

409

PAPERS

RELATING TO

THE LATE KAFIR OUTBREAK

IN

NATAL.

Presented to both Houses of Parliament by Command of Her Majesty.

1874.



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1874.

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PAPERS

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THE LATE KAFIR OUTBREAK IN NATAL.

No. 1.

Governor Sir H. BARKLY, K.C.B., to The EARL OF KIMBERLEY.

NATAL.

Government House, Cape Town,
November 15, 1873.

(Received December 13.)

My Lord,

It appears my duty to report, for the information of Her Majesty's Government, that accounts of a serious collision between the Natal Government and one of the petty Zulu chiefs settled in its territory have reached this Colony, although I am unfortunately not in a position to give your Lordship much information as to the origin or details of the affair, beyond what is to be derived from the enclosed telegraphic reprints from the newspapers of that Colony.

2. With the view of obtaining more definite information, I telegraphed, on the arrival of the steamer 'Florence' (which had brought this intelligence) at Port Elizabeth, to the Postmaster there, to open any Despatches or private letters addressed to me by the Lieutenant-Governor which might be on board; but it appears that these were written on the 31st ultimo, when Sir Benjamin Pine was on the point of starting to suppress, as he phrases it, "treason in Langalibalele's tribe, and to capture that Chief with the aid of the Civil Police, Troops, and Volunteers;" and as the reverse with which some of the latter have met (as described in the 'Natal Colonist' of the 8th instant) must have happened about the 5th, I am, of course, unaware of the effect it had had on his Excellency's plans, or of the light in which the escape of Langalibalele and his followers into the inaccessible fastnesses of the Drakensberg mountains is to be regarded.

3. I have never, indeed, received any intimation, public or private, from the Lieutenant-Governor with regard to this Chief, though his conduct is reported by the papers to have been for a long time past extremely contumacious; but as I have heard, since this news arrived, that Mr. Griffith, my agent in Basuto-land, was called on, some weeks ago, by Mr. Shepstone, to prevent Langalibalele from driving his cattle into that territory, where he might possibly meet with sympathy and assistance, I have thought it prudent, after consultation with my advisers, to send orders by the telegraph to-day to the Commandant of the Frontier Armed and Mounted Police at King William's Town, to remove a detachment of two hundred men into Basuto-land, and to strengthen his posts on its borders, so as to support the efforts of the Natal Government for the Chief's apprehension.

4. I trust that this will soon be effected, and that no serious consequences are likely to ensue from what has occurred; but looking to the enormous disproportion (about 20 to 1) between the native and the European population in Natal, and the very small garrison stationed there, it is never safe to run any risk of disaffection among the Zulus; and I have thought it well, therefore, to be prepared to send reinforcements in the event of any emergency.

5. I have requested Commodore Commerell accordingly to get H.M.S. 'Rattlesnake' ready for sea, and to send her round to Table Bay to embark as many men as she can accommodate (about 300); and I have further, after consultation with Lieutenant-General Sir Arthur Cunynghame, who has just arrived, decided that a Field Officer with a detachment of H.M. 86th Regiment shall be told off for this service.

6. I hope in the course of Monday next, the 17th instant, which is the earliest date on which the troops could be put on board, that further news from Natal may be transmitted by telegraph via East London, as the Union Mail steamer 'Basuto' from that colony is due about that time, and I shall then be better able to judge whether such a reinforcement be absolutely needed.

I have, &c.,
(Signed) HENRY BARKLY,
Governor.

The Earl of Kimberley,
&c. &c. &c.

Enclosure.
From the
'Cape Argus'
and the
'Standard
and Mail,'
15th instant.

	R. & F.
H.M. 75th Regiment ..	335
Royal Artillery	34
Volunteers.	
(Returns of 1872):—	
	R. & F.
Cavalry	270
Infantry	133
Artillery	31
2 six-pr. Armstrong guns.	

Enclosure in No. 1.

THE WAR IN NATAL.

The following was received early yesterday morning, and was made public at the office of the 'Standard and Mail':—

NATAL NEWS.

(Extra to the 'Colonist' of 7th.)

Skirmish with Langalibalele's tribe—three men killed. By a telegram from Colonial Secretary we learn that there is news from Expedition. Langalibalele's tribe broke through unexpectedly after a skirmish in which the Colonial Secretary's son (Erskine), and young Potterill and Bond were killed. The rest retired on the troops who are in pursuit. It is wished that the intelligence should be known to prevent undue alarm.

LATEST INTELLIGENCE.

'Colonist' of 8th has "News from the Camp."

Friday Morning.—This morning's post has brought intelligence that the thirty Carabineers under Major Durnford had occupied a pass and unsupported, and for some time almost without food that they were at last obliged to kill a beast and eat it raw. That a strong party of Kafirs came up the pass with a large number of cattle. There was an encounter, with the following casualties:—Privates Erskine, Potterill, and Bond, and three natives, killed; five horses were also killed.

A letter from Colonel Mills to Major Erskine says, "Your son behaved gallantly, and but for his saddle turning round he would have returned safe. Langalibalele has escaped. His camp was found quite empty."

The following letter is just to hand from Drill-Instructor Sergeant Clark:—"The facts are, we arrived at the top of Bushman's Pass just as the Kafirs were taking their cattle up, and stopped them; but they soon surrounded us, and killed young Erskine, Bond, and Potterill, five horses, and three natives. The troop is now up the mountain, and are all right. We were three days on the top without food for man or horse. The troop has performed wonders in marching. We were in the saddle, on Sunday evening and Monday, eighteen hours, and twenty-one and a half hours from Tuesday to last night, coming off the berg. The Kafirs are well armed and well drilled. I shall be in town on Friday and let you know all about the affair.

"P.S.—We have five horses killed and three natives. One of them is Mr. Shepstone's man, Elijah Kanbule, a fine, brave fellow. We are glad to hear that a rumour about town—that Mr. Shepstone is wounded—is without foundation. Mr. W. E. Shepstone has letters from both his father and brother, both of whom are well. From him we learn that Major Durnford was endeavouring to release Elijah from his horse, which was shot and fell upon him, when the Major was himself attacked, and, but for shooting both his assailants, would probably have been killed likewise. We learn that Major Durnford is wounded, and Capt. Boyes had a very narrow escape. Elijah had been stabbed before he fell, but was shot through the head as he lay. When young Erskine fell, owing to his saddle turning with him, he was instantly surrounded and stabbed to death. The encounter took place not far from head quarters. Langalibalele's people came on sharpening their assegais and taunting the Carabineers, who had orders not to commence hostilities. Mr. Shepstone was at the time distant some 25 or 30 miles, stationing guards at the different passes, but was immediately sent for. It is generally understood that the Government are in no way to blame for the defective commissariat arrangements of the Carabineers, who had undertaken their own supplies. We understand Mr. Shepstone and Major Durnford are in Maritzburg. The troops are in pursuit of the rebels. Private letters have been received stating that in some encounter 90 of the rebels have been killed, but the intelligence wants confirmation."

In our last we gave an extract from the correspondent's letters of the 'Friend' received from Pietermaritzburg. The same correspondent, writing from Pietermaritzburg on October 25, says:—

"A little while ago I told you we anticipated some trouble with the insubordinate Langalibalele. We hear now, in further corroboration of this, that he has sent away his cattle and women into the Drakensburg, somewhere near the sources of the Bushman's-river; that he has been storing corn in the caves of the mountains, and shown other

signs of a rebellious spirit, which must be broken. The Government has sent him their ultimatum, and if he fails to comply, he and his tribe will be improved off the face of the earth, and sent to whatever elysium in the next world the Kafir mind indulges the hope of enjoying. For the trouble we have with this Chief, we will stand indebted to the Diamond-fields and free trade in fire-arms there. These rebellious Kafirs got a supply of guns and ammunition there, which they continue possessed of contrary to law, and refuse to produce or surrender them. They must, therefore, be made an example of, and their punishment will be swift and severe. The season of the year is rather unfavourable for sending an expedition out; but in such case we have no choice. If he retreats into the Drakensburg, he will, no doubt, be kept there until the winter sets in, and then they and their cattle must perish in the cold or come down either to fight us or surrender themselves. In either case they will find reasons to wish they had been dutiful and obedient, rather than insubordinate and rebellious."

No. 2.

ADMIRALTY to COLONIAL OFFICE.

Admiralty, December 13, 1873.

Sir,
I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of the Secretary of State for the Colonies, extracts from a letter of the 15th November, from Commodore Commerell, and copies of a general letter of the 16th November, and its enclosure, from the Senior Naval Officer at Simons Bay, by which it appears that, in consequence of telegraphic information from Governor Barkly of disturbances among the Kafirs at Natal, the 'Rattlesnake' had proceeded to Cape Town, to embark 300 of the 86th Regiment, and would thence convey them to Natal without delay, in accordance with the Governor's requisition.

I have, &c.,
(Signed) ROBERT HALL.

The Under-Secretary of State for the Colonies,
&c. &c. &c.

Extract from a Letter of the 15th November, 1873, from COMMODORE COMMERELL, &c., at Simons Bay.

"The 'Rattlesnake' would have proceeded to Cape Coast Castle at once, had not Sir Henry Barkly, the Governor, requested her to convey troops to Natal, consequent on the outbreak of the Kafirs, as already reported in the general letter sent herewith.

"Under these circumstances myself and staff have been transferred to the 'Flora' to-day, as the 'Rattlesnake' leaves Simons Bay to-morrow morning to proceed to Table Bay, and embark 300 of the 86th Regiment for conveyance to Natal, in accordance with the enclosed telegram received this moment from Sir Henry Barkly.

* * * * *
"I beg to enclose the latest newspaper information in reference to the Kafir outbreak, from which it will be seen that three gentlemen (one a son of the Colonial Secretary) have been killed by the natives."

NATAL.

Enclosure No. 1 in COMMODORE'S Letter of 15th November, 1873.

Telegram from GOVERNOR, Cape Town to COMMODORE, Simons Town.

Saturday, November 15, 1873.

After discussing the matter with General, I have decided that three hundred men of the 86th Regiment shall be held in readiness for embarkation for Natal in the 'Rattlesnake.' If the ship is here by to-morrow (Sunday) afternoon, she will be in plenty of time.

Enclosure No. 2 in COMMODORE'S Letter of November 15, 1873.

You are to take the 'Rattlesnake' under your command temporarily as Commander, and proceed to Table Bay, so as to arrive there to-morrow, p.m., to embark as many of the 86th Regiment as possible for conveyance to Natal. You are to place yourself in personal communication with Sir Henry Barkly, the Governor, and also with the General commanding the forces; and you are to render all the aid in your power to embark the troops at Cape Town, and disembark them at Natal if necessary.

2. When you are ready for sea you are to report to me from Table Bay by telegraph, and await further orders from me, which will be sent to the care of Messrs. W. Anderson and Co., the mail agents.

3. The anchorage at Natal is by no means good, and you will exercise the greatest care in the navigation of the ship, using steam whenever necessary.

4. On arrival at Natal you are to place yourself in communication with the highest civil authority, and unless from his requisition and the general aspect of affairs the presence of the 'Rattlesnake' is deemed necessary, you are to return to Simons Bay as convenient.

Given under my hands, this 15th day of November, 1873.

(Signed) JOHN E. COMMEREILL.

By command of the Commodore.

(Signed) W. N. THOMAS,
Secretary.To Noel S. F. Digby, Esq., Commander in Temporary Command
of H.M.S. Ship 'Rattlesnake.'

SIR,

'Rattlesnake,' at Simons Bay, November 15, 1873.

In continuation of my general letter of the 4th inst., I request you will acquaint the Lords Commissioners of the Admiralty that the 'Challenger' is still refitting at this port.

2. Rumours have been received from Natal in reference to disturbances with the Kafirs, and I am sending these despatches at the Commodore's desire by special cart to Cape Town, in case there may be anything to add as to the alleged movements of the natives, observing that the 'Rattlesnake' is ready to transport troops at any moment.

The Secretary of the Admiralty.

&c. &c. &c.

I have, &c.,

(Signed) G. S. NARES,
Captain H.M.S. 'Challenger.'

P.S.—I enclose a telegram just received from Sir H. Barkly, the Governor, showing the aspect of affairs with the Kafirs, and suggesting that the 'Rattlesnake' is held in readiness to embark troops. Orders have been given accordingly, November 16. The 'Rattlesnake' leaves for Table Bay this morning to embark 300 of the 86th Regiment, to proceed to Natal on the Governor's requisition, as represented in the Commodore's letter sent herewith.

THE LATE KAFIR OUTBREAK IN NATAL.

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NATAL.

Telegram from the GOVERNOR at Cape Town to the COMMODORE, Simons Town.

Natal despatches not yet received. News from Natal colonist of eight unsatisfactory. A small detachment of Volunteers surprised by Langalibalele; three killed and several wounded. Nothing said of reinforcements being wanted, but well to have 'Rattlesnake' ready to embark troops when despatches arrive, in case Lieutenant-Governor asks for aid.

(Signed) E. LAYARD.

No. 3.

COLONIAL OFFICE to WAR OFFICE.

Downing Street, December 15, 1873.

SIR,

I AM directed by the Earl of Kimberley to transmit to you, for the information of Mr. Secretary Cardwell, a copy of a despatch from the Governor of the Cape of Good Hope, on the subject of the collision which had occurred between the Natal Government and the Chief Langalibalele.*

I am also to enclose, for Mr. Cardwell's information, a copy of a letter from the Lord's Commissioners of the Admiralty,† transmitting extracts from a despatch from Commodore Commerell, in which he reports that in consequence of these disturbances the 'Rattlesnake' had proceeded to the Cape to embark 300 men of the 86th Regiment for Natal.

I have, &c.,

(Signed) H. T. HOLLAND.

The Under-Secretary of State, War Office.

No. 4.

COLONIAL OFFICE to ADMIRALTY.

Downing Street, December 15, 1873.

SIR,

WITH reference to your letter of the 13th instant, I am directed by the Earl of Kimberley to transmit to you, for the information of the Lords Commissioners of the Admiralty, a copy of a despatch from the Governor of the Cape of Good Hope on the subject of the collision which occurred between the Natal Government and the Chief Langalibalele.‡

I have, &c.,

(Signed) H. T. HOLLAND.

The Secretary to the Admiralty.

No. 5.

COLONIAL OFFICE to ADMIRALTY.

December 15, 1873.

SIR,

I AM directed by the Earl of Kimberley to acknowledge the receipt of your letter of the 13th inst.,§ transmitting extracts from a despatch from Commodore Commerell, in which he reports that in consequence of disturbances among the Kafirs at Natal the 'Rattlesnake' had proceeded to Cape Town, to embark 300 men of the 86th Regiment for conveyance to Natal.

I am to express his Lordship's thanks to the Lords Commissioners of the Admiralty for communicating to him these papers.

I have, &c.,

(Signed) H. T. HOLLAND.

* No. 1.

† No. 2.

‡ No. 1.

§ No. 2.

NATAL.

No. 6.

Lieutenant-Governor Sir BENJAMIN PINE to The EARL OF KIMBERLEY.

Government House, Natal.
October 30, 1873.

(Received December 15.)

MY LORD,

I HAVE the honour, with much regret, to inform your Lordship that some time ago, long before I assumed this Government, a native Chief named Langalibalele and his tribe, living at or near the sources of the Buhman's River, in the Drakensberg Mountains, set the authority of the Government at defiance by repeatedly disregarding the orders of the Magistrate of the County in which they are situated.

2. No decided action was taken against this contumacious Chief and Tribe, partly from other causes, and partly because it was thought desirable to await my arrival before doing so. Immediately after my arrival, Mr. Shepstone's Expedition to the Zulu Country took place, which delayed action. In the meantime, a few weeks ago, emboldened by the long impunity which they had experienced, the Chief and Tribe sent messages to the chiefs in the Basuto Country on the other side of the mountain, asking them to receive their women and cattle, telling them that they were about to fight the Government.

3. Such proceedings as these, according to native law, and indeed according to every law, amounted to something like treason; and if allowed to go on, would most certainly cause the natives of the colony generally to follow the bad example to set the authority of the Government at defiance.

4. I have therefore, with the unanimous advice of the Executive Council, deemed it my duty to take decisive measures. I have directed the Commandant, with the aid of Her Majesty's Troops, and such volunteer forces as he may consider necessary to call out, to take such steps as he may deem necessary for supporting the Native or other Civil Police which I shall direct to capture the offenders, and to bring them to justice.

5. My general design is that the Kafir tribes whom I deem it safe and proper to employ against this tribe shall for this purpose be considered as the Civil Police, who have been instructed to capture the Chief Langalibalele and bring him to justice; and that should they be beaten back, the Military and the Volunteers should take action.

6. A very able and comprehensive plan of the projected operation has been prepared by Colonel Milles, with the aid of the able engineer officer, Major Durnford, and has been submitted to and approved by me under Section 11 of the Colonial Regulations.

7. Every precaution has, I hope, been taken to ensure success.

8. Considering the very great responsibility thrown on the Governor in cases like the present, and especially under Lord Carnarvon's Circular of the 26th January, 1867, I have deemed it my duty to accompany the troops in person. The troops marched out to-day, and I proceed to overtake and join them to-morrow.

9. As from the position of the hostile Kafirs, the expedition is not altogether free from danger, I think it my duty, should any misfortune happen to me, to most earnestly pray your Lordship not to send to this very difficult government any but a Governor of the first class, and of first-rate resolution, talent, and energy.

10. It is singularly hard that, after the difficulties I have had to encounter for the last few years in the public service, I should, with somewhat impaired health, have to contend with this and other serious difficulties in this Colony, but your Lordship may depend upon my doing my best to conquer them and restore the authority of Her Majesty's Government.

The Earl of Kimberley,
&c. &c. &c.I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant Governor.

P.S.—I enclose copy of letter addressed to Colonel Milles, and also a message I sent the Council now sitting, and their reply thereto.

No. 1.

No. 2.

No. 3.

Enclosure No. 1 in No. 6.

Government House, Natal,
October 27, 1873.

Sir,

I have the honour to inform you that a native chief of this Colony, named Langalibalele, and his tribe, situated at or near the sources of the Bushman's River, have set the authority of Her Majesty's Government in this Colony at defiance, and are charged with committing acts amounting to public violence and treason, and have refused or purposely avoided to answer such charges. I have, therefore, the honour to request that you will, with the aid of Her Majesty's forces under your command, and of such volunteer force as you may consider it necessary for me to call out, take such steps as you may deem necessary for supporting the Native or other Civil Police which I shall direct to capture the offenders and to bring them to justice.

(Signed) BENJAMIN C. C. PINE,
Lieut.-Governor.

The Hon. the Commandant at Natal.

Enclosure No. 2 in No. 6.

MESSAGE No. 19.

Government House, Natal,
October 30, 1873.

The Lieutenant-Governor has the honour to inform the Honourable Legislative Council that a native chief named Langalibalele and his tribe, situated at or near the source of the great Bushman's River, have set the authority of Her Majesty's Government in this Colony at defiance, and are charged with committing acts amounting to public violence and treason. He has, therefore directed the commandant, with the aid of Her Majesty's forces, to support such a Civil and Police force as he has considered necessary to call out to capture the offenders and to bring them to justice.

As this is a matter of great importance to the peace of the Colony, and as very grave responsibilities are thrown on the Governor in such cases by recent instructions of Her Majesty's Government, his Excellency considers it his bounden duty to be with the troops to co-operate with the Commandant in giving such directions as may be necessary.

The Lieutenant-Governor has, therefore, the honour to inform the Legislative Council that he intends leaving the city on Friday next to join the troops who have marched out to-day. The Lieutenant-Governor is sure that the Honourable Council will, during his absence, go on with the public business in the same zealous manner and good spirit which have marked their proceedings during the Session, and so expedite public business.

The Lieutenant-Governor will give directions that news of the operations shall, as far as possible, be conveyed daily to the city and to Durban.

The Lieutenant-Governor feels confident that the Honourable Legislative Council will collectively and individually do all in their power to allay apprehension and to check needless alarms.

(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

Enclosure No. 3 in No. 6.

To his Excellency Sir Benjamin Chilley Campbell Pine, Knight-Commander of the Most Distinguished Order of St. Michael and St. George, Lieutenant-Governor in and over the Colony of the same, and Supreme Chief over the native population.

MAY IT PLEASE YOUR EXCELLENCY,

The Legislative Council beg respectfully to acknowledge the receipt of your Excellency's Message No. 19, of this day's date, and to thank you for the same.

The Legislative Council desire to assure your Excellency that you may rely on their support in any measures you may, under existing circumstances, think necessary for the maintenance of Her Majesty's authority in this Colony.

The Legislative Council desire further to express the fullest confidence in your Excellency's ability and judgment to carry the contemplated operations to a successful issue.

By resolution of the Legislative Council, this 30th day of October, 1873.

(Signed) WALTER MACFARLANE,
Speaker.

No. 7.

THE EARL OF KIMBERLEY to LIEUT.-GOVERNOR SIR B. PINE.

SIR,

Downing Street, December 19, 1873.

I HAVE received your Despatch of October 30,* reporting the measures you had taken in consequence of the refractory conduct of the Chief Langalibalele.

