment.
3. Any person who
- (a) aids or abets any person in entering or remaining within the Territory in contravention of this Proclamation, knowing that person to be prohibited from so entering or remaining;
 - (b) aids or abets a person ordered to be removed from the Territory in evading such order, or harbours any such person, knowing him to be the subject of any such order;
 - (c) for the purpose of entering the Territory or facilitating or assisting the entrance of himself or any other person in contravention of this Proclamation commits any fraudulent act or makes any false representation by conduct, statement, or otherwise,

shall be guilty of an offence, and shall, on conviction, be liable to the penalties prescribed in sub-section (a) of the last preceding section.

4. The burden of proving that a person has not entered or remained in the Territory in contravention of this Proclamation shall lie upon such person.

5. (1) It shall be lawful for the High Commissioner at any time to cancel and revoke any permit granted under this Proclamation, and in case of such cancellation or revocation, the Resident Commissioner may by written notice addressed to the holder of such permit order such holder to leave the Territory within a specified time; and in the event of such holder remaining in the Territory after the expiration

of the period of such specified time, or in case his permit was for a limited period if he remains in the Territory after the expiration of such period, he shall be guilty of an offence, and shall be liable, on conviction, to the penalties prescribed in section *two*, and shall in addition be liable to removal from the Territory as in that section provided.

(2) Any person knowingly aiding or abetting any former enemy alien, who after cancellation of his permit has been ordered to leave the Territory in disobeying or evading the terms of such order, shall be guilty of an offence, and shall, on conviction, be liable to the penalties prescribed in sub-section (a) of section *two*.

6. It shall be lawful for any former enemy alien to appeal, in writing, to the Resident Commissioner against any decision under section *one* of this Proclamation, and further to appeal, in writing, to the High Commissioner against the decision of the Resident Commissioner. The decision of the High Commissioner upon any such appeal shall be final.

7. In this Proclamation "former enemy alien" shall be understood to mean any person who is a citizen or subject of a State with which His Majesty the King was at war at any time during the year one thousand nine hundred and eighteen.

8. It shall be lawful for the High Commissioner by Notice published in the *Gazette* to make regulations not inconsistent with the provisions of this Proclamation for the better carrying out of the objects of this Proclamation.

9. This Proclamation may be cited for all purposes as the Bechuana-land Protectorate Former Enemy Aliens Proclamation, 1919, and shall come into force on the date of its publication in the *Gazette*, and, unless sooner repealed, shall remain in force for a period of three years thereafter.

GOD SAVE THE KING !

Given under my Hand and Seal at Cape Town, this fourth day of September, one thousand nine hundred and nineteen.

BUXTON,
High Commissioner.

By Command of His Excellency the High Commissioner,

H. J. STANLEY,
Imperial Secretary.

SCHEDULE.

Warrant for removal of a former Enemy Alien.

To or other officer by the law proper to the execution of Criminal Warrants :

Whereas one a former enemy alien was on the day of convicted for a contravention of the provisions of Proclamation, and is in terms of section of that Proclamation liable to removal from the Territory of

You are hereby commanded in His Majesty's name on sight hereof by virtue of the powers in me vested by the aforesaid Proclamation that you take the said and expel him from the Territory.

Given under my hand and seal at in the Territory of this day of