

No. 34, 1921.]

ACT

To provide for the settlement of certain matters in dispute at Bethelsdorp between the London Missionary Society and its successors the Congregational Union Church Aid and Missionary Society of South Africa and the Bethelsdorp Board of Supervisors.

Preamble.

WHEREAS certain matters have been in dispute at Bethelsdorp between the London Missionary Society and its successors, the Congregational Union Church Aid and Missionary Society of South Africa and the Bethelsdorp Board of Supervisors:

And Whereas an investigation was made into the matters in dispute by a Select Committee of the House of Assembly during the session of Parliament in 1920:

And Whereas, acting upon a recommendation of the said Committee, a resolution was, during that session, passed by both Houses of Parliament:

And Whereas it is desirable that the said resolution shall be given the force and effect of law:

BE IT THEREFORE ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa as follows:—

1. The resolution passed by the House of Assembly on the thirtieth day of July, 1920, and by the Senate on the ninth day of August, 1920, dealing with matters in dispute at Bethelsdorp in the Province of the Cape of Good Hope (which resolution is set out in the Schedule to this Act), shall be of full force and effect in law: Provided that Clause (6) of the said resolution shall be amended to read as shown in Part II of the said Schedule, and all necessary powers and authority are hereby conferred upon the Governor-General for giving and enforcing full and complete effect to the terms of the said resolution as so amended anything to the contrary notwithstanding in any law contained.

2. This Act may be cited for all purposes as the Bethelsdorp Settlement Act, 1921.

Schedule.**PART I.**

Resolution passed by the House of Assembly on the 30th July, 1920, and by the Senate on the 9th August, 1920, dealing with matters in dispute at Bethelsdorp.

(1) The London Missionary Society and its successors, the Congregational Union Church Aid and Missionary Society of South Africa, relinquish all right to the remaining extent of Bethelsdorp as shown on plan II (1860) of Surveyor-General's Office, Cape Town, save as hereafter set out:—

(2) The grant of the saltpan together with such surrounding ground as may be necessary for the proper working thereof (the limits of which shall be decided by the Government in consultation with the Board to be constituted as hereafter stated), shall be issued in favour of a Board to consist of the Magistrate for the time being of Port Elizabeth as Chairman, three members nominated by the Congregational Union and three members elected by the registered owners or lessees of erven or fixed property in Bethelsdorp. The said grant shall, subject to the contract entered into between the Board of Supervisors and W. R. Jecks & Co., dated the 27th December, 1905, reserve to the owners of erven in Bethelsdorp, the right to collect salt upon the conditions laid down in the Regulation No. 33 of the Board of Supervisors, dated the 18th May, 1905. The Board to be constituted shall apply all revenue from the saltpan in the following manner:—

(a) £150 to the Bethelsdorp Congregational Church.

(b) £50 for school purposes at Bethelsdorp.

Power to give effect to a resolution of Parliament dealing with matters in dispute at Bethelsdorp.

Short title

If the saltpan shall at any time in the future bring in more than £200 the Board shall be entitled, subject to the approval of the Minister of Lands, to devote such further sum either to assist the Church or the school at Bethelsdorp, or for other public purposes for the benefit of the inhabitants of Bethelsdorp. The composition of the Board shall be subject to review by Parliament after the expiration of five years from the 1st July, 1920, provided that unless Parliament shall otherwise determine the Board shall continue in office.

(3) The grant of the balance of the garden lots laid out in October, 1876, as appear on the said plan II (1860) to the Congregational Union Church Aid and Missionary Society of South Africa, for sale, subject to such conditions and within such time as the Minister of Lands may decide, and on condition that the proceeds of such sale be applied towards the erection and maintenance of the Training Institute for coloured people to be erected at Uitenhage. These lots shall be sold subject to the special condition that they shall be owned and occupied by coloured people and natives only. These lots shall have the same rights to the saltpan, grazing, etc., as the lots already granted.

(4) The whole of the remainder of the property shall be set aside as commonage and shall be subject to the control of the Bethelsdorp Village Management Board or other local authority, which shall take the place of the present Board of Supervisors and which shall be governed by the laws from time to time in force relating to such Village Management Boards or other local authority. The Government shall reserve the right to lay out, sell, lease or make use of such further erven as it shall deem advisable. Such erven as are disposed of by sale shall be subject to the special condition that they shall be owned and occupied by coloured people and natives only. The proceeds of such sale shall be devoted to Church, school or other public purposes at Bethelsdorp.

(5) Those owners of property situate in Bethelsdorp who so desire it shall be entitled to have the titles of their properties cancelled and re-granted on the same conditions as set out in Clause (4).

(6) No transfer shall hereafter be passed nor any grant issued to any person or company the holder of two or more building lots and for ten morgen of garden lots.

PART II.

No grant or transfer of any building lot at Bethelsdorp shall hereafter be passed to any person who is already the registered owner of two or more such building lots and no grant or transfer of any garden land shall hereafter be passed to any person who is already the registered owner of ten morgen or more of such land.