As regards your decision to accompany the troops on the Expedition which you proposed to send against this Chief with a view to reduce him to submission, I find nothing in Lord Carnarvon's circular of the January 26, 1867, referred to in your despatch, which requires that Governors should accompany such an expedition. Whilst I wish to give you full credit for your readiness to incur danger in the performance of your duty, I much doubt whether on such an occasion your presence at the seat of Government would not have been more useful; and I must point out to you that very serious consequences might follow if the Colony were by any unfortunate mischance deprived of its Governor, at a moment when possibly the disturbances might take a wide range. Moreover, if the Governor himself fell in an engagement with the natives, the moral effect on the natives generally would hardly fail to be disastrous.

I have learnt with much regret from Sir Henry Barkly that the Expedition met with a reverse. I have approved the steps promptly taken by Sir H. Barkly in concert with Sir A. Cunynghame to send reinforcements to Natal, and I shall await with anxiety further accounts from the Colony.

I have, &c.,
(Signed) KIMBERLEY.

No. 8.

THE EARL OF KIMBERLEY to GOVERNOR SIR H. BARKLY, K.C.B.

SIR,

Downing Street, December 20, 1873.

I HAVE to acknowledge the receipt of your Despatch of November 15,† reporting the collision which had occurred between the Natal Government and the Zulu Chief Langalibalele.

I have to convey to you my approval of your proceedings on this occasion.

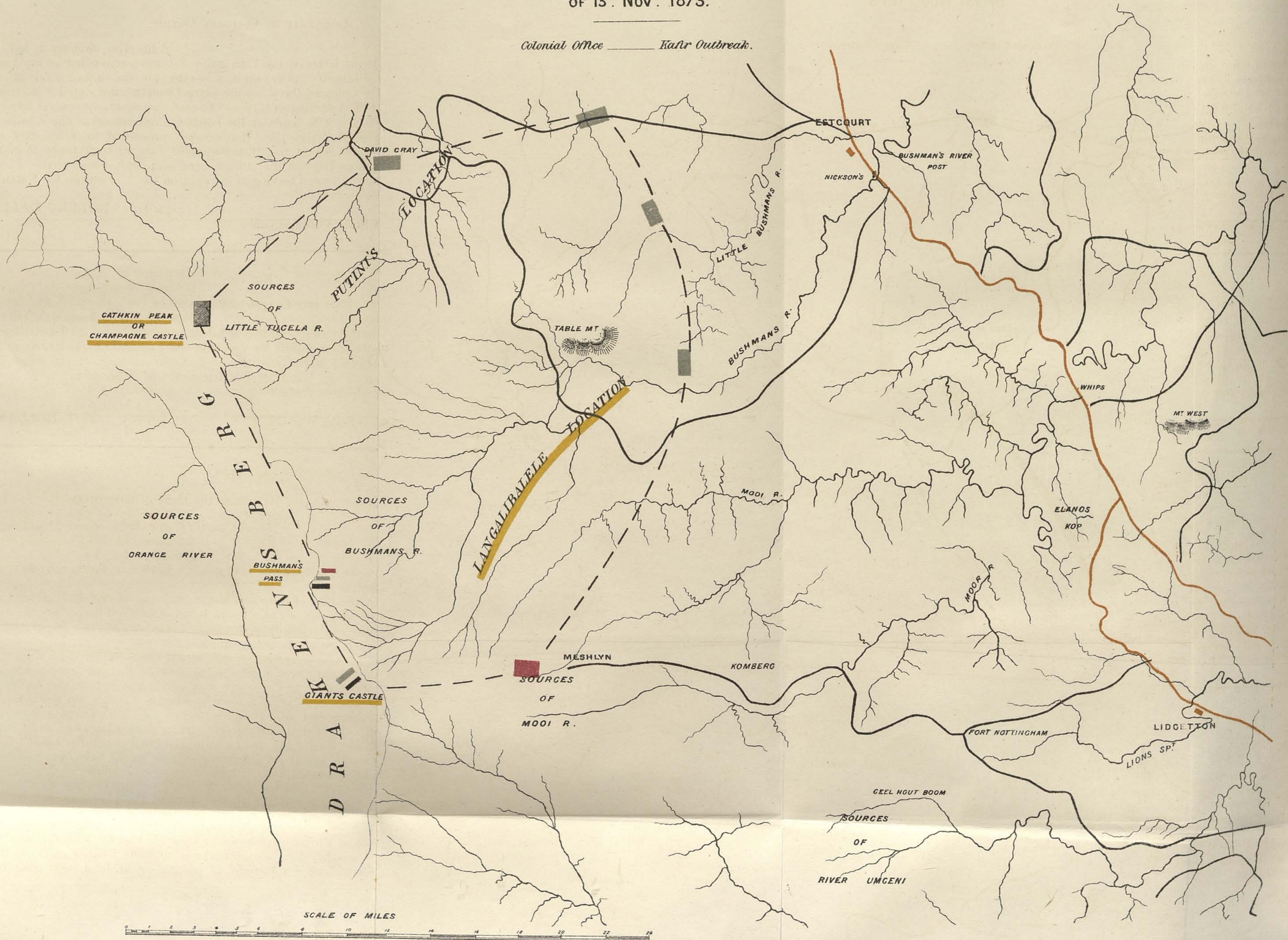
I must at the same time express my regret that Sir B. Pine should not have kept you fully informed on the subject of the conduct of Langalibalele, especially as it appears that this occurrence may affect the tranquillity of Basuto Land.

I have, &c.,
(Signed) KIMBERLEY.

PLAN OF OPERATIONS, ENCLOSED IN SIR B. PINE'S DESPATCH. OF 13th Nov^r. 1873.

Colonial Office ———— *Kafir Outbreak.*

Carbineers.
 Regulars.
 Natives.



No. 9.

NATAL.

ADMIRALTY to COLONIAL OFFICE.

Admiralty, January 2, 1874.

SIR,
WITH reference to my letter of the 13th ultimo,* I am commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State for the Colonies, the following extract from a letter dated 2nd ultimo, from the Senior Naval Officer at Simons Bay :—" In continuation of my general letter of November 16, I request you will acquaint the Lords Commissioners of the Admiralty that on the morning of that day the 'Rattlesnake' proceeded to Table Bay and embarked 209 officers and men of the 86th Regiment, &c., for conveyance to Natal, calling at this port [Simons Bay] on the 20th, to send some of her men to the 'Flora' to make more room for the troops leaving at daylight on the 21st ultimo for Natal."

I have, &c.,
(Signed) ROBERT HALL.

The Under-Secretary of State, Colonial Office.

No. 10.

COLONIAL OFFICE to WAR OFFICE.

Downing Street, January 3, 1874.

SIR,
WITH reference to the letter from this department of the 15th ult.† I am directed by the Earl of Kimberley to transmit to you, for the information of Mr. Secretary Cardwell, a copy of a further letter from the Lords Commissioners of the Admiralty respecting the embarkation on board the 'Rattlesnake' of officers and men of the 86th Regiment for conveyance to Natal.‡

I have, &c.,
(Signed) H. T. HOLLAND.

The Under-Secretary of State, War Office.

No. 11.

Lieutenant-Governor Sir B. PINE to the EARL of KIMBERLEY.

Head-Quarter Camp, Drakensberg Mountains,
November 13, 1873.

(Received Jan. 3.)

MY LORD,
REFERRING to my Despatch of the 30th ult.,§ I have now the honour to report to your Lordship as follows :—

2. I regret to say that the plan of proposed operations, copy of which I enclose, was based upon data furnished by some of my advisers, which have been found very incorrect in consequence of ignorance of the localities, distances, and other matters. In extenuation of this I must say that the maps of the Colony are all incorrect. Plan.

3. The result of this mistake has been a sad catastrophe. A force of volunteers, supported by a few mounted natives, was directed to proceed to take possession of the Bushman River Pass. They were to have been met and supported at the top of the pass by a large native force under Mr. Allison, who were to advance up the mountain by a pass called the Champagne Castle Pass, which, however, had no existence except on the maps. The result was that the small force under Major Durnford and Captain Barter, left unsupported, came suddenly upon a large body of the rebel tribe at the top of the pass. Even with such disparity of numbers our party might have been successful. But unfortunately, as it turned out, I had, with the view of saving bloodshed, and in the spirit of the scheme, given orders that the military should not fire the first shot.

4. This order was in strict conformity with the spirit of the plan, namely, that the military should play the secondary part of supporting the civil force sent to arrest the Chief and tribe.

5. At first the Indunas and Elders present came forward to hear the proposals of Major Durnford, which were that the tribe should return to their location and to their allegiance, with their cattle, under a promise of pardon, or, at least, that their lives

* No. 2.

† No. 3.

‡ No. 9.

§ No. 6.

NATAL.

should be spared. They accepted the terms after a rather long parley, and said they would return to the mass of the portion of the tribe in the pass to communicate with them.

6. Taking advantage of this delay, however, the young men and warriors of the tribe crowded round our small party, offered them every species of insult by words and menaced with their muskets and assegais, and finally a part of them threw themselves behind rocks and other cover which commanded the situation. Thus hemmed in, the volunteer force, only thirty-seven of whom had reached the spot, intimidated by the shameful and mutinous conduct of their drill instructor, Sergeant Clarke, an old soldier, who cried out that they were betrayed, were seized with a panic and took to flight. The moment their backs were turned the Kafirs fired and killed three of their number, including, I regret to say, a son of Major Erskine, and also the interpreter and one of the Basuto guides. The rest of the body effected their escape.

7. The similarity between this sad affair and that of the treacherous conduct of the American Indians who recently killed officers who were offering them mercy, will, I have no doubt, strike your Lordship.

8. Major Durnford has been blamed by some persons here for not anticipating the Kafirs by firing the first shot at once; but in answer to this, I would observe that he had orders not to fire the first shot, and further that, independently of such order, his doing so would have been contrary to the spirit of the whole plan of proceedings. It is perfectly true that the order was given by me in full expectation and confidence that the military were not to come into contact with the rebel Kafirs at all till they had repulsed by force the civil power sent to bring them to justice. How far Major Durnford might, under the conflicting circumstances, have considered himself justified in disregarding the letter of the order, had he understood the threatening language used by the rebel tribe, I cannot say; but the pacific reception of his terms by the Indunas and Elders was certainly directly calculated to lead him to the conclusion that the tribe intended to submit. Under these circumstances, although it is easy to moralize after the facts, Major Durnford would not have been justified in firing on the Kafirs. Had he done so and killed any of them and dispersed their force, which is a probable contingency, I am sure he would have incurred a grave responsibility. I therefore, notwithstanding the sad result, have expressed my approval of his conduct, and I confidently hope that that approval will be confirmed by Her Majesty's Government. During the hurried retreat he behaved, by testimony of all present, in the most gallant manner, using his utmost exertions to rally his little force till, left absolutely alone, he was reluctantly compelled to follow them. I should add that Major Durnford had an assegai thrown at him, which wounded his arm, and that the interpreter was killed at his side.

9. The pass, then left unguarded, enabled the bulk of the tribe, and perhaps the Chief, to escape out of the Colony. I have said perhaps, as there is reason to believe that he escaped some days before. There is even a doubt whether he is even now hidden in some cave in the Colony.

10. Your Lordship will see that the true cause of this disaster was the fatal mistake in the plans which prevented Mr. Allison and his large native force being on the spot to meet and support the volunteers.

11. This has been our first and last reverse, if having our men foully and treacherously murdered can be called, at least in a military point of view, a reverse at all. In other respects we have been everywhere successful. The great bulk of the tribe, after boasting that they would meet us in fight, have fled out of the Colony. Our forces have, in small skirmishes with the remainder of the tribe hidden in caves and strong fastnesses, been everywhere successful, killing a large number and taking prisoners some men and an immense number of their women. No men, however, have been killed unless with arms in their hands; but I regret that their number has been so considerable.

12. I have issued two Proclamations, copies of which I enclose. One putting this part of the country under martial law, the other declaring the Chief Langalibalele deposed and his tribe broken up.

13. I am organizing two flying columns, composed chiefly of natives led by white magistrates, to follow up the tribe, one on the other side of the Drakensberg, and the other on this side, to intercept them. I have also offered a reward for the capture of Langalibalele.

14. I can assure your Lordship, and it is the unanimous opinion of the whole people, that, had not this stringent measure been taken against this tribe, no settlers could have been safe. Had energetic steps been taken a year ago the expense and the risk of this expedition would have been saved.

15. The Chief of the tribe fled from Zulu country years ago for protection in this

Colony. He had there, and he has here, always been a contumacious and treacherous man. Even during my former administration he gave the Government trouble and anxiety.

The Earl of Kimberley,
&c. &c. &c.

(Signed)

I have, &c.,
BENJAMIN C. C. PINE,
Lieutenant-Governor.

P.S.—I enclose Major Durnford's own account of the occurrence at Bushman's Pass.

Enclosure in No. 11.

On Monday next, the 3rd November, the troops and details of armed police and natives, as per margin, will be posted as shown in the accompanying sketch, the troops (regulars and volunteers) being in support of the natives, acting under the orders of the resident magistrates.

The whole to be in position by 8 a.m., with the undermentioned exceptions, viz.:—
Mr. Allison, with 500 armed natives, to seize the Champagne Castle Pass *before 5 a.m.*, and to hold it at the summit, communicating with the detachment at Bushman's Pass on his right, and Captain Lucas's party on the left.

Mr. Allison
and 500
Natives.

He will watch any possible (and at present unknown) approach up the mountain between these two points (Champagne Castle and Bushman's Pass). Captain Barker, with one troop of Karkloof and half a troop of Maritzburg Carabineers, will advance up the Giant's Castle Pass, to which there are two approaches, one easy, the other difficult, leaving the half troop of Maritzburg Carabineers at its head so posted as to guard both approaches, and will proceed along the Plateau on the mountain top to the head of the Bushman's Pass, which he will occupy and hold with the Karkloof Troop.

Capt. Barker
and 1½ Troop
Carabineers.

He must be in position at the Bushman's Pass by 6 a.m., and will communicate with Mr. Allison's party on the hill top, to his own left.

Captain Barker will carry with him provisions for twenty-four hours, and three feeds for his horses.

Captain Lucas, R.M., with 500 armed natives, supported by the Frontier Guards, who will be posted at David Grey's, the left of his position, will be in position by 8 a.m., his right at the foot of the Champagne Castle Pass, his left resting on the little Tugela River, feeling the right of Captain Macfarlane's party.

Capt. Lucas,
R.M.;
Frontier
Guards; 500
Natives.

Captain Macfarlane, R.M., with 500 natives, supported by the Weenen Yeomanry and Burgers, will be posted with his right feeling the left of Captain Lucas's force, and his left resting on the left bank of Bushman's River, about ten miles from Estcourt, in the direction of the Table Mountain. He will be posted by 8 a.m., and will communicate with the Maritzburg natives on his left.

Capt. Mac-
farlane, R.M.;
Weenen
Burgers;
Weenen
Yeomanry;
500 Natives.

The Maritzburg natives will be posted with their right on the right bank of Bushman's River, in communication with Captain Macfarlane's left, their own left resting on the Giant's Castle Pass.

Maritzburg
Natives, 500.

To be in position at 8 a.m.

Captain Hawkins, R.M., at Richmond, with 500 natives of his district, supported by the Richmond mounted rifles, will occupy the Country between the Umcomazi and Umzimeculu Rivers, as per sketch, preventing any escape in that direction, the Richmond rifles acting in support, under his directions.

The whole to be in position by 8 a.m. on the named day.

Her Majesty's Troops, with the head quarters and half a troop Maritzburg Carabineers, will be in position at Meshlin at the hour named, in readiness to support Captain Barker at either the Giant's Castle, or Bushman's Passes, as may be required.

Royal Artil-
lery, 2 guns;
75th Regt.,
137 sergt. rank
and file;
½ Troop
Volunteers.

Communications will be kept up with the Giant's Castle Pass by the Maritzburg natives, Umbundo's Tribe being employed on the mountain top between Giant's Castle and Bushman's Passes.

The head-quarters detachment will march from Maritzburg on Thursday next, at 1 p.m., after the men have dined, and camp for the night at Reit Spruit, nine miles out, where they will be joined by the Maritzburg Carabineers on the same day. On Friday they will march at least half way to Fort Nottingham (twelve miles), and on Saturday to Fort Nottingham (twelve miles), when they will encamp, being joined there by Captain Barker's Troop of Carabineers by 3 p.m. on that day.

The volunteers will provide camp equipment, commissariat, and transport of every description, including that required for the reserve ammunition, according to the Volunteer law.

NATAL.

There will be with each troop of volunteers 100 rounds of ball cartridge for every man in it; and when in position on Monday morning, the 3rd November, they will be provided with three days' provisions, and will have made the necessary arrangements for future supplies.

Submitted to H. E., the Lieutenant-Governor, for his approval.

(Signed) T. MILLES, Lieut-Colonel,
Commandant.

I concur in these proposed arrangements.

(Signed) BENJAMIN C. C. PINE.

MEMORANDUM.

Camp, near Holme's Farm, under the Drakensberg,
November 30, 1873.

Having reached the Bushman's Pass at 6.30 a.m., on the 4th November, with one officer, one sergeant, and thirty-three rank and file of the Carabineers, and a few Basutos, I at once formed them across the mouth of the pass, the natives in charge of cattle already in the mountain flying in every direction. Possibly there may have been 100 at the outside, about half of whom were armed with shooting weapons. Having posted my party, I went with my interpreter to reassure the natives. Calling for the chief man, I told him to assemble his people, and say that Government required their Chief Langalibalele to answer certain charges; that his people who submitted to Government should be safe, with their wives, children, and cattle; that all loyal people should go to Estcourt, where Mr. Shepstone, Minister for Native Affairs, was, and make submission, and they should be safe. My interpreter was recognised as one of Mr. Shepstone's attendants, and the Chief thanked me in the name of the people, saying they would all go down and tell my words to the tribe, who were not aware of the good intentions of Government, and were afraid.

I told them to take their cattle and go down. The Chief said they would, but begged me to leave them, as he could not answer for the young men, who were excited, and might injure me. I left him, exerting himself, so far as I could judge, in carrying out my wishes.

Seeing that the natives were getting behind stones commanding the mouth of the pass, I turned their position by sending my small party of Basutos on the one side, I taking half of the Carabineers to the other—the other half guarding the mouth of the pass. All were then in such position that had a shot been fired, I could have swept the natives down the pass. Their gestures were menacing, but no open act of hostility was committed.

About this time I was informed that many men were coming up the pass, and, on reaching the spot, found it was the case. On ordering them back, they obeyed sullenly. Matters now looked serious, and I was informed by the senior officer of volunteers present that the Carabineers, many of whom were very young men, could not be depended upon. They said they were surrounded, and would be massacred. I have reason to believe that this panic was created by their drill instructor, an old soldier of the late Cape Corps, up to whom they naturally looked. Upon this, as the only chance of safety, and in hope of saving men's lives, although perfectly aware that it was a fatal line of policy, I drew in my outlying party, and gave the order to retire. There was nothing else to be done. I had no support. As I was about to retire by alternate divisions, the first shot was fired by the natives, followed by two or three, when, seized with panic, the Carabineers fled, followed by the Basutos.

My interpreter and three Volunteers were killed. There were probably 200 natives present at the time the first shot was fired. The firing was never heavy, and their ammunition soon became exhausted. The orders I received were "not to fire the first shot." I obeyed.

(Signed) A. W. DURNFORD,
Major Royal Engineers.

The above is written at the request of His Excellency the Lieutenant-Governor of Natal, and is forwarded to the Commandant for submission.

(Signed) A. W. DURNFORD,
Major Royal Engineers.

PROCLAMATION,

By His Excellency Sir BENJAMIN CHILLEY CAMPBELL PINE, Knight Commander of the Order of St. Michael and St. George, Lieutenant-Governor of the Colony of Natal, and Supreme Chief of the Natives thereof.

WHEREAS a chief named Langalibalele has for a long time past set the authority of the Government at defiance, by refusing to obey the orders of the magistrate within whose jurisdiction he resided :

And whereas repeated messages were sent to the said Chief requiring him to appear and answer for his conduct, which under various and untrue pretences he refused to obey :

And whereas, emboldened by the great forbearance shown by the Government, the said Chief and tribe have grossly insulted and maltreated messengers sent by me as Supreme Chief again to order the said Chief to appear before me :

And whereas I thereupon directed a civil force, aided by the military, to proceed to invest the country occupied by said Chief and tribe, so as to bring him before me, that he might, if possible, explain his conduct, and to afford his tribe an opportunity of returning to their allegiance under a promise of pardon :

And whereas, while a portion of the force under Her Majesty's Colonial Government, proceeding to invest the country as aforesaid, were treacherously and without provocation fired upon, and three of their number, and the interpreter, Elijah Kamboole, and one Basuto, basely murdered by a portion of the said tribe, which was met by the Colonial detachment, escaping from the Colony in armed force, with the cattle of the tribe, by a pass over the Drakensberg, after the officer in command had by means of his interpreter repeatedly and strongly urged upon them to return to their allegiance and claim the clemency of the Supreme Chief, and after the leaders, or those who appeared to be their leaders, had consented to consider the commanding officer's proposals :

Now, therefore, I have deemed it necessary to place the district hereinafter defined under martial law ; and I do accordingly hereby proclaim and make known, that the district commonly called the Locations of Langalibalele and Putili, occupied by those tribes respectively, and five miles in a direct line from any point thereof, is hereby placed and shall be under martial law until all resistance to Her Majesty's authority shall have ceased, or until this Proclamation shall have been recalled.

God save the Queen!

Given at Head-Quarter Camp, Hlatikulu, this 11th day of November, 1873.

(Signed) BENJ. C. C. PINE.

By his Excellency's command,

(Signed) T. SHEPSTONE,
Secretary for Native Affairs.

PROCLAMATION,

By His Excellency Sir BENJAMIN CHILLEY CAMPBELL PINE, Knight Commander of the Order of St. Michael and St. George, Lieutenant-Governor of the Colony of Natal, and Supreme Chief of the Natives thereof.

WHEREAS the Chief Langalibalele and the Amahlubi tribe have set themselves in open revolt and rebellion against Her Majesty's Government in this Colony, by defying its authority, and firing upon and murdering certain members of the force sent to prevent their escape from the Colony, before their conduct had been inquired into and ascertained :

Now, therefore, I do hereby proclaim and make known that the said Chief Langalibalele and the Amahlubi tribe are in rebellion against Her Majesty's lawful authority, and are hereby declared to be outlaws.

And I do hereby depose and utterly remove him from the dignity of Chief of the said tribe ; and I do hereby further proclaim and declare that the said tribe is hereby broken up, and from this day forth has ceased to exist, and that no person heretofore belonging to it shall be allowed to live within the Colony until he shall be furnished

NATAL.
with and possess a certificate from the resident magistrate of the county or division in which he resides or has resided, stating that he has taken no part in the revolt and rebellion aforesaid, or shall have been duly tried and acquitted of such offence.

And I do command all resident magistrates, and other officers of the Government whom it may concern, to see this Proclamation carried into full force and effect.

God save the Queen!

Given at Head-Quarter Camp, Hlatikulu, this 11th day of November, 1873.

(Signed) BENJ. C. C. PINE.

By His Excellency's command,

(Signed)

T. SHEPSTONE,
Secretary for Native Affairs.

No. 12.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Head-Quarter Camp, Bushman's River,
November 22, 1873.

(Received Jan. 3.)

MY LORD,

In continuation of my Despatch of the 13th inst.,* I have the honour to report to your Lordship as follows:

2. The great bulk of the tribe of Langalibalele has fled the Colony, and many of the few that remained have been killed in armed resistance to the authority of the Government or have been made prisoners.

3. The location lately occupied by them is in full possession of the Government.

4. The neighbouring tribe of Putili who had aided in the rebellion of Langalibalele's tribe by firing on parties of our forces, by receiving and sheltering some of the people and cattle of the tribe, and in many other ways, have been, by an admirable movement commanded by Mr. John Macfarlane, the resident magistrate of the County of Weenen, under the order of Colonel Milles, and assisted by Mr. Lucas and Mr. Allison, surrounded and disarmed without loss of life.

5. The bodies of the unfortunate gentlemen of the Volunteer force and others who gallantly fell at the Bushman's River Pass have been recovered by a force sent for the purpose under Major Durnford, R.E., and buried according to the rites of the Anglican Church, by a clergyman, the Rev. Mr. Smith, of Estcourt, who volunteered to accompany the force for that object. The gallant dead were also buried with military honours.

6. All armed resistance to H.M. authority having been suppressed, I have deemed it my duty to revoke the proclamation of martial law by the proclamation herewith enclosed.

7. The prisoners will be dealt with under native law or under the common law, as circumstances require.

8. The location, which contains immensely strong natural fastnesses, will for the most part be allotted to white settlers on military tenure, for the purpose of securing the future peace of this part of the Colony.

9. I cannot close this Despatch without expressing to your Lordship my high sense of the prompt, zealous, and energetic manner in which Colonel Milles and his officers and men who aided me on this painful occasion. I should also express my high acknowledgment of the zeal and good conduct of the Volunteers and Dutch Burgher force, who have taken so active and important a part in putting down the insurrection. Lastly, but not least, I have to express my high sense of the valuable services rendered by Mr. Shepstone, as also my acknowledgment of the services which the native contingents afforded me.

10. The expedition can scarcely be called a complete success, because the Chief Langalibalele and the bulk of his tribe have escaped the punishment due to their crime. Still much has been done. Armed resistance within the Colony has been fully suppressed. The most culpable and the largest of the two rebel tribes have been broken up, and their country taken from them. The other rebel tribe have been disarmed, and their cattle seized by the Government.

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NATAL.

11. Measures have been taken to secure the person of Langelibalele and the part of his tribe with him who are believed to be in British Basuto-land, and I am not without hopes that this work may yet be accomplished.

12. I regret extremely that in suppressing this insurrection a considerable number of lives have been lost on the side of the rebels, and some few on our side. But we have earnestly tried to conduct the operation with as much humanity as possible.

I have, &c.,

The Right Hon. the Earl of Kimberley, (Signed) BENJAMIN C. C. PINE,
&c. &c. &c. Lieutenant-Governor.

PROCLAMATION,

By His Excellency Sir Benjamin Chilley Campbell Pine, Knight-Commander of the most distinguished Order of Saint Michael and Saint George, Lieutenant-Governor of the Colony of Natal, and Supreme Chief over the native populations of the same.

WHEREAS on the 11th day of November instant, I did by Proclamation declare the district or location inhabited by Langelibalele and his tribe, and also that inhabited by Putili and his tribe, and the part of the Colony extending to five miles from any part of said district as therein described, and defined to be under martial law:

And whereas all armed resistance within the district, location and boundary aforesaid, has ceased, except such (if any) as can be dealt with and suppressed by the military acting merely in aid of the civil power in the ordinary manner:

And whereas, under such circumstances, I am not justified in continuing martial law within the district aforesaid.

Now, therefore, I do hereby proclaim and make known that I do revoke and recall the Proclamation of the 11th instant, and do hereby withdraw the district aforesaid from martial law from and after the 24th instant.

Given under my hand at the Head-Quarter Camp, Bushman's River, this 22nd day of November, 1873.

(Signed) BENJAMIN C. C. PINE, K.C.M.G.

By His Excellency's Command,
(Signed) THOMAS SHEPSTONE, C.M.G.,
Secretary for Native Affairs.

No. 13.

Governor Sir H. BARKLY, K.C.B., to The EARL OF KIMBERLEY.

Government House, Cape Town,
December 4, 1873.
(Received Jan. 3.)

MY LORD,
ON the 15th ultimo* I had the honour of reporting the news which had reached me as to the rebellion of the Chief Langelibalele in Natal, and the precautions which I had in consequence adopted of at once sending two hundred men of the Frontier Armed and Mounted Police into Basuto-land, and holding in readiness for embarkation in H.M.S. 'Rattlesnake,' as many men of the 86th Regiment as could be accommodated.

2. No mail steamer having left this on the 25th ultimo, in consequence of the 'Anglian' having broken her screw propeller, it has been unfortunately impossible for me to inform your Lordship of the subsequent progress of events before the present opportunity; but I am glad now to be able to state that it has been of a satisfactory character, and that the latest telegraphic intelligence which has reached me from the Lieutenant-Governor concludes by saying, "all is quiet now, and danger over."

3. As Sir Benjamin Pine's despatches of the 30th October and 13th November (of which he sent me copies) will go forward by this mail, and not improbably also any that he may have written by the S. S. 'Natal' now on her way hither from Port Elizabeth I need not attempt a description of what has been passing in Natal; whilst my own

* No. 1.

NATAL.

official letters to his Excellency, which I think it as well to communicate to your Lordship, will show clearly how the action of this Government has been influenced by the accounts from time to time received.

4. It will be seen from the latter that H.M.S. 'Rattlesnake,' with three Companies of the 86th Regiment, and a small reinforcement of the Royal Artillery, sailed from Table Bay on the 20th ultimo, reaching Port Natal (as we have since learnt by a telegram from the S.S. 'Natal') on the 25th ultimo; but whether the troops were landed at D'Urban, or were sent back without disembarking, in consequence of the affair being regarded by the Natal Government as settled, is yet uncertain.

5. Having arranged that the 'Rattlesnake' should call off East London on her return voyage, with a view to signalling, I may be able in a postscript to communicate what has taken place.

6. There is one other point touched on in my correspondence with Sir Benjamin Pine as to which I am desirous of offering explanation, as there is an apparent discrepancy between what is therein said regarding it and the account given to your Lordship in my Despatch of the 15th ultimo.* In the former I allude to the surprise felt by my responsible advisers at no previous intimation whatever of the intended expedition against Langalibalele having been given either to myself or to my agents on the other side of the Drakensberg, whilst in the latter I mentioned having heard that the Hon. Mr. Shepstone had called on Mr. Griffith some time ago to prevent Langalibalele from driving his cattle into Basuto-land. When I came to read the papers, however, I found that it was Mr. Griffith who had reported to the Secretary for Native Affairs in Cape Town the arrival of messengers from the Zulu Chief, the tenor of which report was at once duly communicated to Mr. Shepstone by Mr. Brownlee, who, receiving no reply, thought no more of the matter.

7. I am happy to be able to add that, according to an overland express just received (dated November 20) Mr. Orpen, the newly-appointed magistrate of No-Man's-Land, was at the head of 600 men furnished by Adam Kok and the Basuto chief Mackwaai, who resides high up the valley of the St. John's River, pursuing Langalibalele in the rugged country into which he had fled, thereby cutting him off from effecting a junction with his brother Ludidi, a petty chief living lower down the same valley, or his nephew Zibi, who is one of those to whom Mr. Orpen is specially accredited.

Trusting that your Lordship will approve of my proceedings in this matter,

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) HENRY BARKLY,
Governor.

Enclosure in No. 13.

Government House, Cape Town,
November 18, 1873.

SIR,

I have the honour to acknowledge the receipt, yesterday morning, of your Excellency's letter of the 31st ultimo, transmitting for my information copy of a Despatch which you had addressed to the Right Hon. the Secretary of State on the previous day, preparatory to starting to join an expedition which had been organised by your orders to arrest a rebellious native Chief.

2. I had on the 14th inst. become aware of the tenor of this communication, as it had been taken from the letter-bag of the 'Florence' (not yet arrived here) on reaching Algoa Bay, by my orders, in consequence of the accounts which had been telegraphed thence of an encounter between a detachment of Volunteer Cavalry and some of the Chief's followers, in which the former suffered some loss, Langalibalele himself having, it was added, succeeded in making his escape from the forces by which it was intended to surround him.

3. I had thus been enabled to consider deliberately what steps it was expedient, under all the circumstances of the case, to take, with the view of strengthening your Excellency's hands in what it was clear you from the first regarded as a crisis of no common importance.

4. With the concurrence of Commodore Commerell, H.M.S. 'Rattlesnake' had come round to Table Bay on the 16th to embark about half of the 86th Regiment; and

though, on inspection by a Military Board she was found incapable of properly accommodating so large a number, I am happy to say that she leaves this afternoon with three companies of infantry and a small reinforcement from the battery of Royal Artillery, and will, there is every reason to hope, reach port Natal in six days.

5. The extent of further reinforcements will be regulated by the news which may be brought by the 'Basuto,' now hourly expected at East London.

6. I am glad also to be able to inform your Excellency that the Government of this Colony has ordered Commandant Bowker to take immediate steps for moving 200 men of the Frontier Armed and Mounted Police towards the sources of the Caledon River, to co-operate from that side of the Drakensberg with the Natal expedition in pursuing and arresting Langalibalele.

7. This step would have been taken at a much earlier period if the communications, dated August 8 and September 3, from Mr. Brownlee to the Secretary for Native Affairs in the Colony of Natal, informing him of the messages sent by Langalibalele to Molapo and Masupa had not remained unacknowledged.

I have, &c.,
(Signed) HENRY BARKLY.
His Excellency Sir Benjamin Pine, K.C.M.G.,
Lieutenant-Governor of Natal.

November 19, 1873.

P.S.—The above was written, and the troops were to have embarked within the hour, when a telegram was received from East London, stating that the 'Basuto' had arrived, and made the following signal—"Expedition has succeeded, and all danger over."

The departure of the 'Rattlesnake' was, in consequence, countermanded until further information could be procured; but unfortunately the bar remained up, and the mails of the 'Basuto' could not be landed till this morning.

As the telegram since dispatched detailing the news on the authority of Natal newspapers to the 15th instant, is by no means of so favourable a tenor as was signalled from the ship, confirming, as it does, the account of the escape of Langalibalele and a portion of his tribe, and announcing that armed resistance to the authority of the Government had had to be met by the proclamation of martial law in the locations of Langalibalele and Putili, I took immediate steps for carrying out previous arrangements, and trust the 'Rattlesnake' will proceed to sea early to-morrow morning.

The movements of the police had not been countermanded, and Commandant Bowker, having been informed of the rumoured direction of Langalibalele's flight, is preparing to give every assistance in his power.

H. B.

Government House, Cape Town,
November 25, 1873.

SIR,
I have had the honour this morning to receive your Excellency's Despatches of 13th instant, from S.S. 'Basuto'—the first forwarding copies of letters addressed by the Secretary for Native Affairs in Natal to my agents in Basuto-land and No-Man's-Land, inviting their co-operation in the capture of Langalibalele; the second covering copy of a Despatch and Enclosures sent by your Excellency to the Right Hon. the Secretary of State, narrating the progress of the operations against the Chief since your previous Report of 30th ultimo.

2. The tenor of the communications to Messieurs Griffith and Orpen had been reported by Overland express some days ago, and, although my advisers were not unnaturally surprised that—considering the deep interest which this Government has in the preservation of tranquillity amongst the Basutos and other tribes on the opposite slope of the Drakensburg—no intimation of the intended expedition had been given beforehand, either to myself or to the gentlemen whose aid has now been invoked; the fullest approval of the steps the latter had taken on hearing from Mr. Shepstone was at once conveyed to them, and they were directed, in concert with such detachments of the Frontier Police as might already have arrived on the scene of action, to use every effort in their power to intercept the fugitive Chief and his followers.

3. By my Despatch of the 18th and 19th instant, per H.M.S. 'Rattlesnake,' your Excellency will, it is hoped, long ere this comes to hand, have been made aware of the further measures adopted for the temporary augmentation of the garrison in Natal by three companies of the 86th Regiment.

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4. Though no application for military aid has been made by the Natal Government on this occasion, I trust that the moral effect of even this small reinforcement on the minds of the native population will be good; while that effect will be far from detracted from, should your Excellency feel strong enough—as I shall not be sorry to hear is the case—to dispense with the services of the troops, and send them back at once on board the 'Rattlesnake.'

Sir B. Pine,
&c. &c.

I have, &c.,
(Signed) HENRY BARKLY.

No. 14.

Governor Sir H. BARKLY, K.C.B., to The EARL OF KIMBERLEY.

Government House, Cape Town,
December 5, 1873.

(Received January 3.)

MY LORD,

In continuation of my Despatch of yesterday's* date, I have the honour to transmit copy of a Telegram since received from Commander Digby, from Port Elizabeth, announcing the arrival of H.M.S. 'Rattlesnake' off that port after landing the troops at D'Urban in Natal, where the Lieutenant-Governor intended to retain them, until the result of the expedition sent in pursuit of Langalibalele was known.

2. The 'Rattlesnake' is expected in Simons Bay to-morrow, and is under orders to proceed to England about the middle of the month; but as it would be extremely expensive and inconvenient to have to bring the troops back by mail steamer, whilst it would be most awkward to have no ship of war on the station if further disturbances occurred, I have felt it my duty to write to Commodore Commerell, requesting him to detain the vessel, either until her relief (H.M.S. 'Active') arrives, or until affairs in Natal have resumed a settled aspect.

The Right Hon. the Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) HENRY BARKLY,
Governor.

Enclosure in No. 14.

COPY of TELEGRAM received on Thursday, the 4th of December, 1873.

From Captain DIGBY, H.M.S. 'Rattlesnake,' Port Elizabeth, to Sir H. BARKLY,
Cape Town.

Troops landed at D'Urban on 27th ultimo. Langalibalele has fled the Colony, taking his cattle and the bulk of his tribe, and is said to be located down the source of the Orange River. The women, with the guard left in charge of them, have been captured. Many of them have been killed. The tribe of Putili, whose young men had joined Langalibalele, has been surrounded, disarmed, and 7,000 cattle, including many belonging to Langalibalele, taken. There is now no armed resistance in the Colony except from a few stragglers, mostly old men hid in caves. One flying column has been sent across Drakensberg by a southern pass to attack the rebels in the flank; another has started to follow them over the Bushman's River Pass. The regular troops have not been employed in either expedition. Governor is in communication with Adam Kok, and has written to Basuto-land, where it is expected rebels will take refuge.

86th Regiment remain at D'Urban for present. Governor has decided to retain them until a favourable report is received from Captain Allison, in charge of the expedition in pursuit of the rebels. Information will be sent when troops are no longer required.

Please send copy of above to Commodore. News to 1st December.

No. 15.

ADMIRALTY to COLONIAL OFFICE.

Admiralty, January 4, 1874.

SIR, I AM commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for the Colonies, that they have received a despatch from the senior naval officer at Simons Bay, dated the 4th ultimo, in which he reports that the 'Rattlesnake' arrived at D'Urban, Natal, on the 25th of November, and landed the detachment of the 86th Regiment on the 27th.

2. He also transmits a telegram which he has received from Commander Digby, of the 'Rattlesnake,' containing the latest information relative to the state of affairs in the Colony of Natal, copy of which is herewith enclosed.

I have, &c.,

G. SHAW LEFEVRE.

The Under-Secretary of State, Colonial Office.

Enclosure in No. 15.

Copy of a Telegram from Captain Digby, H.M. Ship 'Rattlesnake,' Port Elizabeth, to Commodore Commerell, at Simons Bay. Received December 4, 1873.

Troops landed at D'Urban on 27th ultimo. Langalibalele has fled the Colony, taking his cattle and the bulk of his tribe, and is said to be located down the source of the Orange River. The women and the guard left in charge of them have been captured; many of them have been killed. The tribe of Putili, whose young men had joined Langalibalele, has been surrounded, disarmed, and seven thousand cattle, including many belonging to Langalibalele, taken. There is now no armed resistance in the Colony, except from a few stragglers, mostly old men hidden in caves. One flying column has been sent across Drakensberg by a southern pass to attack rebels in the flank; another has started to follow them over the Bushman River Pass. The regular troops have not been employed in either expedition. Governor is in communication with Adam Kok, and has written to Basuto-land, where it is expected rebels will take refuge.

86th Regiment remain at D'Urban for present. Governor has decided to retain them until a favourable report is received from Captain Allison, in charge of the expedition in pursuit of the rebels. Intimation will be sent when troops are no longer required. News to 1st December.

No 16.

Lieutenant-Governor Sir B. PINE to EARL OF KIMBERLEY.

Head-Quarter Camp, November 29, 1873.

(Received January 5, 1874.)

MY LORD, REFERRING to my former Despatch on the subject of the operations against the rebel tribes, I have the honour to inform your Lordship that within the Colony the insurrection has been crushed out. Langalibalele's tribe has fled over the mountain, and is being followed by two flying columns. The allied rebel tribe has been surrounded and disarmed by a masterly movement executed by Mr. Macfarlane.

We intend to clear the two locations, natural fastnesses of great strength, of natives, and to re-people them entirely by white settlers.

I have, &c.,

(Signed)

BENJAMIN C. C. PINE,
Lieutenant-Governor.

The Earl of Kimberley,
&c. &c. &c.

No. 17.

The EARL OF KIMBERLEY to Lieut.-Governor SIR B. PINE.

SIR,

Downing Street, January 9, 1874.

I HAVE received your Despatch of the 13th November,* reporting the steps taken to reduce to submission the tribe of Langalibalele.

It was certainly most unfortunate that Major Durnford's small party should have found itself unsupported in presence of a greatly superior force of the rebel tribe; but I learn with satisfaction, from your account of the affair, that the conflict which took place with such unhappy results, was in no way provoked by Major Durnford's party, and that no blame can, in your opinion, be cast on Major Durnford.

Your subsequent proceedings appear to have been conducted with energy and success, and I feel confident that you will have used your utmost efforts to prevent any unnecessary bloodshed, though I perceive with regret that you state that the number of killed has been considerable.

I request that you will convey to Major Erskine the expression of my earnest sympathy for the sad loss which he has sustained by the death of his son.

Sir Benjamin C. C. Pine,
&c. &c. &c.

I have, &c.,
(Signed) KIMBERLEY.

No. 18.

The EARL OF KIMBERLEY to Governor Sir H. BARKLY.

SIR,

Downing Street, January 10, 1874.

I HAVE received your Despatch of the 4th of December,† reporting further proceedings on the occasion of the insurrection of the Chief Langalibalele. I have to convey to you my approval of the measures which you adopted.

Governor Sir H. Barkly.

I have, &c.,
(Signed) KIMBERLEY.

No. 19.

The EARL OF KIMBERLEY to Lieut.-Governor Sir B. PINE.

SIR,

Downing Street, January 10, 1874.

I HAVE received with much satisfaction your further Despatch of the 22nd of November,‡ reporting that armed resistance to Her Majesty's authority has been suppressed, and that you have been enabled to revoke the proclamation of martial law which you had found it necessary to issue. I trust that the measures which have been taken will prove sufficient for the re-establishment and maintenance of order and respect for the law.

I notice with pleasure the high terms in which you speak of the services of Colonel Milles, and the officers and men under his command; and the good conduct of the Volunteers and Burgher force, and the native contingents; as well as of the valuable assistance rendered to you by Mr. Shepstone and Mr. Macfarlane.

I have communicated to Mr. Secretary Cardwell your observations as to Colonel Milles.

Sir Benjamin Pine,
&c. &c. &c.

I have, &c.,
(Signed) KIMBERLEY.

No. 20.

The EARL OF KIMBERLEY to Lieutenant-Governor Sir B. PINE.

Downing Street, January 10, 1874.

SIR,
I HAVE received your Despatch of the 29th of November,* reporting the suppression of the insurrection of the rebellious Kafirs and the flight of Langalibalele's tribe. I have received this intelligence with great satisfaction.

Sir Benjamin Pine.

I have, &c.,
(Signed) KIMBERLEY.

No. 21.

Governor Sir H. BARKLY, K.C.B., to The EARL OF KIMBERLEY.

Government House, Cape Town,
December 16, 1873.

(Received January 13, 1874.)

MY LORD,
No despatches from Natal have reached me since I last wrote to your Lordship respecting the disturbances there; but in a private letter received by H.M.S. 'Rattlesnake' from Sir Benjamin Pine, dated the 29th ultimo, he informed me that, though he had decided to keep the troops for a short time, the operations for surrounding and disarming the allied rebel tribe of Putili had been so successfully carried out that all resistance was over.

2. Captain Allison, he added, with a force of 46 Europeans and 1,500 natives, had just started by the Bushman's River Pass for the country near the sources of the Orange River, where Langalibalele was supposed to have taken refuge, whilst another column, under Captain Hawkins, had left some time before by a more southern pass to take the rebels in the flank.

3. Neither of these expeditions had been heard of in Basuto-land at the date of the latest accounts (9th instant); but my agent there has to-day sent an express to King Williams Town reporting that intelligence had reached the Basuto Chief Molapo that a party which he had sent into the mountains to reconnoitre under his son Jonathan had ascertained that Langalibalele, with his followers, cattle, &c., was at a spot which could be reached in twenty-four hours; and as Molapo, anxious to show his loyalty to Her Majesty, had called out all his fighting men, on the understanding that they would be supported, in case of necessity, by the two troops of the Frontier Armed and Mounted Police, which had arrived at his residence at Leribe, there seems every probability that ere this the fugitives have been captured.

4. At the same time it must be borne in mind that the Malutis, or 'Double' Mountains (as the Basutos call the western slopes of the Drakensberg) present every facility for escape, covering, as they do, an area of from 50 to 60 miles in breadth, made up of range after range packed close together, and each so steep that the boldest rider can do no more than lead his horse up and down their precipitous sides.

I have, &c.,
(Signed) HENRY BARKLY,
Governor.

The Earl of Kimberley,
&c. &c. &c.

* No. 16.

No. 22.

ANTI-SLAVERY SOCIETY to COLONIAL OFFICE.

27, New Broad Street, London,
January 20, 1874.

MY LORD,

We feel it to be a duty to call your Lordship's serious attention to some of the circumstances which have taken place in connection with the lamentable occurrences in the Colony of Natal against the Zulu tribe.

From the telegrams and public papers your memorialists learn that during the latter part of last year many of the Zulu people, settled on the Bushman's River in the Colony of Natal, went to the diamond and gold fields, where they obtained from traders and others a supply of firearms which, on their return to their settlements, they failed to register according to the law.

On this coming to the knowledge of the authorities in Natal, they called upon the Chief Langalibalele to cause the guns to be registered. This he failed to do, whereupon a Military and Police Force was organized, with a view to proceed against the Zulu tribe, seize the guns, and apprehend the Chief. Resistance was offered, and three Carabineers were killed. The Zulus retired eventually before the overwhelming forces brought against them, and fled away among the rocks and caves of the mountains, where many were shot.

Meanwhile the Military and other troops seized and carried away between eight and ten thousand head of cattle, the property of the offending tribe, and fined a neighbouring chief two thousand head of cattle on the charge of complicity with Langalibalele. In addition to this, they seized as many as one thousand and five hundred women and children, the mothers, wives, sisters, and children of the Zulus, carried them away, and afterwards apprenticed them out among the settlers in distant parts of the country.

While your memorialists do not in any way justify the breach of the law which requires the registration of firearms, they cannot but regard the proceedings of the authorities in many respects as a violation of those principles of justice which should ever be observed even in war with uncivilised tribes. More particularly, however, would your memorialists submit that, in taking away the means of existence, and then seizing the women and children, carrying them away and parcelling them out to enforced servitude, a course has been pursued utterly unworthy a civilised people, and one which bears a strong resemblance to the slave-hunts among the savage tribes in Central Africa.

Your memorialists earnestly entreat that, so far as the women and children are concerned, your Lordship will not only withhold your sanction of their seizure and forcible deportation from their settlements, but that you will be pleased to instruct that the captives shall be set at liberty, and restored to their homes. By these means only your memorialists believe that the British nation will be saved from the further disgrace and dishonour of acts of which slave-hunting and slave-holding nations will not be slow to take advantage.

With respect, we are, on behalf of the Committee of the British and Foreign Anti-Slavery Society,

(Signed)

JOSEPH COOPER,
EDMOND STURGE,
ROBERT ALSOP,

Honorary Secretaries.

BENJ. MILLARD,
Secretary.The Earl of Kimberley,
&c. &c. &c.

No. 23.

The EARL OF KIMBERLEY to Governor Sir H. BARKLY, K.C.B.

Downing Street,
January 21, 1874.

SIR,

I HAVE to acknowledge the receipt of your Despatch, of December 16,* stating that you had been informed by Sir Benjamin Pine that the operations for surrounding and disarming the rebel tribe under Putili had been successfully carried out, and that all resistance was over. I learn with satisfaction that there was a probability of the capture of Langalibalele and his followers.

I have, &c.,
(Signed) KIMBERLEY.

Sir Henry Barkly,
&c. &c. &c.

No. 24.

COLONIAL OFFICE to the ANTI-SLAVERY SOCIETY.

Downing Street,
January 26, 1874.

GENTLEMEN,

I AM directed by the Earl of Kimberley to acknowledge the receipt of your Letter of the 20th instant, † on the subject of the late conflict with Zulus at Natal.

With regard to the statement as to the seizure by the Military authorities of women and children, and their distribution and apprenticeship in distant parts of the country, I am to request that you will inform the Committee of the Anti-Slavery Society that Lord Kimberley has at present no means of judging how far this statement is correct; but that his Lordship will desire the Natal Government to furnish him with a full explanation of all that has taken place with respect to these women and children.

I have, &c.,
(Signed) H. T. HOLLAND.

The Secretaries to the Anti-Slavery Society.

No. 25.

The EARL OF KIMBERLEY to Lieutenant-Governor Sir B. PINE.

Downing Street
January 26, 1874.

SIR,

I TRANSMIT to you a copy of a Letter from the Secretaries to the Anti-Slavery Society, † in which, with reference to the late conflict with Zulus in Natal, they call my attention to the alleged seizure by the Military authorities of 1,500 women and children, and their apprenticeship and distribution in distant parts of the country.

In the absence of any information from yourself, I am unable to judge how far the statement of the Society is correct; and I have to instruct you to furnish me with a full explanation of what has occurred.

I have, &c.,
(Signed) KIMBERLEY.

Sir Benjamin Pine,
&c. &c. &c.

No. 26.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal,
December 14, 1873.
(Received February 12.)

MY LORD,

REFERRING to former Despatches, noted in the margin, on the subject of the operations against the rebel tribes, I have the honour to inform your Lordship that armed resistance to Her Majesty's authority having ceased within the Colony, Colonel Milles, with the main body of the Military force, returned to this place on the 10th instant, leaving a detachment of fifty men of the 75th Regiment and two guns, to

October 30,
No. 6.
November 13,
No. 12.
November
No. 13.

* No. 21.

† No. 22.

NATAL.

assist the civil authorities in clearing the locations and securing the tranquillity of the neighbouring country.

2. As my own presence did not seem further necessary at the scene of the late troubles, and as the Legislative Council is still in Session, I have returned to the Seat of Government, after having been in the field five weeks.

3. I am glad to report to your Lordship that public confidence is fully restored and tranquillity prevails in the Colony, except within the two locations where the magistrate with Native and Volunteer forces are engaged in capturing stragglers.

4. I have informed your Lordship that I had sent two flying columns to punish Langalibalele and his tribe, the one under Captain Allison, of the Border Guard, to cross the Drakensberg by the Bushman's River Pass, on the trail of the retreating tribe; the other under Mr. Hawkins, the magistrate, to march southwards on the side of the mountain. On its being reported, however, that the Adam Kok and the Cape Frontier Forces were guarding the southern borders of this Colony, so that the rebels could not proceed in that direction, I ordered Mr. Hawkins to turn back, and cross the mountain by a pass south of the Bushman's River Pass, so as to take the tribe on the flank or prevent its moving northwards, and to join Captain Allison's force as soon as possible. I have this moment received the enclosed private Letter from Captain Allison (the official has not arrived), informing me that the junction has taken place on the North-east Branch of the Orange River, and that they are not far from Langalibalele's tribe. The Cape Mounted Police and other forces, so promptly set in motion by Sir Henry Barkly and his Government, are also in that neighbourhood, so that I hope to be able to report by the next mail that the rebel Chief is a prisoner.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

Enclosure in No. 26.

MY DEAR SIR BENJAMIN,

Camp, N.E. Branch of Orange River,
December 7, 1873.

As you will see by my official, I reached this on the evening of the 6th. The men, Europeans and natives, stand the work well and go cheerfully onward. To-day Hawkins joined me with 40 Europeans and 350 natives, the latter he proposes to send back.

I hope to get across this last water barrier between me and Langalibalele to-day, and then press onward to accomplish that which shall be done, and I hope done handsomely and well. My next note will probably reach you from the northward by way of the Orange Free State.

I have, &c.,
(Signed) ALBERT ALLISON.

No. 27.

Lieut.-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal,
December 14, 1873.
(Received February 12.)

MY LORD,

I HAVE the honour to forward to your Lordship a copy of a Memorial addressed to me by the inhabitants of the Colony of Natal, signed by 615 people, and the number daily increasing.

2. This document speaks for itself. I can assure your Lordship that the assertion contained in the article referred to is utterly untrue. If we erred, it was on the side of leniency and forbearance.

3. I have not yet replied to this address. I will send it by the next mail.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

Enclosure in No. 27.

THE 'COLONIST' AND THE LANGALIBALELE EXPEDITION.

We are requested to state that the following address to Governor Pine lies for signature at the stores of Messrs. T. W. Edmonds & Co., and Adams & Co., Central West Street. The same firms will be happy also to take charge of sheets with signatures from the country. These can be forwarded by post.

To His Excellency Sir BENJAMIN CHILLEY CAMPBELL PINE, Knight Commander of the Order of Saint Michael and Saint George, Lieutenant-Governor of the Colony of Natal, and Supreme Chief of the Natives thereof.

MAY IT PLEASE YOUR EXCELLENCY,—

November 22, 1873.

A D'Urban newspaper published yesterday (Friday), the 21st November, contains an article referring to the Langalibalele Expedition, of which the following are extracts:—

"It appears that Colonel Milles was on the spot when the Volunteers were despatched on their ill-fated expedition, but in the main point that he did not give the order 'not to fire until fired upon' we were perfectly correct. That order, we are assured, was given by his Excellency, the Lieutenant-Governor.

"It is as strange as it is lamentable, that the same authority which gave that order should now talk of the brave fellows 'basely murdered' at the Bushman's Pass, and should, to all appearance, sanction the pursuance of the horrid butchery which seems to be going on. Letters appear in our contemporaries' columns, without comment, containing details of the most revolting character, and which we have hitherto refrained from publishing, because they seem to us a disgrace to humanity. Take the case of one unfortunate wretch, whose story figures in half-a-dozen letters. If we depart from our deliberately adopted course now, to give a few words from these letters, it is in the hope that it may arouse the feelings of horror at the doings of our own people, which it is almost inconceivable should have hitherto apparently slept."

We, the undersigned colonists, lose no time in placing on record our protest, as by these presents we do protest in the strongest possible terms, against language which we hold to be a deliberate garbling of the facts; a vilification of your Excellency's conduct, as also of that of our gallant defenders now doing duty in the field, and calculated, if allowed to pass uncontradicted, to be not only highly detrimental to the public service, but to reflect most unwarrantably upon the whole community.

Your Excellency, we cannot but feel, must have already suffered enough mental anxiety and bodily fatigue in the trying position in which, so soon after resuming the government of the Colony, you find yourself placed. To be thus prematurely censured for the discharge of what could only have been a most painful duty, and repugnant to your own best feelings, seems to us to merit the severest condemnation possible. The more so in this case, as the self-constituted censor in question himself admits that the facts are as yet but inadequately known.

At this juncture it behoves every colonist to strengthen the hands of Government by all means at command. It is in this view that we beg respectfully to convey to your Excellency the assurance that your efforts have our cordial approval; expressing at the same time our hope that no amount of adverse criticism will deter you from persevering in the course which to you seems right and proper, to the end that the rebellious spirit evinced by a comparatively small section of our coloured population may be once for all stamped out.

The world's past history, if it teaches anything, teaches us the lesson that mercy misplaced may in the long run prove the greater cruelty. Rebellion under any guise is a crime of the greatest magnitude. In Natal, and especially under existing conditions, it is a crime of the deepest hue, requiring at once to be put down with a strong hand. No reasonable being, surely, can allege that your Excellency's government did not at the outset exhaust every legitimate means to bring Langalibalele's tribe peaceably to a sense of their duty and allegiance to their Queen and adopted country; or that they have not brought on themselves the sad results which none deplore more than your Excellency and ourselves.

Feeling perfectly satisfied that your Excellency is best capable of deciding upon the course necessary to be followed under existing circumstances, it only remains for us again to assure you of our undiminished confidence.

We have, &c.,
(Signed) RICHARD VAUSE, and 615 Others.

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No. 28.

Lieut.-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal,
December 19, 1873.

(Received February 12.)

MY LORD,

As a mail is on the point of leaving, I do myself the honour to inform your Lordship that the Chief Langalibalele, six of his Indunas (chief men), and a number of his tribe are prisoners.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

No. 29.

Governor Sir H. BARKLY to The EARL OF KIMBERLEY.

Government House, Cape Town,
December 24, 1873.

(Received February 12.)

MY LORD,

IN connection with the Despatch regarding the pursuit of the fugitive Chief Langalibalele, which will reach your Lordship from the Lieutenant-Governor of Natal by this mail, I am happy to be able to add copy of a telegram this morning received, via King William's Town, reporting the surrender of that Chief and his sons to my agent in Basuto-land on the 11th instant, and the disarming and dispersion of such of his followers as offered resistance by the detachments of Frontier Armed and Mounted Police sent by this Government to the spot.

2. It will be seen that Mr. Griffith purposed handing over all the prisoners to the force sent across the mountains by the Natal Government—which arrived three days afterwards—to be dealt with in due course of law.

3. I presume that when this intelligence reaches Maritzburg, Sir Benjamin Pine will send back the detachment of the 86th Regiment to this Colony; but as I learn from the Lieutenant-General Commanding that this can be done even more cheaply by the Union Company's steamers than in H.M.S. 'Rattlesnake,' I have informed Commodore Commerell that I no longer consider it essential to detain that vessel on the station.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) HENRY BARKLY,
Governor.

Enclosure in No. 29.

Copy of Telegram from the CIVIL COMMISSIONER, King William's Town, to
the COLONIAL SECRETARY, Cape Town.

(Received December 24, 1873.)

Governor's agent says, dated December 14, from Patyris Village, north-east of Leribe, the rebel Chief Langalibalele surrendered to me on the 11th instant, with six of his sons, five of his principal men, and eighty followers. On the following day I proceeded with the two troops of police and a considerable body of Basutos to the foot of the Matutis, where the main body of the rebels still was, to receive or compel their surrender. About 200 surrendered, and gave up their arms; but a considerable number, estimated at about 150, refused to do so, and retreated up the mountain. I therefore ordered the police to charge them, which they did very gallantly. The rebels made a slight show of resistance by returning the fire of the police, but ultimately fled up the mountain with the loss of ten of their number, shot by the police. No casualties on our side. A patrol from Natal, under command of Captains Allison and Hawkins, came to the mountains yesterday, and are now encamped about six miles from this.

I shall hand the prisoners over to Captain Allison as soon as his patrol is ready to

THE LATE KAFIR OUTBREAK IN NATAL.

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start for Natal. About 5,000 of cattle belonging to the rebel Chief I have taken possession of, and placed them in charge of the Chief Molapo. The Natal patrol purchased about 600 head of cattle and horses, and shot a few of the rebels, being those that retreated from us on the 12th instant.

23rd, 10.55 A.M.

No. 30.

ADMIRALTY to COLONIAL OFFICE.

Admiralty, February 12, 1874.

SIR, I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State for the Colonies, copy of a Letter from Commodore Commerell, dated the 24th December, reporting that information has been received at Simons Bay that Langalibalele, with four of his sons and 300 of his followers, had been captured; and that as no further necessity for the retention of the 'Rattlesnake' exists, she would return to England, calling at Cape Coast Castle.

I am, &c.,
(Signed) ROBERT HALL.

The Under-Secretary of State, Colonial Office.

Enclosure in No. 30.

Simons Bay, December 24, 1873.

SIR, I HAVE the honour to request that you inform my Lords that a telegram has reached the Governor reporting the capture of Langalibalele, with four of his sons and 300 of his followers, the remainder entirely dispersed.

The Lieut.-General having demurred at the whole of the 86th returning in one trip of the 'Rattlesnake,' it has been found cheaper to bring them back in the mail packets, and this course will be pursued.

The danger to the Colony having passed away, the Governor informs me that the immediate necessity for the detention of the 'Rattlesnake' no longer exists. Under these circumstances I shall, after taking in as many obsolete stores as possible, and a few time-expired men and officers, together with the available supplies for the squadron, proceed as soon as possible to Spithead, calling on the way at Cape Coast for sick and debilitated men, and rendering all the assistance the 'Rattlesnake' can afford.

No arrivals or sailings have taken place since my last letter, except the departure of the 'Challenger.' Her photographer deserted the day before she sailed; but another skilled man was obtained.

I have, &c.,
(Signed) J. E. COMMEREILL,
Captain and Commodore.

The Secretary of the Admiralty.

No. 31.

The EARL OF KIMBERLEY to Lieut.-Governor Sir B. PINE.

Downing Street, February 13, 1874.

SIR, I HAVE received with much satisfaction the intelligence contained in your Despatch* of the 19th of December, of the capture of the rebel Chief Langalibalele, with a number of his tribe.

I have, &c.,
(Signed) KIMBERLEY.

Governor Sir Benjamin Pine,
&c. &c. &c.

* No. 28.

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No. 32.

The EARL OF KIMBERLEY to Lieut.-Governor Sir B. PINE.

SIR,

Downing Street, February 14, 1874.

I HAVE received your Despatch of the 14th of December,* reporting the proceedings of the expedition sent against Langalibalele, and your return to the seat of Government.

In my Despatch of 13th instant,† I have acknowledged the receipt of your further Despatch of the 19th December,‡ reporting the capture of Langalibalele and his followers.

Sir Benjamin Pine, Natal.

I have, &c.,
(Signed) KIMBERLEY.

No. 33.

The EARL OF KIMBERLEY to Governor Sir H. BARKLY, K.C.B.

SIR,

Downing Street, February 16, 1874.

I HAVE received your Despatch of the 24th December,§ enclosing a telegram from the Civil Commissioner at King William's Town, in which he reports the surrender of the Chief Langalibalele and his sons to your agent in Basuto-land, and the disarming and dispersion of such of his followers as offered resistance.

Her Majesty's Government have learnt with much satisfaction the termination of the outbreak, and the prompt and energetic steps taken by your government on this occasion.

Sir Henry Barkly, K.C.B.
&c. &c. &c.I have, &c.,
(Signed) KIMBERLEY.

No. 34.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal, January 2, 1874.

(Received February 25.)

MY LORD,

WITH reference to my Despatch || of 14th December last, forwarding a Memorial from certain inhabitants of the Colony of Natal, I have now the honour to forward a Memorial from 82 of the inhabitants of the County of Umvoti, expressing their entire concurrence in that Memorial.

The Earl of Kimberley,
&c. &c. &c.I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

Enclosure in No. 34.

To His Excellency Sir BENJAMIN CHILLEY CAMPBELL PINE, Knight Commander of the Order of St. Michael and St. George, Lieutenant-Governor of the Colony of Natal, and Supreme Chief of the Natives thereof,

MAY IT PLEASE YOUR EXCELLENCY,

A D'Urban newspaper published yesterday (Friday), the 21st November, contains an article referring to the Langalibalele expedition, of which the following are extracts:—

"It appears that Colonel Milles was on the spot when the Volunteers were despatched on their ill-fated expedition; but in the main point—that he did not give the order 'not to fire until fired upon'—we were perfectly correct. That order, we are assured, was given by his Excellency the Lieutenant-Governor.

* No. 26.

† No. 31.

‡ No. 28.

§ No. 29.

|| No. 27.

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"It is as strange as it is lamentable that the same authority which gave that order should now talk of the brave fellows 'basely murdered' at the Bushman's Pass, and should, to all appearance, sanction the pursuance of the horrid butchery which seems to be going on. Letters appear in our contemporaries' columns, without comment, containing details of the most revolting character, and which we have hitherto refrained from publishing, because they seem to us a disgrace to humanity. Take the case of one unfortunate wretch, whose story figures in half-a-dozen letters. If we depart from our deliberately-adopted course now, to give a few words from these letters, it is in the hope that it may arouse the feelings of horror at the doings of our own people, which it is almost inconceivable should have hitherto apparently slept."

We, the undersigned colonists, lose no time in placing on record our protest, as by these presents we do protest in the strongest possible terms, against language which we hold to be a deliberate garbling of the facts, a vilification of your Excellency's conduct, as also of that of our gallant defenders now doing duty in the field, and calculated, if allowed to pass uncontradicted, to be not only highly detrimental to the public service, but to reflect most unwarrantably upon the whole community.

Your Excellency, we cannot but feel, must have already suffered enough mental anxiety and bodily fatigue in the trying position in which, so soon after resuming the government of the Colony, you find yourself placed. To be thus prematurely censured for the discharge of what could only have been a most painful duty, and repugnant to your own best feelings, seems to us to merit the severest condemnation possible. The more so in this case as the self-constituted censor in question himself admits that the facts are as yet but inadequately known.

At this juncture it behoves every colonist to strengthen the hands of Government by all means at command. It is in this view that we beg respectfully to convey to your Excellency the assurance that your efforts have our cordial approval; expressing at the same time our hope that no amount of adverse criticism will deter you from persevering in the course which to you seems right and proper, to the end that the rebellious spirit evinced by a comparatively small section of our coloured population may be once for all stamped out.

The world's past history, if it teaches anything, teaches us the lesson that mercy misplaced may in the long run prove the greater cruelty. Rebellion under any guise is a crime of the greatest magnitude. In Natal, and especially under existing conditions, it is a crime of the deepest hue, requiring at once to be put down with a strong hand. No reasonable being, surely, can allege that your Excellency's government did not at the outset exhaust every legitimate means to bring Langalibalele's tribe peaceably to a sense of their duty and allegiance to their Queen and adopted country; or that they have not brought on themselves the sad results which none deplore more than your Excellency and ourselves.

Feeling perfectly satisfied that your Excellency is best capable of deciding upon the course necessary to be followed under existing circumstances, it only remains for us again to assure you of our undiminished confidence.

We, the undersigned residents in Grey Town and the County of Umvoti, beg to express our entire concurrence and approval of the views set forth in this Memorial, and to assure your Excellency of our utter confidence in the ways and means adopted by your Excellency for the speedy suppression of the rebellious acts of Langalibalele and his tribe.

We have, &c.,

(Signed) A. L. PRETORIUS,
C. F. VAN REEYEN,
And by 80 others.

Grey Town, December 20, 1873.

No. 35.

Lieut.-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal, January 10, 1874.

(Received February 25.)

MY LORD,
REFERRING to my Despatches on the subject of the proceedings against Langalibalele, I have now the honour to transmit to your Lordship copies of correspondence from Captain Allison and Mr. Hawkins, the officers in charge of the flying column sent in pursuit of that Chief, describing his capture, and that of his principal men.

2. From this correspondence it will appear to your Lordship that although the forces

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of Natal had not the fortune to be the actual capturers of the Chief, yet that without their aid the capture probably would not have been effected, for they threw the tribe into the hands of the other forces. At the same time I am far from wishing to detract in any way from the praise due to the officer acting under the authority of the Cape, and to the Governor of that Colony, for the energetic and prompt support which they have given to this Government.

3. I had intended sending your Lordship a connected account of the causes of this insurrection, and of the proceedings taken; but both Mr. Shepstone and myself (the Session is still sitting) have been so much occupied that I am unable to do so by this mail. In the meantime, however, I enclose, with the writer's permission, a private Letter from Mr. Shepstone to me, giving a somewhat detailed account of the gross insults offered to the Government by the Chief and his people, and of the steps which we took to save bloodshed, and to prevent the loyal part of the tribe from being involved in the punishment of the disloyal part of it.

4. Langalibalele, his sons, and chief followers, are in the jail of this place; and we purpose to try them, under native law, by a Court consisting of myself as Supreme Chief, Mr. Shepstone, four of the magistrates, and four or five of the principal native chiefs of the Colony. We shall adhere as nearly as may be to the native law, so far as it may be consistent with the principles of humanity.

5. If the accused are found guilty, the sentence according to the law must be death; but I intend to commute that punishment to transportation or penal servitude, as may seem expedient.

I have, &c.,
(Signed) BENJ. C. C. PINE,
Lieut.-Governor.

The Earl of Kimberley,
&c. &c. &c.

Enclosure I in No. 35.

GOVERNMENT NOTICE, No. 287, 1873.

His Excellency the Lieutenant-Governor directs the publication for general information of the subjoined communications from Capt. A. B. Allison and the Resident Magistrate of Upper Umkomanzi, reporting their latest operations in connection with the expedition against Langalibalele and his tribe.

Office of Secretary for Native Affairs,
Dec. 29, 1873.

(Signed) T. SHEPSTONE,
Secretary for Native Affairs.

SIR,

Hlonzi River, British Basuto-land,
December 20, 1873.

In my last letter, from the foot of the Manziyama Pass, dated December 4th, I reported that I was on the point of ascending that pass of the Drakensberg, for the purpose of rendering assistance to Captain Allison, should he desire it.

I have now the honour to report, for the information of his Excellency the Lieutenant-Governor, that I ascended the said pass on the 5th inst., and on the same day marched a further distance of about sixteen miles to the Konigazi River, one of the tributaries of the Orange River. I came upon the spoor of the rebel tribe, and on the 7th instant I effected a junction with the force under the command of Capt. Allison. Upon consultation with him, it was deemed advisable that I should accompany his force with the 44 volunteers and a small native force of 70 men. The remainder of my native contingent (about 300 men) I sent back to Natal.

I enclose copy of my correspondence with Captain Allison on this subject. As that officer will have reported in detail the movements of the united columns from the date of their junction, I do not deem it necessary for myself to report further than that I shall accompany Captain Allison into Natal, for the purpose of assisting in escorting the prisoners and captured cattle of the rebel tribe.

I have, &c.,
(Signed) ARTHUR C. HAWKINS,
Resident Magistrate.

The Hon. the Secretary for Native Affairs.

Branch of Orange River, British Basuto-land,
December 8, 1873.

SIR,

Having effected a junction of the forces under my command with your column, I have the honour to state for your information, that I have a force of about 350 natives and 46 European volunteers.

My object in effecting this junction was to render you any assistance and co-operation which you might require.

As I have not sufficient cattle to provision my native contingent beyond a few days, and as you verbally informed me that you are not able to supply me with cattle to provision them, I shall send my native force home immediately. As regards the European volunteers, I have sufficient provisions, such as coffee, biscuits, &c., for full rations for about five days, but can, without any great privation to the men, make their rations last for ten days.

I therefore propose to offer the services of myself and the volunteers to accompany you, and afford you any assistance you may require, in the effort to capture and chastise the rebel Chief.

As the question of the command of the combined forces naturally suggests itself, taking into consideration that I join you as an auxiliary force, I am willing to agree in all operations requiring combined action, as there must be one commander, in the event of any encounter with the enemy, to place myself under your command, upon the understanding that in all other matters not connected with actual operations against the enemy my command shall remain distinct from your own.

Should you require the above proffered assistance, I should retain some 60 or 70 natives with me, for whom I have sufficient cattle for some eight or ten days, after which, should we not capture any cattle from the enemy, I should have to ask you to supply me with one head per diem.

I have, &c.,

(Signed) ARTHUR C. HAWKINS.

North East Branch of Orange River,
December 8, 1873.

SIR,

I have the honour to acknowledge the receipt of your letter of to-day's date, and most cordially accept the offer made therein, and will unite with you heart and hand in pushing on and completing the object of the expedition.

Both the Europeans under my command and myself will share and share alike with you and your men, as far as our stores go.

I have no objection to ration the 70 natives you propose to retain, when their present stock of cattle is exhausted. Your resolution to dismiss the remainder of your native force is, I think, a wise one, as we shall have sufficient men without them, and it will be more difficult to procure further supplies of cattle in Basuto-land than provisions for the Europeans.

I have, &c.,

(Signed) ALBERT B. ALLISON,
Commanding Northern Flying Column.

Arthur C. Hawkins, Esq.,
Resident Magistrate.

Camp near Silibalu's Kraal, 10 miles N.E. of Leribe,
December 20, 1873.

SIR,

I have the honour to acquaint you, for the information of his Excellency the Lieutenant-Governor, of the further progress of the pursuing column since I addressed you from the Orange River, and of the final result of the expedition.

Leaving the Orange River, the march was continued over a most difficult country, crossing the Mide Berg at an altitude of 11,400 feet, and descending the valley between that and the Maluti range of mountains until the evening of the 11th instant, when a spot was reached which the rebels had evidently vacated only the previous day.

As signs of a hasty flight were plainly visible, and as the fugitives could not be far in advance, I here determined to abandon my baggage, and push on with three days' rations.

Leaving a strong rear guard, a pursuit as rapid as the country would admit of was commenced at daylight on the morning of the 12th instant. By noon of that day, many exhausted cattle and horses had been passed, and at 4 p.m. a large herd of cattle was seen in a valley about 25 miles N.E. of Leribe. A body of men was sent down the

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slopes of the head of the Maluti range, which dispersed the rebels, killing one, and capturing all the cattle. The main body of the pursuing column meanwhile kept upon the spoor, which by a circuitous route entered another valley, to the northward of the one already mentioned. At the halt of that night, a small party of mounted men was seen travelling on the back spoor. These men halted upon seeing our column, and when challenged retired the way they had come. A force marched to the support of those who had captured the cattle, at 3 a.m. on the 13th instant, and at daylight the column moved on and entered the valley.

I subsequently learned that the men in possession of the cattle had been attacked before daylight by the rebels, who had been beaten off with a loss to them of three men and thirteen prisoners.

From a prisoner taken that morning, it was ascertained that on the previous day a large force of armed Basutos, supported by 120 of the F.A.M. Police, had moved from Leribe into the valley in which the rebel Chief and his people were, that negotiations took place in the first instance between the two native forces, by Langalibalele and his sons advancing to meet the Basutos. A conference ensued, and ultimately the rebel Chief, his sons and councillors, rode away in the direction of Leribe.

The Basutos then came down to the tribe, said they were friends and did not wish to fight with them, but that they (the rebels) would have to give up their arms.

About half the number complied, the remainder refused and retreated into the surrounding kloofs and bushes. These were hunted by the mounted police, and ten of their number shot, while many were disarmed; others escaped with their weapons, retreating on their back spoor. The rear guard of the pursuing column fell in with, and accounted for some of these, and later in the day, in a skirmish near a Basuto village, another was wounded, and about thirty prisoners taken.

The rebel Chief and his immediate followers (about fifty in all) surrendered themselves at Molapo's.

From other sources, I learn that messengers from Molapo reached Langabaleli at the Orange River, with the information that the pursuing column had left Natal on his spoor, and inviting him to come on. The position was now completely changed; Langalibalele and the bulk of his property had eluded my pursuit, and were under charge of British authority in Basuto-land.

I received the first communication from C. D. Griffith, Esq., Governor's Agent, on the evening of the 13th instant, requesting me not to approach too near to the village of Molapo, as he feared it would unsettle the people living there, and the Basutos generally.

On the following morning, accompanied by Mr. Hawkins, I visited Mr. Griffith at the camp of the mounted police. I found him quite prepared to hand over to me the prisoners, consisting of the rebel Chief, five of his sons, and some councillors (twelve in all); but under the impression that the captured cattle, of which he had, he informed me, about 5,000, ought to be distributed amongst the Basutos employed in taking them (or rather, for there was no conflict, for collecting and driving them from the valley to where they were then being herded). Mr. Griffith had, I believe, employed patrols of Basutos to make distant journeys into the Maluti range, in order to ascertain the rebel's strength and position. As the agent of the Natal Government, I protested against this appropriation, upon the ground that the property of Langalibalele was, upon his being proclaimed a rebel, confiscated, and by right belonged to the Natal Government; that such property had been followed by me, and found in the possession of certain natives acting under British authority, and that therefore it should be handed over to me, subject to such deductions as might be agreed upon to be reasonable, and proportionate payment for the services of the force employed. This resulted in the demand being reduced to 1,500 head of cattle, to which I agreed, for the following reasons:—

1st. To have objected to any payment for the services rendered by the Basutos would have led to detention of the whole of the cattle until the High Commissioner could have been communicated with (a period of at least three weeks), and my force must in the meanwhile have remained in the field, at a heavy cost to the Natal Government.

2nd. The cattle, from change of pasturage, sickness, and theft, would have daily diminished in number.

3rd. The Basutos were clearly entitled to some payment, a large number of them having been from first to last employed, and the difference between the number of cattle it might be ultimately decided to give them, and the demand of 1,500 head would probably have been too small to weigh against these reasons for avoiding delay.

I annex a letter from the Governor's agent of the 15th instant, and a copy of my reply thereto of the 16th instant, with copy of a further letter from me of the same date, embodying the terms of the verbal agreement referred to.

Later on the same day I received a letter from Mr. Griffith, withdrawing from that agreement, and informing me that he would refer the whole subject to the High Commissioner. I enclose that letter, with my reply. This led to a re-opening of the subject verbally by Mr. Griffith, who visited my camp on the following morning, and informed me that the cattle, upon being counted, had proved to be 7,000 head, and 260 horses, and suggested that 2,000 should be the reward for the services performed by the Basutos. After some consideration I consented to this new, and, as I presumed, final arrangement. On the following day, therefore, I took over 5,023 head of cattle and 260 horses, leaving in Mr. Griffith's hands the 2,000 head in question.

Hearing subsequently that 500 head of cattle still remained in the hands of Joel, a son of Molapo, which had not been sent in, I requested Mr. Griffith to assist in the recovery of these. He informed me that these 500 head having been taken by Joel in the Maluti Mountains, he (Mr. Griffith) in accordance with a promise he had made to the Basutos that all cattle taken by them should become their own property, had authorized their detention. Mr. Griffith informed me on the 14th instant that 500 head of cattle had been taken by Joel and reported to the magistrate, and I considered these were included in the 5,000 he then held, and that the payment of 2,000 head of cattle discharged all demands by the Basutos. Mr. Hawkins also understood this, and it will be observed that in the letter of the 17th instant (received by me on the 20th instant), Mr. Griffith makes no mention of this transaction of Joel's.

I annex a copy of my reply thereto, of 20th instant.

In an interview with Mr. Griffith before he left, he stated it to be his opinion that Joel was entitled to these cattle, that he did not deem it necessary to reply to the letter, but would leave the matter an open question to be settled by the Cape and Natal Governments.

Of the rebels disarmed at Molapo's but two remain, the others having been allowed to disperse in different directions. The rebel Chief, with five of his sons and four headmen, will be taken over by me, and commence their march to Natal to-morrow, viâ Olivier's Hoek.

My return march will necessarily be a slow one, in consequence of the number of cattle and horses (upwards of 6,000 head).

I hope to receive instructions from you, upon reaching Olivier's Hoek, as to the disposal of these animals.

It is my intention upon reaching Natal, unless I receive other instructions, to discharge such of the Volunteer force whose homes are in the vicinity of Ladysmith and Estcourt, using the remainder as a body-guard for the prisoners.

Before closing this communication to you, I have to record and acknowledge the valuable co-operation and assistance I have received from Mr. Hawkins, both on the line of march and during negotiations with the Governor's agent.

I have also much pleasure in testifying to the steady and excellent conduct of the volunteers throughout the whole of this tedious and difficult march. I have had no occasion to reprimand a single man.

The force appeared to be held together and animated by but one feeling, and as the end drew near weariness and privations were forgotten, and they pressed on to their work cheerfully and well.

The native force of 1,600 men has also behaved loyally and well. They suffered much in the mountains from want of proper clothing, but no murmuring reached me, and there has only been one case of punishment for neglect of duty. I am also glad to report that no lives have been lost on our side. I trust his Excellency will approve of the action taken by me in the matter of the cattle.

I have, &c.,
(Signed) ALBERT B. ALLISON,
Commanding Pursuing Column.

The Secretary for Native Affairs, Natal.

Enclosure 2 in No. 35.

Escourt, Sunday Evening,
November 2, 1873.

MY DEAR SIR BENJAMIN,

I pushed on, and reached this yesterday at 3 p.m., found Macfarlane in the midst of his preparations, and I think everything will go as ordered. We all take up our positions to-morrow morning, and you shall hear from us some time during the evening. I have seen the messengers and heard their story. They have behaved with wonderful

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pluck and propriety, and have settled the question of Llangalibalele's defiant and rebellious position.

Finding that they were thwarted in every way and put off from time to time, they determined to go and seek him out. They were warned that they would be put to death, but they said they would not return without having delivered their message personally. Accordingly they started, and travelled a whole day in charge of some of the Chief's Indunas. Word was sent on to tell the Chief of their approach. They were told to go the next day. When they arrived they found a large force of armed men, guns, assegais, and battle axes; guns all loaded. They were subjected to every possible insult, until at length Mahoiza said, "Why not kill us at once, rather than insult us in this way. We are messengers from the supreme Chief to *his subject*. You insult him, not us. It would be more dignified of you to kill us." On their arrival they were immediately surrounded and made prisoners of. They were stripped of their clothes, and then marched under a strong armed guard, prodded every now and then with the points of assegais, to the hut where the Chief was. The hut was full of armed men, and was surrounded outside by others. When they got in they were told to speak. Mahoiza said he must see the person he was speaking to, and if the Chief was there he must see him while he was speaking. The Chief then ordered him to speak, he being concealed behind his men. Mahoiza refused until he could see him, and at last he came forward and scolded Mahoiza for having so persistently sought him out; said he would not obey any summons to appear; reviled the magistrate, me, and you; said he wanted to have, and would have, nothing to do with any of us; that if we wanted him we could go to him, and even then he would not meet us, but go into caves and live like Bushmen. He said he was afraid to meet us, and then that he would fight for two days, the first with the natives, and especially Pakadi, and the next with the whites, and then he would make peace by sending some cattle and money. His conversation seems to have been made up of boasts and expressions of fear, the first of which were applauded, the last rejected, by his people, who were with difficulty kept from killing the messengers there and then. Three of the Indunas exerted themselves to the utmost to save their lives, and succeeded, but they could not save them from the grossest insults and the most provoking conduct. The alleged reason for stripping them was to ascertain whether they might not have about them some means of doing the Chief mischief, such as pistols or poisonous charms.

A great deal more occurred that I cannot spare time to write, and they were taken away as they had been brought, under an armed guard. Nothing was given them to eat, and they had to do without for some days. I am glad that they succeeded in seeing and speaking to the Chief, because his conduct and that of his people have removed from my mind every lingering doubt that it is absolutely necessary to put him down with a strong hand. If we do not, we may as well throw up the reins of Government altogether; the necessity is laid upon us, and we must discharge our duty, however painful it may be to us to do so.

There are, however, a good many of the tribe who are loyal, and many of these are daily offering themselves to the magistrate and asking for tickets of loyalty; these, of course, he grants, and orders to keep perfectly quiet. I shall arrange that the Proclamation, copy of which I annex, is made by the leaders of all the divisions, at once or to-morrow morning, and I have decided to do this because I find that the rebellious portion of the tribe is all in one place, and that therefore twenty-four hours' notice is quite sufficient. By to-night I should think that most of the rest will have made their submission to the magistrate.

The whole tribe, it seems to me, must be removed from where it is, and dispersed among the farmers. The men found in arms should be punished as you may decide, in accordance with the suggestion I made to you in town, I think. But the difficulty will be in catching them. I therefore propose, with your sanction, to offer twenty shillings for every able-bodied man taken with arms in his hands. The effect of this will be to save their lives and make them useful to the Colony. They will then have to be tried and sentenced to such punishment, or its alternative, as you may decide upon. The Chief must, of course, be captured at all hazards, and perhaps it may be well to offer a reward for his apprehension, say fifty head of cattle. This would stimulate all to exertion, and we must leave no stone unturned to put down this rebellion effectually. I know that this is your wish and intention, and mine is to second you in every possible way.

The panic here has died away, and the subjects of it seem to me to be, from what I hear, becoming not quite satisfied with their own conduct. I have not as yet heard of

the native forces, but they could not be up before this evening, and I have no doubt that they will be zealous enough.

I have just seen Macfarlane, who has been out making arrangements, and he fears that there may be a few hours' delay. But that does not matter much, seeing that I heard from Captain Allison last night, assuring me that he and his force will be in position by the time ordered.

Please write at once your approval or otherwise of the suggestions in this letter, and please also preserve it, as I write in a hurry and have no time to make it shorter or copy it. I shall write to Major Durnford, telling him of a little alteration in our line, which more information has led me to see is necessary; it will much shorten the investing line. I sincerely hope there will be no rain for a few days.

I have, &c.,
(Signed) T. SHEPSTONE.

Captain Lucas will be in position with his Volunteers. His native force will not be far behind.

Will you, if you approve of the Proclamation, have it issued from your side also as soon as possible.

Enclosure 3 in No. 35.

PROCLAMATION,

By His Excellency Sir BENJAMIN CHILLEY CAMPBELL PINE, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Lieutenant-Governor of the Colony of Natal, and Supreme Chief of the Natives thereof.

Estcourt, November 2, 1873.

WHEREAS the Chief Langalibalele and a portion of the Amahlubi tribe have disobeyed the orders of the Supreme Chief and defied the authority of the Government of Her Majesty the Queen, and have taken up a position in the Drakensberg, where they have insulted the messengers sent by the Supreme Chief to remonstrate with them and require their obedience;

And whereas it is necessary that the authority of Her Majesty should be upheld, and that ready obedience should be paid to Her Majesty's Representative and to all officers legally acting under his orders in this Colony:

It is hereby made known that his Excellency the Lieutenant-Governor of the Colony and Supreme Chief over all the natives has thought it right to assemble a force consisting of natives, acting as police, supported by Her Majesty's troops and a portion of the Volunteer force of the Colony, to coerce and reduce to obedience the said rebellious Chief and tribe, if within twenty-four hours, that is, a whole day and a whole night, they shall not have surrendered themselves to the Supreme Chief, or one or other of the officers acting under him, to be dealt with according to law;

And whereas it is possible that individual members of the tribe may have been induced by threats or otherwise to adopt the mistaken course which they have followed, they are hereby called upon immediately to abandon their misguided Chief, and place themselves, families, and property under the protection of the officer in command of the nearest detachment, to be dealt with as may hereafter be decided upon.

All who reject or fail to take advantage of the terms offered by this Proclamation will themselves be responsible for the consequences.

The Supreme Chief does not wish to destroy people, but he is at once bound to put down rebellion at any cost, to prevent the loss of many lives of others who ought otherwise suppose that it is safe to disobey.

By command of his Excellency, Supreme Chief.

(Signed) T. SHEPSTONE,
Secretary for Native Affairs.

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No. 36.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal,
January 10, 1874.

(Received February 25, 1874.)

MY LORD,

WITH reference to the 3rd paragraph in my Despatch, of the 22nd November last,* in which I reported that the tribe of Putili, which had assisted in the rebellion of Langalibalele, had been surrounded and disarmed, I have now the honour to transmit to your Lordship a copy of a Proclamation I have issued, breaking up that tribe.

2. We have strong reason for thinking that at least another tribe was more or less implicated in this matter, but they had shown no decidedly overt acts of insubordination, so I thought it better not to notice them. The blow struck has had its effect; the would-be disloyal have in native fashion sided with the strongest party, and been the first to make a display of loyalty.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

PROCLAMATION,

By His Excellency Sir BENJAMIN CHILLEY CAMPBELL PINE, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Lieutenant-Governor of the Colony of Natal, and Supreme Chief of the Natives thereof.

WHEREAS, by Proclamation, dated the 11th November, 1873, I did proclaim and declare the late Chief Langalibalele and his tribe guilty of open rebellion against Her Majesty's Government, and whereas the tribe of Putili have been guilty of aiding, abetting, supporting, comforting, and adhering to the said Langalibalele and his tribe, by receiving and concealing part of the people and cattle of the said tribe, so in open rebellion, and by firing on Her Majesty's forces, and in divers other ways:

Now, therefore, I do hereby proclaim and declare that the said tribe is hereby broken up, and from this day forth has ceased to exist, and that no person heretofore belonging to it shall be allowed to live within the Colony, until he shall be furnished with and possess a certificate from the Resident Magistrate of the County or Division in which he resides or has resided, stating that he has taken no part in the revolt and rebellion aforesaid, or shall have been duly tried and acquitted of such offence.

And I do command all resident magistrates and other officers of the Government whom it may concern, to see this Proclamation carried into full force and effect.

God save the Queen!

Given at Pietermaritzburg, this seventeenth day of December, 1873.

(Signed) BENJAMIN C. C. PINE.
By his Excellency's command,
(Signed) T. SHEPSTONE,
Secretary for Native Affairs.

No. 37.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal,
January 15, 1874.

(Received February 25, 1874.)

MY LORD,

I HAVE the honour to transmit to your Lordship copy of a Resolution of the Legislative Council conveying to me their thanks for the measures which I deemed it my duty to adopt for the suppression of the late insurrection.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

9th January, 1874.

Enclosure in No. 37.

YOUR EXCELLENCY,

January 9, 1874.

I am commanded by the Legislative Council to transmit the accompanying Resolution expressive of their high appreciation of the promptitude, energy, and firmness with which your Excellency lately employed the resources at your command to enforce Her Most Gracious Majesty's authority and punish the rebellious tribes under the Chiefs Langalibalele and Putili.

I have, &c.,
(Signed) WALTER MACFARLANE,
Speaker.

Sir Benjamin C. C. Pine,
Lieutenant-Governor.

Resolution adopted by the Legislative Council of Natal, on Friday, 9th January, 1874, in relation to recent proceedings against the rebellious tribes under the Chiefs Langalibalele and Putili:—

“That the thanks of this House be given to his Excellency Sir Benjamin C. C. Pine, K.C.M.G., Lieutenant-Governor of this Colony, and Supreme Chief, for the promptitude, the energy, and the firmness with which he has employed the resources at his command to enforce Her Majesty's authority, and to punish the rebellious tribes under the Chiefs Langalibalele and Putili.”

I certify that the above is a true copy.
(Signed) THOMAS FOSTER,
Clerk.

No. 38.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal,
January 15, 1874.
(Received Feb. 25, 1874.)

MY LORD,

I HAVE the honour to transmit herewith a Memorial from 55 of the inhabitants living in the immediate neighbourhood of the scene of the late operations against the rebel Chief Langalibalele, and others.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

Enclosure in No. 38.

To His Excellency Sir BENJAMIN C. C. PINE, K.C.M.G., Governor and Commander-in-Chief of the Colony of Natal.

MAY IT PLEASE YOUR EXCELLENCY,

We, the undersigned farmers and others, living in the immediate neighbourhood of the location of the late Chief Langalibalele, and many of us having, or having had, people of the tribe of the said Chief living on our farms, beg to thank your Excellency for the prompt measures which your Excellency has taken to put an end to the rebellious attitude assumed by the said Chief, which for the last five months has been keeping the district in a state of unrest, and paralyzing the industry both of the white and the native inhabitants.

We have no doubt that if your Excellency had been here at the time of the first rebellious act of the late Chief, the same prompt action would have been taken, and the affair would have been settled without the loss of life, which has now unfortunately taken place, and the severe measures which, for want of that prompt action, have now become necessary if we are to live in peace in the Colony in future, or indeed to

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live in it all, would have been avoided; for we, living among the tribe as we do, and being in daily communication with them as our servants, feel assured that many of the tribe who have now joined the Chief in his rebellion, would not have done so, but from a feeling, induced by the inaction of the late Government in the matter, that the Government was afraid of Langalibalele, and would not be able to protect them from the vengeance which he threatened, if they did not throw in their lot with him. This inaction no doubt also encouraged the late Chief to persist in his first act of contumacy, and induced, or perhaps made it almost necessary, for a smaller adjoining tribe to take part with him, which tribe has also now paid the penalty of its treason, and, thanks to your Excellency's prompt action, without bloodshed.

We trust that, in view of the utter breakdown of the present "Native Policy," your Excellency will be enabled to inaugurate a new policy which, while making the peace of the Colony more secure, will also show the natives that it is better for themselves to settle quietly under a firm and just Government, than to lounge about their kraals, which is now the chief occupation of the greatest part of the men, and indulge in dreams of driving the white man into the sea.

Signed by { G. W. BANCROFT,
FREDERICK W. MOOR,
JAMES RALPI,
And 52 others.

No. 39.

Governor Sir H. BARKLY, K.C.B., to THE EARL OF KIMBERLEY.

Government House, Cape Town,
January 15, 1874.

(Received February 25.)

MY LORD,

SINCE I transmitted, in my Despatch of the 24th ultimo,* a telegram announcing the "surrender" of the Natal rebel Chief Langalibalele to my agent in Basuto-land, full reports have been received from the several officers of this Government who were ordered to assist in his capture.

2. The accompanying *précis* of the contents of these reports, drawn up by Mr. Brownlee, the Secretary for Native Affairs, gives an interesting view of operations, conducted, for the most part, in a region so wild and mountainous as to have been hitherto deemed impenetrable.

3. I quite agree with Mr. Brownlee in considering that the prompt suppression of this outbreak in Natal, which threatened at one time disastrous consequences, will be productive of the very best effects by the practical lesson it has given the native chiefs of their own disunion as compared with the essential unity of British power in South Africa, and that it will thus tend to render Kafir wars less probable than heretofore.

4. For these results I venture to suggest that the thanks of the Imperial Government are justly due to my responsible advisers, especially Mr. Molteno and Mr. Brownlee, for the alacrity with which they volunteered the assistance of the Frontier Armed and Mounted Police before I had even time to suggest the measure; as well as to Commandant Bowker and the officers and men of that admirable force, who executed the duties respectively entrusted to them by the Government in the best possible spirit, despite numerous difficulties and privations.

5. The greatest credit is also due to Mr. C. D. Griffith, Governor's Agent in Basuto-land, for the skill and energy he displayed in making arrangements with the Basuto chiefs for Langalibalele's capture, and for the cool and resolute mode in which he succeeded in disarming the Chief and his followers without unnecessary effusion of blood. Mr. Joseph Orpen, the newly-appointed resident magistrate in No-Man's-Land, is likewise deserving of special praise, both for the promptitude with which he organized a sufficient force of Adam Kok's Griquas to intercept the rebels if they had, after crossing the Drakensberg, fled in that direction, and for the zeal and courage which he afterwards displayed in marching, at the head of the Native Contingent, along with Inspector Grant's squadron of police, over the mountains into Basuto-land.

6. I have only to add that about half of the detachment of Her Majesty's 86th Regiment sent from Cape Town returned hither in the 'Natal' yesterday, the remainder being expected by an early steamer; and, further, that I have, with the concurrence of

Dated 13th
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my advisers, informed Lieutenant-Governor Pine that an application which his Excellency had made to me for the reception of Langalibalele, after trial and conviction, at Robben Island in Table Bay will be complied with.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) HENRY BARKLY,
Governor.

Enclosure in 39.

NARRATIVE OF THE LANGALIBALELE REBELLION.

January 13, 1874.

Immediately on receipt of intelligence from Natal of the rebellion of the Chief Langalibalele, the Government made arrangements for the despatch of three companies of the 86th Regiment to Natal, and ordered Commandant Bowker to move every available man of the F. A. M. Police as speedily as possible to the source of the Caledon River, Government having some months before received intelligence that it had been arranged between Langalibalele and the Basuto Chief Molapo that Langalibalele should retreat to Basuto-land in case of a rupture with the Natal Government.

Orders were at the same time sent to Mr. Griffith, the Governor's Agent in Basuto-land, and to Mr. Orpen, the British resident in No-Man's-Land, to do all in their power to prevent the retreat of Langalibalele and his people into the country under their jurisdiction, to arrest all rebels who came into their country, and to take possession of their cattle pending further instructions from Government; and they were further directed to inform the chiefs under them that, if they permitted the rebels to take asylum in their country, they would be regarded as participators in the rebellion.

Before the receipt of these instructions both officers had received communications from the Lieutenant-Governor of Natal conveying information of the rebellion, and requesting their assistance and co-operation.

Without hesitation, and without instructions from this Government, both officers acted with the most commendable promptitude.

Mr. Griffith at once sent to Letsie, the paramount Basuto Chief, directing him to send scouts into the Maluti or Drakensberg Mountains to ascertain, if possible, the position of the rebels, and to warn the minor chiefs against receiving them.

As there were doubts of Molapo's fidelity, Mr. Griffith went in person to see him, and arranged with him to prove his loyalty by sending a strong party of his men to attack the rebels, and as a further inducement Molapo was promised that he should be permitted to retain whatever cattle his people should capture from the rebels; and in two days after Molapo's men were on their way into the Maluti Mountains, under the command of Jonathan, his son.

On receipt of the Despatch of the Lieutenant-Governor of Natal, Mr. Orpen at once proceeded to the base of the Drakensberg, at the nearest point to the Natal boundaries. Mr. Orpen had been in office only for four months, and found the people in the country to which he was appointed in the utmost disorder, and in a chronic state of war with each other.

Notwithstanding this, he at once raised a large force of natives wherewith to oppose Langalibalele's entrance into No-Man's-Land.

In the meantime intelligence reached this Government from Natal that it was the intention of Langalibalele to retreat down the St. John's River, and join his brother Ludidi, a chief residing in No-Man's-Land, in the neighbourhood of the large and powerful tribe of the Pondos, and who, being an independent tribe, it was apprehended might complicate matters by aiding Ludidi and Langalibalele.

The orders, therefore, that the main body of the police should move to Basuto-land were countermanded. Commandant Bowker was directed to push them on to No-Man's-Land, to co-operate with Mr. Orpen; and if it were found that Langalibalele was retreating to the north or Basuto-land side of the Drakensberg, then the police were to cross over in pursuit, and co-operate with Mr. Griffith.

At the same time that the police from this side were to move to No-Man's-land, it was arranged that the detachments in the vicinity of Basuto-land were to concentrate on the sources of the Caledon, in front of Molapo's country.

The party under Jonathan Molapo, after some days spent in traversing the mountains, and after being greatly reduced through the failure of their horses, fell in with Langalibalele, and, being then too weak to attack, assumed the attitude of friends, and conducted the rebels out of the mountains to the country near Molapo's residence.

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Their approach having been notified to Major Bell, magistrate of the Leribe District over Molapo's tribe, Major Bell sent off an express on the 8th December to apprise Mr. Griffith of the information he had received, and Mr. Griffith without delay hurried up to Leribe, where, on his arrival on the 11th, he was informed by the Chief Molapo that Langelibalele was on his way to Molapo's village, and would surrender to the Governor's agent.

Mr. Griffith then proceeded to Molapo's with fifty men of the F. A. M. Police, and, shortly after their arrival there, Langelibalele also arrived with eighty-four of his followers, all armed with assegais. The party having been disarmed, Mr. Griffith arrested Langelibalele, his five sons, his brother, two counsellors, and the official messenger, the rest of Langelibalele's attendants being permitted to remain at Molapo's village. On the following morning, 12th December, Mr. Griffith, accompanied by the police, and a party of Molapo's men proceeded to the foot of the Maluti Mountains, where the main body of the rebels were encamped. A message was sent to them that if they laid down their arms their lives should be spared, and 200 of them surrendered. In the meantime Jonathan, the son of Molapo; Lerothodi, the son of Letsie; and the Chief Mapeshoane had taken possession of the cattle of the rebels, 7,000 in number.

A party of the rebels having refused to give up their arms, and having fired on the Basutos, Inspector Surmon was sent against them, and found them posted in a strong position in a narrow gorge of the mountains. After a short engagement the rebels were routed with the loss of ten men, the main body retreating into the mountain.

On the following day, the 13th December, the Natal pursuing force, consisting of 80 Volunteers and 1,500 Zulus, under command of Captain Allison, arrived at Leribe. Mr. Griffith delivered 5,000 of the captured cattle to Captain Allison for the Natal Government, retaining 2,000, which he distributed among the Basutos who had taken part in suppressing the rebellion; and Government has approved of this distribution.

Mr. Orpen and Inspector Grant, having ascertained through scouts that Langelibalele had abandoned his design of joining Ludidi, and was retreating to Basuto-land, at once went in pursuit of him, but arrived at Leribe ten days after the surrender, having endured great fatigue and hardships in crossing the Drakensburg Mountains, in a most difficult and rugged part, Mr. Orpen having been in the field with his men from the 16th November to the beginning of January.

At the commencement of the outbreak very serious apprehensions were entertained of the fidelity of Molapo; but through the influence of the British president, the temptation of obtaining the rebels' cattle, the utter hopelessness of Langelibalele's position (no other tribe having joined him), and the arrangements organized on all sides for the punishment of the rebels, demonstrated to Molapo the desperate position of Langelibalele, and, either from choice or necessity, he was turned from being a friend, to take active and energetic measures for the capture of the rebels and their property.

Molapo is now committed to us, and will doubtless be no further cause of anxiety or trouble.

Letsie, the chief son of Moshish, seems always to have been well disposed to us, and acted well, for, though far removed from the scene of action, his son followed the Governor's agent to Leribe with 300 mounted men, ready to do whatever might be necessary in defeating or opposing the rebels.

Mr. Orpen, on the south side of the Drakensburg Mountains, appears to have had no difficulty in raising any number of men he may have required. The Griqua chief, Adam Kok, placed his men at the disposal of Mr. Orpen, and, in the advance into Basuto-land over the mountain, Mr. Orpen was enabled to take 235 picked men well armed and well mounted, deeming this, in conjunction with the 200 men of the F. A. M. Police under Inspector Grant, a sufficient force wherewith to pursue the rebels.

While the rebellion is greatly to be deplored, the events in connection with it will be productive of good. Langelibalele doubtless counted upon the support and sympathy of the other tribes, and no doubt this had to some extent been promised to him; but the utter failure of his hopes, his arrest, and the dispersion of his tribe, will induce other tribes to hesitate before resisting British authority, in a reliance on allies who may desert them in their need, and who may be the means of inflicting the severest blows on them.

The successful termination of the Langelibalele rebellion, the united action of forces from this Colony and Natal, regular as well as native, cannot but fail to create the best impression on all the tribes from Natal to this Colony; and the evils of this rebellion will be far more than counterbalanced by the good order, and the long, if not lasting peace, which may be expected to follow.

I have, &c.,
(Signed) C. BROWNLEE,
Secretary for Native Affairs, Cape Town.

No. 40.

The EARL OF CARNARVON to Governor Sir H. BARKLY, K.C.B.

SIR, Downing Street, March 2, 1874.
I HAVE to acknowledge the receipt of your Despatch of the 15th of January,* communicating further particulars relating to the capture of the rebel Chief Langalibalele.

I have read with much interest Mr. Brownlee's clear and able report; and I have to instruct you to express to your Ministers the sense entertained by Her Majesty's Government of the prompt and ready assistance rendered by them on this occasion; of the prudent and effectual measures adopted, and of the manner in which Commandant Bowker and the officers and men of the Frontier Armed and Mounted Police performed the duties assigned to them.

I have to instruct you also to express to Mr. C. D. Griffith and Mr. Orpen my appreciation of the skill and energy displayed by them in carrying out the operations which led to Langalibalele's capture.

I have learnt with great satisfaction that there has been no unnecessary bloodshed on this occasion—a fortunate result, which may be attributed to the judgment and ability with which the operations were conducted.

Sir Henry Barkly, K.C.B.,
&c. &c. &c.

I have, &c.,
(Signed) CARNARVON.

No. 41.

The EARL OF CARNARVON to Lieutenant-Governor Sir B. PINE.

SIR, Downing Street, March 2, 1874.
I HAVE to acknowledge the receipt of your Despatch of the 15th of January,† enclosing a copy of a Resolution of the Legislative Council, in which they convey to you their thanks for the proceedings you adopted for the suppression of the late insurrection.

I have also received your further Despatch of the 15th of January,‡ enclosing a Memorial to a similar effect from certain inhabitants of the Colony living in the neighbourhood of Langalibalele's country.

Sir Benjamin Pine, Natal,
&c. &c. &c.

I have, &c.,
(Signed) CARNARVON.

No. 42.

The EARL OF CARNARVON to Lieutenant-Governor Sir B. PINE.

SIR, Downing Street, March 5, 1874.
I HAVE to acknowledge the receipt of your Despatch of the 10th of January,§ enclosing printed Letters from Captain Allison and Mr. Hawkins, in which they report their operations in connection with the expedition sent against Langalibalele and his tribe. The measures adopted by Captain Allison and Mr. Hawkins appear to have been well planned, and conducted with energy and vigour.

Sir Benjamin Pine,
&c. &c. &c.

I have, &c.,
(Signed) CARNARVON.

* No. 39.

† No. 58.

‡ No. 59.

§ No. 35.

No. 43.

The EARL OF CARNARVON to Lieutenant-Governor Sir B. PINE.

SIR,

Downing Street, March 10, 1874.

I HAVE to acknowledge the receipt of your Despatch of the 10th of January, enclosing a Proclamation you had issued breaking up the tribe of the Chief Putili, which had assisted in the rebellion of Langliabalele.

I request that I may be from time to time furnished with full information of the steps taken to enforce this Proclamation, and I shall be glad at once to know how far you propose to enforce rigidly the banishment from the Colony which is threatened under the terms of it, and the number of persons to whom such a penalty will probably attach, together with any other details that have an important bearing on this point.

I have, &c.,

Sir Benjamin Pine,
&c. &c. &c.

(Signed) CARNARVON.

No. 44.

E. JENKINS, Esq., M.P., to COLONIAL OFFICE.

5, Paper-buildings, Temple, E.C.,

MY LORD,

April 4, 1874.

I HAVE the honour to address you with regard to the painful circumstances attending the suppression of the so-called "rising" in Natal, concerning which I have already sought to obtain authoritative information from the Colonial Office by a question put in the House of Commons to the Under-Secretary of State.

At a meeting of the Executive Committee of the Aborigines Protection Society, over which I presided, private information of an explicit and apparently trustworthy character, supported in many particulars by extracts from local newspapers, was laid before the committee, which went to show that the questions likely to arise from these unhappy circumstances were of the most serious nature. Indeed, on the first aspect it would seem that mistakes far more grave and disastrous than those which some years since arrested public attention in Jamaica have, with less appearance of warrant, been committed in Natal; and in the opinion of the Committee (an opinion in which I strongly concur), a case is made out demanding a prompt and searching investigation by Her Majesty's Government.

Two tribes, one of which is estimated to have consisted of 9,000 persons, have been swept out of their locations. Of these, if we are correctly informed, hundreds have been killed; hundreds or even thousands have been hunted out of the Colony; between two and three thousand old men, women, and children have been taken from their homes and distributed among other tribes; and all this appears to have been done under the alleged authority of martial or of native law. It is further stated that incidents of individual cruelty have occurred which it is certainly necessary, for the honour of British Government and humanity, either to punish or disprove.

In view of the fact that it is alleged that these proceedings have had the concurrence, if not the sanction, of so able, humane, and tried a public servant as Mr. Shepstone, the Secretary for Native Affairs in Natal, I may be allowed to express the belief that it is possible to give to them a better complexion than they seem at present to wear. But it is a fact that increases our anxiety for an immediate inquiry into these matters, that, so far as can be gathered from the Colonial press, although there was much to excite alarm on the part of the Colonists, there was only one incident of outrage which would justify measures so trenchant as those which have been adopted,—that incident was the killing of three white men at Mountain Pass by Langalibalele's tribe when an effort was made to detain it in a peaceful exodus from the Colony.

It was the opinion of the committee, without affecting to prejudge the case, in the absence of the authentic information which Government Despatches would afford, that at all events a sufficient *primâ facie* case had been made out to justify a special inquiry; and it was felt that the matter was so grave and urgent that we ought to press upon the Government the necessity of appointing a Royal Commission to visit the Colony and report upon these occurrences, while they were yet fresh and before much of the evidence should for ever disappear.

I have been asked to bring the matter before the House of Commons, and to move for an address to Her Majesty, praying for the appointment of a Commission, and I should feel it my duty to accede to the request. But it appeared to me that before taking this step it would be advisable to communicate with your Lordship, and to ascertain whether there were any reasons, in which I could concur, which, in the opinion of your Lordship, would render this step at the present moment injurious.

It appears to me that no time is to be lost in endeavouring to clear up this painful episode in Colonial administration, and I am sure that your Lordship will be among the first to desire a prompt and thorough inquiry.

The Secretary of State for the Colonies. I have, &c.,
(Signed) EDWARD JENKINS.

No. 45.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal, February 16, 1874.

(Received April 7.)

MY LORD,

WITH reference to the fourth paragraph of my Despatch of 10th ultimo,* I have now the honour to transmit to your Lordship copies of the judgment of myself and my assessors, by which we sentence Langalibalele to banishment or transportation for life to such place as I may appoint. I send also the evidence taken in the case.

2. Your Lordship will see that the evidence of the Chief's guilt is clear and convincing; but it might have been rendered, if possible, more so, had the evidence since elicited at the trial of his sons and Indunas been adduced at the trial of Langalibalele.

3. Great pressure was put upon me in certain quarters to allow the prisoner to be defended by counsel. I at first consented to do so, contrary, I must confess, to my own judgment. But the gentleman we selected for the task, Mr. Escombe, pointed out to us so forcibly that he could not, with a due regard to his position as a barrister, accept the conditions prescribed by our Court, viz., that he was to confine himself to cross-examination and stating points of law as at a court-martial. Mr. H. Escombe had, however, the fairness to tell us that he considered that the usual mode of advocacy would tend to excite the native mind to a dangerous extent. I therefore, with the entire concurrence of all my colleagues, determined to withdraw my consent to employment of counsel. I adopted this resolution on the following grounds:—

1st. Counsel have never been allowed to appear in any of the native courts of the Colony, except under stringent conditions, and to allow it in this case would create a precedent which it would be impossible to limit.

2nd. If counsel were to address the Court in the usual manner, appealing to the feelings and sympathy not only of the Court but of the audience, such an appeal would excite the native mind to a degree very dangerous to the peace of the Colony, more especially at the present time.

3rd. The prosecution was conducted by Mr. John Shepstone, with great moderation. He refrained from pressing any points against the prisoner which were not clearly proved; in truth, he refrained from urging several matters which he could fairly have urged. Further, the Court gave the prisoner the full benefit of every matter which could be adduced in his favour.

On the whole, I feel convinced that the prisoner had a most fair and impartial trial, and was convicted on clear, simple, and unstrained evidence.

4. There is a difference of opinion as to the sentence we awarded: a very small party indeed think it too severe, while a large party think that the prisoner should have been condemned to death. Mr. Shepstone and myself, and our colleagues, except perhaps the native chiefs, who would have advised the severer sentence, feel satisfied that the sentence we have pronounced is sufficiently severe to vindicate the authority of the law and to secure the peace of the Colony.

Trusting that your Lordship will approve of our proceedings,

I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

The Earl of Kimberley,
&c. &c. &c.

Enclosure in No. 45.

THE NATAL MERCURY.—FEBRUARY 12, 1874.

REBELLION OF LANGALIBALELE.

THE SENTENCE.

Monday, February 9, 1874.

The judgment of the Court was pronounced by His Excellency Sir B. C. C. Pine, Supreme Chief, in the marquee, at Government House, last Monday, at 1 p.m. There was a large attendance of the public, and especially of Kafirs. The whole Court was present.

Before reading the judgment, his Excellency said:—"I am now going to deliver the judgment in which this Court, and all the members of this Court, most fully concur. Of course the chiefs present consider themselves part of the Court."

This was interpreted into Kafir by Mr. Bennett, and all the chiefs signified their assent.

The judgment was first read by his Excellency himself in English, and was as follows:—

"Before we proceed to deal with the very important case before us, it may be well to describe briefly the position of the native chiefs and people of this Colony under the law.

"By the Queen's Patent Letters, confirmed by enactment of the Local Legislature, the laws, customs, and usages of the native inhabitants were retained in full force, except in so far as they may be repugnant to the general principles of humanity as recognised throughout the civilised world; and, subject to the same limitation, the power of the chiefs over their people is also retained. By the same authority, the Lieutenant-Governor is invested, as to the natives, with all the power and authority of a Supreme or Paramount Native Chief.

"Immediately subordinate to the Governor, acting as Supreme Chief, an officer was appointed, at first called the Diplomatic Agent, and afterwards the Secretary for Native Affairs, who was charged with the duty of carrying the orders of the Supreme Chief into effect and exercising a general control over the natives, as his representative.

"Under the authority before mentioned, the Supreme Chief has, from time to time, invested the Magistrates over divisions and counties of the Colony with power and authority to control the native population, and to administer justice according to native law, within their several jurisdictions.

"Immediately subordinate to the Magistrates stand the native chiefs, who, whether hereditary or not, are allowed to manage their own tribes on behalf, and as representative of, the Supreme Chief.

"But every chief and tribe is subject to the immediate control of the Magistrate of his or their county, who acts under the order of the Supreme Chief, issued through the Secretary for Native Affairs.

"The prisoner, the late Chief of the Hlubi tribe, was a chief and rain-doctor in the Zulu country, under the late King Panda.

"He was, in 1848, forced to fly for his life, and to take refuge in this Colony, with his own tribe and that of Putili.

"In the following year the two tribes were placed by the Government along the base of the Drakensberg, between Giant's Castle and the little Tugela River, in order to close and guard the mountain-passes against the inroads of Bushmen.

"In this situation the prisoner was under the immediate jurisdiction of the Magistrate of the County of Weenen, and stood towards his own tribe, the Magistrate, and the Government, precisely in the position of any other native chief, as already described.

"It appears that, for some years past, the Magistrate of the county in which the prisoner lived had noticed circumstances which led him to believe that the prisoner and his tribe exhibited an independence and impatience of control which might lead to difficulties. This feeling seems to have been specially observed in connection with the Marriage Regulations, which the prisoner and his tribe attempted to evade, and to defraud the Government of its dues.

"This insubordinate feeling became more manifest soon after the discovery of the Diamond-fields.

"In the year 1871 and 1872 large numbers of fire-arms were brought from the Diamond-fields into this Colony, and especially into the prisoner's location, by members of the tribe and others who had gone thither to work.

"Now, there was this singular and, as we think, unhappy conflict between the law of

this Colony and that of the Government of the Diamond-fields, viz., that no native in this Colony can lawfully possess a fire-arm without the written authority of the Government.

"The authority could only be obtained on the recommendation of the Magistrate within whose jurisdiction the applicant resided, and further, the fire-arm had to be stamped and registered. Without these requisites were fulfilled, no native could lawfully possess a fire-arm.

"On the other hand, at the Diamond-fields, as we are informed, any native could legally obtain fire-arms on the mere certificate of his employer.

"It appears, moreover, that at the Diamond-fields it was a common practice for the native to stipulate for the possession of a gun as the condition of going to work.

To limit, as far as practicable, the difficulty and danger occasioned by this conflict of the laws of two Governments both under the Queen's flag, the Government of this Colony issued a circular, dated the 14th of February, 1872, directing the Magistrates to inform any natives of this Colony who had possessed themselves of fire-arms beyond the boundary, that such fire-arms, however obtained, were liable to be confiscated in this Colony, unless the Governor's authority to hold them were obtained in the usual form and subject to the usual conditions.

In the years 1872 and 1873, it became known to the Resident Magistrate [of Weenen County] that both the law and the circular were set at defiance.

The attempts made by the Magistrate to enforce obedience to the law, and even to obtain explanation of the breach, were met by the prisoner and his tribe with indifference, and in some instances with resistance, till, at last, matters became so serious that the Magistrate reported the facts to the Government, and suggested that the prisoner should be directed to appear at head-quarters and explain his conduct.

In accordance with this suggestion, a messenger was sent by the Secretary for Native Affairs to order the prisoner to appear at Maritzburg in April, 1873.

The prisoner promised to come, and arranged with the messenger to await his arrival a few miles from the town and to accompany him to the Secretary for Native Affairs. Instead of obeying the order, the prisoner sent Mabuhle and others with the excuse that he had started and ridden as far as the residence of Umbunda, a distance of twenty miles, but could not ride further and was obliged to turn back. It turned out that this statement was utterly false, and that the prisoner had never left his location on the occasion in question.

However, the excuse was accepted; and Mabuhle was fully informed of the reasons, and of the urgency, which rendered it necessary that Langalibalele should appear in Maritzburg.

The prisoner, however, refused to appear, on the plea of being ill; but the messengers disbelieved the statement.

After this, Mabuhle, with others, again visited Maritzburg, and saw the Secretary for Native Affairs, who blamed them for bringing him a false message, and again explained the urgency of the matter.

Mabuhle stated that the falsehood was not his, but that he was simply the bearer of it.

The Secretary for Native Affairs told the messengers that he was then going to Zulu-land, but that he would re-open the matter on his return.

At this stage of the business, the present Lieutenant-Governor assumed this Government. He found it was known and talked of by both races residing in the Colony, and he fully concurred with the Secretary for Native Affairs as to the necessity of taking measures to vindicate the authority of the Government.

These measures were delayed by Mr. Shepstone's mission to Zulu-land, which the Lieutenant-Governor concurred with him in thinking of great and pressing importance.

During Mr. Shepstone's absence, information reached this Government that the prisoner had made overtures to some of the Basuto chiefs, Overberg, to receive his cattle, asserting that he intended to resist the orders of the Government.

On the 4th October last, Mahoza and Umyembe were sent with a message fully explanatory of all that had passed before, with the intelligence received of the overtures to the Basutos added, and requiring Langalibalele's presence at the seat of Government within fourteen days after the delivery of the message. The messengers reached the prisoner's chief kraal, Pangweni, on the [blank], but he declined to go to them, or to allow them to go to him; and it was not until the 28th that they succeeded in obtaining an interview with him at another of his kraals, about ten miles distant from Pangweni. The prisoner, on this occasion, refused to obey the summons, alleging fear as his reason.

The messengers from the Supreme Chief were received by an assemblage of men

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 belonging to the prisoner's tribe, armed with assegais, who treated them with insult and disrespect. They were partially undrest by prisoner's orders, under the pretext that weapons were concealed in their clothes, and then conveyed to his presence by armed men.

The Supreme Chief, finding meanwhile that the prisoner had declined to receive his messengers, and that the time allowed for Langalibalele's appearance in Pietermaritzburg was drawing to a close before they had even been allowed to approach him, determined to send a force to invest the country occupied by the prisoner and his tribe, with the view of requiring explanation and submission.

That portion of it sent to the Bushman's River Pass, found the cattle of the tribe, escorted by men in arms, unlawfully escaping from the jurisdiction of the Supreme Chief, towards Basuto-land; and these men fired upon the force sent by the Supreme Chief, and killed five of the Queen's subjects before a shot had been fired by the latter; and after Major Durnford, who was in command, had repeatedly exhorted the rebels to return to their duty and allegiance; and after Mabuhle, who was in charge of the rebels on behalf of the prisoner, had, with treacherous purpose, consented to take these proposals into consideration.

After this, the prisoner and his tribe, with their cattle, continued their flight over the mountain into the Basuto country, towards the Chief Molapo. They were pursued by a column sent by this Government, under Captain Allison and Mr. Hawkins, composed of volunteers and our loyal natives, till, intercepted by the Cape Mounted Police, they took refuge with Molapo and his tribe, by whom they were surrendered to the Cape Police, who gave them up to our forces, who were within a day's march at the time of the capture. Along with the prisoner there were taken, among others, his sons and the Induna Mabuhle, who unfortunately afterwards made his escape.

Such is a brief narrative of the events of this rebellion, as far as the prisoner is concerned. From the evidence before us, the following facts are brought to light:—

1st. The prisoner has for a considerable time past set at defiance the authority of the Magistrate to whom he was immediately subject, in a manner not indeed sufficiently palpable to warrant the use of forcible coercion according to our laws and customs, but perfectly clear and significant according to Native Law and custom, and therefore dangerous as an example to other natives and to the peace of the Colony.

At this point it may be asked why the Government, knowing the danger, did not at once proceed to punish the prisoner?

The answer is clear, and it discloses one of the very great difficulties with which the native Government of this colony has to contend. There are acts done by natives which, in the eyes of civilized communities, are perfectly harmless, or at least unimportant, but which, in the eyes of a native community, are criminal, and dangerous to the public peace. Now, the native Government, if it punishes such acts, incurs the censure and the odium of civilized public opinion; if it passes them over, it loses respect in the eyes of the native population, and endangers the peace of the community. It stands, in fact, between two public opinions now, and as it is to be feared for some time to come, irreconcilable.

2nd. The prisoner has at least permitted, and probably encouraged, his tribe to possess themselves of fire-arms, and to retain them in direct violation of the law. On this point the evidence is clear and precise. The general law, prohibiting the holding of guns without license, was well known to him; and the relaxation of that, by the circular of the 14th February, 1872, and its adaptation to the circumstances which had arisen, had been carefully explained to him. Yet, in the face of this, it is clearly proved that the prisoner and his tribe possessed a large number of guns which are unstamped and unregistered.

3rd. It also clearly appears from the evidence that, with reference to the unlawful possession of these fire-arms, the prisoner set the authority of the Magistrate at defiance, and on one occasion insulted his messenger.

4th. It has further been brought to light that, after the Supreme Court had been called upon by the Magistrate to support him, the prisoner set even that authority at defiance, by refusing to appear before it; excusing his refusal by evasion and deliberate falsehood, till at last, emboldened as it would seem by the extreme forbearance of the Government, he insulted their messengers, sent to deliver to him a message full of mercy as well as of justice.

5th. We come now to the final stage of the prisoner's proceedings. It has been proved that he directed his cattle and other effects to be taken out of the Colony under an armed escort, thereby manifesting a determination to resist the Government with force and arms.

Now, on this subject the Court wishes to remark that, according to native law as administered under the native chiefs, the mere removal of a tribe with his cattle out of our jurisdiction is an act of treason and rebellion. This law has been so far recognized by the Government, that it has always been in the habit of giving up cattle brought into the Colony by refugees; but it has not given up the people on the intelligible ground that it has no means of judging by itself how far the people may have been guilty of treason, except by such an act of removal. But this Government has never recognized the mere act of such removal as an act of treason, if unaccompanied by any criminal acts; and it cannot be too clearly understood, that any tribe in this Colony is at liberty to remove itself and its cattle out of our jurisdiction, if it does so peaceably, and with the cognizance and previous consent of the authorities.

The case before us, however, is quite different. It is that of a tribe flying from the jurisdiction, after setting the authority of the Government at defiance, and thereby endangering the peace of the community.

We come now to the affair at Bushman's River Pass.

A good deal has been said upon this subject in the Colony and elsewhere. But all we have to do with it is to look at the fact submitted to us as it concerns the prisoner.

It has been proved that a force sent by this Government, under Major Durnford, to intercept the prisoner's tribe and prevent them from leaving the Colony, met at or near the Bushman's River Pass, with a portion of the tribe under the command of the Induna Mabuhle; that Major Durnford entered into a lengthened parley with that Induna and members of the tribe, in which he earnestly and for some time endeavoured to persuade them to return to the Colony and to their allegiance; that the Induna, and those with him, led Major Durnford to believe that they would consider his injunctions, and so prolonged the interview till they had brought up an additional force. It appears, then, that after many threats, and insulting gestures and language, the tribe fired upon our forces and killed five of the Queen's subjects, who were doing their lawful duty by attempting to support Her Majesty's authority. It is needless to say that this act of firing on the Queen's forces, even had they in obedience to authority opened the fire, amounted in the eye of the law to rebellion and murder. But to fire on Her Majesty's forces and to kill her subjects who had not thought it right to commence firing, and whose leaders were trying their utmost to avoid the shedding of blood by an appeal to reason, was wilful and deliberate murder. The law of England declares that any person who, in committing any felonious act, causes, even accidentally, the death of another, is guilty of wilful murder.

The next question is, Who committed this act of rebellion and treason? It was proved in the evidence that the Induna Mabuhle commanded the portion of the prisoner's tribe at the pass, and therefore presumably commanded them to fire. He is, then, the immediate traitor and murderer. But, now comes the inquiry, In what relation did this Induna stand with respect to Langalibalele?

It has abundantly been proved, by the evidence before us, that Mabuhle was one of the most trusted of the prisoner's Indunas; that he always formed part of any important mission sent by the Chief to the Magistrate. It has been further proved that he took a prominent part in the communication which latterly took place between the prisoner and the Secretary for Native Affairs. But, more than all, it has been admitted by the prisoner himself that Mabuhle was the commander of the military portion of his tribe,—in fact, as we should say, Commander-in-Chief of his army.

It has been proved and admitted that the prisoner himself was, at the time, actually with that portion of his tribe who were at some distance in front; that is, that he was personally with the armed array which was leaving the Colony, of which array the divisions under Mabuhle formed a part. It has further been admitted by the prisoner that the killing of the Queen's subjects was reported to him by a messenger sent to him by this same Induna Mabuhle. Lastly, it has been proved that this Mabuhle was in company with Langalibalele when he was taken prisoner.

Thus, in every way, before and after, the prisoner was identified with the actual perpetrator of the murders, so as to render him as directly responsible for that murder as if he had himself commanded on the spot.

6th. The charge against the prisoner of treasonable communication with others out of the Colony has not been inquired into, in consequence of the length of time which it would take to collect evidence, and also because, in the presence of the grave charges brought against him, it was not thought necessary to press the charge. But on all other charges we find the prisoner guilty.

"The prisoner Langalibalele therefore appears before us convicted, on clear evidence, of several acts, for every one of which he would be liable to severe punishment under the

native law; for some he would be liable to forfeit his life under the law of every civilised country in the world.

Looking, then, at the acts of the prisoner, simply by themselves, as violations of the positive existing law, which we are bound to administer, it would be our imperative duty to inflict upon him a severe sentence. He has suffered no wrong nor injustice from the Government. In fact, if any charge can be made against the Government of the Colony as to its native policy, it is that it has been too lenient and too forbearing in its dealing with delinquents. We have carefully weighed any extenuating circumstances which can be alleged in the prisoner's favour. We have tried to discover whether some of his acts were caused by fear. We think it probable that his neglect to appear before the authorities may, latterly, have arisen from this cause; but we are satisfied that his former conduct and last open resistance to the Government sprung from other causes.

But, in considering this case, we cannot, and ought not, to shut our eyes to the very great danger to which any undue leniency or trifling with the faithful administration of the law would expose both races of this community. We cannot close our eyes to the evils which would arise if men, of either race, were to infer from our judgment in this case that they can rebel against the Supreme Authority and endeavour to involve the country in war and bloodshed, without incurring the severest penalty which the law can inflict.

Our unanimous judgment, therefore, is that the prisoner Langelibalele, late Chief of the Hlubi tribe, is, under the law which we are bound to administer, liable to the punishment of death; but, taking into consideration the extenuating circumstances alluded to, and giving them the greatest and fullest force, and also the punishment he has already undergone by deposition from his office and confiscation of his property, we sentence the prisoner to banishment or transportation for life, to such place as the Supreme Chief or Lieutenant-Governor may appoint.

The substance of this judgment was then translated to the prisoner, at his Excellency's request, by the Secretary for Native Affairs.

Minutes of Proceedings of the Court of Inquiry into certain charges preferred against Langelibalele, late Chief of the Amahlubi Tribe.

The Court met in the grounds adjoining Government House, Pietermaritzburg, Natal, at 11 a.m., on Friday, the 16th January, 1874.

Present:—His Excellency the Lieutenant-Governor Sir B. C. C. Pine, K.C.M.G., Supreme Chief of the Native Population of Natal, President; Lieutenant-Colonel Milles, 75th Regiment, Commandant; the Honourable the Colonial Secretary, the Honourable D. Erskine; the Honourable the Colonial Treasurer, John Ayliff, Esq.; the Honourable the Attorney General, M. H. Gallwey, Esq.; the Honourable the Secretary for Native Affairs, T. Shepstone, Esq., C.M.G.; Honourable Charles Barter, Esq., M.L.C.; Honourable J. T. Polkinghorne, Esq., M.L.C.; John Bird, Esq., Resident Magistrate, Pietermaritzburg; A. C. Hawkins, Esq., Resident Magistrate, Upper Umkomanzi Division; P. Paterson, Esq., Resident Magistrate, Inauda Division, Victoria County; Zatsuke, Head Induna of the Natal Government; Mafingo, Induna at D'Urban; Hemuhemu, Chief of the Mafunzi Tribe; Nondonise, Chief of the Amatuli Tribe; Teteleku, Chief of the Amapumiza Tribe; and Mausele, Induna to the Secretary for Native Affairs. John Shepstone, Esq., Resident Magistrate of Umvoti County, was present to act as prosecutor.

The President and Supreme Chief opened the Court with the following address:—

“Gentlemen of the Executive Council, Mr. Secretary for Native Affairs, Gentlemen of the Magistracy, who are called upon to help and assist in this trial, and Chiefs, who are also called upon, according to the law, to assist at this trial,—We are assembled here to-day to try a person, Langelibalele, formerly a chief, for the greatest crime that a human being can commit against society,—We are to try him for high treason—for rebellion against the authority of Her Majesty the Queen, as represented by her Representative in this Colony. Rebellion is the greatest crime that can be committed, because it involves all other crimes—murder, robbery, and every other possible crime are committed under the cloak of rebellion. Langelibalele and the chiefs are perfectly aware that, under their own law, if strictly administered, the prisoner would not be alive now. The offence with which he is charged would be considered as proved from the violence he has committed, without any further trial. But, whilst we are determined to give the late Chief, the man who was a Chief, the benefit of a trial by his own law, and to adhere to that native law under which he has lived, we are determined to temper that law with

as much mercy as possible. We are Christian men, and live under a Christian dispensation, and do not like to put men to death if we can possibly avoid it, and even then not without giving the accused a fair and impartial trial. I have, therefore, called together to-day, all the greatest powers in this Colony, and the representatives of those powers. I am myself sitting here as Supreme Chief, representing the Queen, and empowered by Her Majesty to administer native law. I am assisted by my Secretary for Native Affairs, the gentlemen with whom the natives come immediately in contact; I am assisted here by the Executive, the Supreme Council of the Colony; I am assisted by Magistrates, who are made by me to be Chiefs of the Kafirs, to administer justice, under me, according to native law; I am also assisted by some of the great Chiefs and Indunas of the Colony, the equals of Langalibalele himself."

Mr. John Shepstone, acting as prosecutor, addressed the Court as follows:—

"May it please your Excellency, Honourable Gentlemen and other Members of this High Court: For nearly thirty years has British Rule been established in this Colony, and it must be matter of congratulation to all that it is only now found necessary, both for the present and future security and welfare of the Colony, and its inhabitants, to constitute a Court, presided over by your Excellency as Supreme Chief of the large native population here, for the trial of Langalibalele, the prisoner now before the Court, who has for some twenty-four years held and enjoyed the position of Chief of a considerable and important tribe under this Government; and I feel sure that it is the sincere desire of your Excellency, and every other member of this Court, that the accused should have a full and fair trial on the several serious charges to be preferred against him and his tribe collectively. These charges I shall now, with the leave of the Court, proceed to enumerate."

The indictment reads as follows:—

"That Langalibalele and the Hlubi Tribe, having been refugees from Zulu-land in 1849, and having been received by the Government of Natal, and allowed to live in the Colony, on condition that they occupied a portion of the base of the Drakensberg, and discharged certain duties necessary for the protection of the County of Weenen, did wickedly, seditiously, and traitorously conspire together to abandon that position and those duties; and in carrying out the object of such conspiracy did leave the Colony and cross the Drakensberg, as an armed force, taking their cattle with them, well knowing that so to do was a defiant contravention of the law under which they live, and rebellion against the authority of the Supreme Chief.

"That in carrying out this seditious and rebellious design, they pointed their weapons of war against the Supreme Chief, and wounded his person; by killing the subjects of Her Majesty the Queen, sent by the Supreme Chief to turn them back to their allegiance and duty.

"That Langalibalele, having been entrusted with the management of the Hlubi Tribe, as Induna, or Lieutenant of the Supreme Chief, did encourage and conspire with the people under him to procure fire-arms, and to retain them, as he and they well knew contrary to law, for the purpose, and with the intention of, by means of such fire-arms, resisting the authority of the Supreme Chief; and that, with the same purpose and intention, he did enter into and carry on treasonable communications with others at present unknown; and that, emboldened by the possession of such fire-arms, and encouraged by expectations of aid and comfort from others, he proceeded to disobey and defy the Magistrate placed over him, to insult and treat with violence and contumely the messengers sent to him on behalf of the Supreme Chief, and to kill the subjects of Her Majesty the Queen, sent directly by the Supreme Chief to cause him, and the people placed under him, to return to their allegiance.

"Whereby he wickedly and traitorously placed himself, and the people committed to his care, in open rebellion against the Supreme Chief, and the authority of Her Majesty the Queen."

The prisoner Langalibalele, having been called upon to plead to the above indictment, admitted that he had certainly done what was charged against him; that is to say, he had gone over the Drakensberg Mountain with his people, he had gone armed, and he had gone with his cattle, and in so doing these things had happened. But he stated that there were certain witnesses, viz., Mabuhle, Umzwilikazi, Nkunjana, Umpukane, and Umhololo,* not now present, whom he would like to have called, as their evidence would justify or extenuate what he had done. Further, he admitted that he had treated the messengers of the Supreme Chief with disrespect, in that he had caused them to strip and undress; but he said that this proceeding was a matter of precaution caused by fear. The other indignities offered to the messengers were so offered outside the hut, he

* Note.—Neither of these men is at present in the Colony.

(the prisoner) being at the time inside. He did not answer the charge of encouraging the young men to arm themselves for purposes of resistance, but denied that they had procured the guns in consequence of an order from him, or with any purpose whatever.

The Supreme Chief informed the prisoner that he had been armed with authority by the Government to prevent any wrong doing on the part of his tribe, and for any wrong committed by them he (the prisoner) was answerable, according to the law administered here.

The prisoner Langalibalele denied having made any treasonable communication with the Basuto chiefs, or any other person.

His Excellency, the Supreme Chief, said he had heard the excuse offered for the offence of stripping the messengers, but he looked upon it as an aggravation of the insult and crime that it should be supposed that this Government could be guilty of treachery.

Langalibalele said the people of his own tribe, living at Estcourt, had said there was that danger, and that he must take precautions against it.

The President told the prisoner that, as a Chief, he should have ruled his tribe, and not be ruled by them.

The prisoner threw all the blame on his headman—Mabuhle, who had been appointed one of the official witnesses under the Marriage Regulations, and had commanded at the Bushman's Pass; and he wanted Mabuhle, and others who commanded under him, to be brought before the Court, for they would justify him in reference to the charges brought against him. The circumstances which had arisen had been caused by other people, and not by him. He had been driven to it; his going over the mountain had been a flight from dangers which those people who had been in town, and whose advice he could not help following, had declared to be imminent.

His Excellency, the Supreme Chief, caused the prisoner to be informed that it was his duty to have controlled his tribe; and if he found he could not do so, it was his duty to have given himself up, and sought the protection of the Government. What was the use of his being a Chief, if he could not control his own people? No excuse, by trying to throw the responsibility on the clan, would palliate the prisoner's offence.

The prisoner, having no further plea to offer, the Native Chiefs and Indunas were asked if they wished to say anything at this stage of the proceedings. They expressed themselves as follows:—

Hemuhemu said that he heard that he could hear no answer from Langalibalele that in the least justified his conduct, or was at all an answer to the point put to him, having been sent for to appear at the head-quarters of his own Government, and well knowing that he was a dog of this Government he had gone over the Drakensberg, and in doing so had actually pointed guns and assegais at his own Great Chief. He had heard no answer to the charges which had been preferred against the prisoner. As to the people of whom he had spoken as being those whose conduct justified him here to-day, they were people who, the Court well knew, dare not have said or done anything contrary to his wish. Langalibalele's duty was to have come here at once when sent for, and if he had come when summoned, instead of meeting a Court like this, he would simply have had to answer some much more trivial matter, in reference to which he had been sent for on that occasion. He would like Langalibalele to state any justification of what he had done—of his flight, and of his leaving the Colony. He would like him to name any Chief of his rank, and who had occupied the position he had, who, when sent for to answer a charge, had been hurt because he came. He had nothing more to say, and could not see the least justification in anything that Langalibalele had said. The prisoner had done that which was perfectly unjustifiable and criminal towards the Supreme Chief and the Government.

Teteleku said that no excuse could be found for what was charged against Langalibalele, on the score of ignorance, for all the chiefs in this Colony and all the headmen had invariably been made fully aware of what would be contraventions of the laws, and what might and what might not be done; and as regards guns, everyone knows it is a crime to possess a gun without having obtained the license of the Supreme Chief to hold it. It might be true, as Langalibalele had said, that he had not desired his young men to buy guns, but it cannot be true that, after they had bought these guns, he did not know they had bought them; and, having been bought in that way, they had been unlawfully bought, and could only be lawfully held by being taken to the Magistrate, and the holders receiving the permission of the Government. If Langalibalele had found, when he made an attempt to do his duty—that is, to make these young men take the guns to the Magistrate—that they disobeyed him, and he had not power enough to make them obey him, he should have reported to the Magistrate that so and so possessed guns, that he had tried to get the law observed by having the arms brought to be registered and legally owned, but

that the persons named were too strong for him, and on that ground should have asked the assistance of the Magistrate to get the law carried out. If Langalibalele had forgotten, or neglected, or it did not occur to him to follow that course, then the next course was one which could not have hid itself from him; when matters became serious, and the prisoner was sent for, he should have gone to the Magistrate, and at any rate tried to do that which he could to remedy his mistake in not having done it before. And then, again, if from a want of confidence between himself and the Magistrate, or from any other cause, he might have felt disinclined to take that course, his duty was still perfectly clear—he should at once have come to the Supreme Chief, and laid his difficulty before him, so as to see how he could be relieved of it. And, lastly, his duty was, if by inadvertence, or from any other cause, he had neglected to adopt either of the above courses, when he heard, as he did, that the Supreme Chief was himself coming to talk to him, to have come humbly representing the case before the Supreme Chief, even supposing he had his weapon lifted and pointed. This was what he should have done, and not have attempted to do what he had done. He should have said, “If I have done wrong, punish me;” for by thus coming to the Supreme Chief was the only legitimate course he had open to him to remedy all the omissions and mistakes he had previously made. But still, if he had neglected to do that, then, seeing that he had no property, that he was nothing, that he belonged to the Government, that the cattle were not his, that the people were not his, and that the land was not his,—supposing he had not sufficient courage to do what should have been done, he should, at the last moment, have left, unfollowed by his people. Then, when he was out of the Colony, when he had left all that belonged to the Supreme Chief behind him, and by running away by himself had done the least wrong he could possibly do,—then, when the first anger of the Supreme Chief had subsided, he might have sought for mercy, and possibly have been allowed to return to the Colony he had left in fear. To say, in defence, that Mabuhle, or any other man, or men, who commanded at the pass, were responsible for what had been done, was simply to say that which could not be admitted on any plea whatsoever. It was a well known maxim of native law that, if the cattle of a tribe leave the country in which they usually graze,—if they are taken away by their owners, and accompanied by them as an armed force—there is, from the circumstances of the case, a necessity to defend such cattle; and anything that happens after that first fatal step has been taken can only be laid at the door of him who caused it. He could say nothing more in this matter; the remarks he had made were those which occurred to him in reference to the things and circumstances as they appeared to him. According to native law, however, there would be no such talking as this. Natives had always heard of the difference between the laws of the white man and the black, and the feelings of the former in reference to taking away life; but as far as natives were concerned there would be no talking; the circumstances themselves would be sufficient to justify any action, and put a reply of this sort out of the way for ever. He could not help admiring the feeling of justice, that, even when a man had persisted in doing what this man had done, to make himself as guilty as possible, and had succeeded as well as he had, made the Supreme Chief inclined to allow him, to say or do anything to justify it if he can—that was to be admired. Whether the judgment was that the prisoner should be killed, or otherwise, it was in the breast of the Supreme Chief; but whatever it was, at any rate the prisoner could not complain.

Nondonise said, what Langalibalele had been guilty of was a matter of perfect astonishment to everyone concerned; no black man, no white man, but lifted up his hands in amazement at the conduct he had pursued. The fact of the matter was that chiefs, who in the olden times had been supposed to be chiefs, or to be connected with the families of chiefs, fancied, because they were not put down in the same way they had been put down by Chaka, that they were a great deal higher than they really were. That was a matter which must engage the attention of the Supreme Chief. He could not express his own astonishment, and that of everyone else, at the conduct of the prisoner—conduct for which no one could account. He could say nothing more than that the prisoner had attempted to do what he could not do—to pierce the skies with his assegais.

Mafingo said that among natives there would be very little talk over such an offence as this. The prisoner occupied the position of a dog, with hair on it (i.e., a real dog), which, if it bit its master, would be killed with little consideration. When the prisoner was in the Zulu country he was no chief, but when he came here he was a Chief; and now his conduct had disgraced every black man in the Colony, and made every native feel resentment towards him. The payment of taxes was found no hardship by them; they paid the money when called upon; but it seemed there were some—the prisoner, for instance—who thought such things, probably for reasons of their own, were hardships.

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Zatshuke said he did not know what there was to add to what had been already said. He concurred in what had been already stated as to the guns, and if it was true that Langalibalele had not given his young men orders to procure guns, then he should have taken one or other of the courses mentioned—courses which were fully understood by him and everybody else. There was no difficulty in taking guns to the Magistrate; there was no doubt guns had been taken before, and there was no reason why they should not be taken again, to be registered, as they had been before, and returned to their owners. He therefore saw no ground for so much talk about the matter. The facts contradicted the plea which the prisoner had made, and there were so many ways of remedying the mischief which had happened that it was idle for the prisoner to advance the excuses he had. When the Magistrate had sent to the prisoner requiring an explanation, he was bound to go; and what would he have suffered if he had explained? Everyone knew the laws under which natives could hold guns: it was quite clear to everybody in the Colony that no black man could lawfully hold a gun without holding the permit of the Supreme Chief giving him that right. The prisoner's first error was in not going to his own Magistrate, who would have told him what to do, and have set him right; and as he had not done this, everything had since gone wrong, for he had forgotten to take the preliminary and proper step first. Then came the further and more fatal mistake of the treatment of the messengers of the Supreme Chief, and the refusal to appear before him. The only satisfactory part of the prisoner's reply was his admission of the way in which he had treated the messengers—a fact which, under the circumstances, he could not deny, seeing that the men were here. When the prisoner undressed and stripped the messengers, he was on that occasion actually stripping the Supreme Chief, and insulting him in the grossest possible manner. It would have been much better, and he (Zatshuke) would have been better satisfied and more inclined to believe him, if prisoner had admitted the truth of all the other charges, for it appeared to him that a denial only aggravated the offence. It appeared to him (Zatshuke) that prisoner had been labouring under some sort of hallucination that he could succeed in making himself head of all the natives; but, if he had reasoned more, he would have seen that, first of all, he must be master of the white man too. How the idea got there, he could not say; but that appeared to have been the state of the prisoner's mind when he committed all these follies. As to the witnesses mentioned, these might have been of use, or allowed to say what they had to say, if the prisoner had gone to the Magistrate; but how could they appear as witnesses here in this case with such grave charges under consideration? The evidence is perfectly inadmissible—it is impossible that it can be admitted, or be of any value or weight. The prisoner's best course is to tell the whole truth at once. To say that people under a chief would do what had been done here, without the previous sanction and order of the chief, was to allege that which was perfectly impossible. Langalibalele's best course, seeing what he had done, was perfectly apparent—quite clear: he should tell the truth, admit what he had done and what had made him do it, and throw himself on the mercy of the Supreme Chief; that was the course Zatshuke recommended as the only course which was likely to do the prisoner any good. He could not but admire the course now taken, that a man who had committed himself as the prisoner had done should be allowed all the privileges now accorded him of answering for himself, and that it should be for a moment assumed that he had anything to say in justification of what he had done.

Manxele concurred in all that had been said, and he felt that if he said anything he would only be needlessly taking up the time of the Court.

His Excellency said it would save a great deal of trouble for the prisoner to be reminded—he did not require to be told, because he knew—that a chief was responsible for every act of his tribe. He could only relieve himself of that responsibility by at once going to the Government, or some chief under the Government, denouncing the people who were doing wrong, and asking for the assistance of the Government to punish them. If he did not do that, it was no use to try to throw the responsibility of any part of his acts on his tribe. That is the Kafir law, as is well known, and the Chiefs have properly enunciated those principles.

The prisoner was then removed, and, after a short consultation, the Court rose at 1.15 p.m., and adjourned until ten o'clock on Saturday morning, the 17th inst.

(Signed) W. W. MORIOM,
Clerk of the Court.

Minutes of Proceedings of the Court of Inquiry into certain charges preferred against Langelibalele, late Chief of the Hlubi Tribe.

SECOND DAY.

The Court resumed the hearing of this case at 10 a.m., on Saturday, the 17th January, 1874.

Present: His Excellency, the Lieutenant-Governor, President; Lieutenant-Colonel Milles; the Colonial Secretary; the Colonial Treasurer; the Attorney-General; the Secretary for Native Affairs; Mr. Polkinghorne, M.L.C.; Mr. Bird, R.M.; Mr. Hawkins, R.M.; Mr. Paterson, R.M.; and the following native Chiefs and Indunas:—Teteleku; Hemuhemu; Nondonise; Zatshuke; Hlokolo, Chief of the Amancolosi Tribe; Manxele; and Mafingo.

The Court now proceeded to hear evidence, not because the plea of yesterday was regarded as anything but one of guilty, but for the purpose of placing on record the extent of the prisoner's crime.

Mr. John Shepstone, R.M., called the messengers, sent by the Supreme Chief to Langelibalele, to prove what treatment they received at the prisoner's hands.

Umyembe, duly cautioned, states:—About the month of April last I was first sent to summon Langelibalele to appear before the Supreme Chief here. I was warned, before I left, that Langelibalele was accustomed to make an excuse that he suffered from a complaint in his leg, and could not walk; if he did make such an excuse on this occasion, I was directed to suggest that an easy and quiet horse should be procured to convey him hither, and, if that did not meet with his approval, that he should secure a wagon for the purpose. I also was the bearer of a note to Mr. John Macfarlane, R.M., which note I delivered on my way up, and received instructions to proceed. I found the prisoner at his kraal Nobamba, and, on arriving there, told him I had been sent from the Supreme Chief to summon him to appear at head-quarters, Pietermaritzburg. I also told him, in case his leg was not well, that he was to secure a quiet and easy horse to convey him hither, and, in case he could not do that, he was to secure a wagon. Prisoner asked what he was wanted for. I replied that he was wanted by the Supreme Chief, but I could not tell him for what; he would find that out when he got there. Prisoner said—“Everything is said in your presence; you know what is going on; upon what business of importance is it that I am wanted, and must be carried in case I cannot walk to Pietermaritzburg?” I replied, “You are a man of position, and have charge of a kraal and people here; and when you send to any of your headmen requiring their attendance, they never question your messenger as to what you require, but obey your summons.” I remained there three days, and on the fourth day the prisoner gave me a beast to kill. On that same day I told prisoner that the time was passing, that I had been there a long time, and had not yet received any definite reply to the message I had brought. Prisoner replied that, as it was a summons from the Supreme Chief, he must consult his people. On the fifth day prisoner said it was now time for me to go, and I could leave, and wait for him at the Zwartkop, near Pietermaritzburg, where he would meet me. I left, and waited upon, and saw, Mr. John Macfarlane, and then came on and slept at a kraal close to the Umgeni Falls. On the following day I came to the place where I was to meet the prisoner. At the close of the day on which I arrived there, Mabuhle and others arrived there. I was in the hut when one of the boys came in. I said, “You have arrived. Have you brought the Chief?” He said, “No; we have not brought him.” I asked, “Where is he?” and he replied, “At his kraal.” I then asked whether Langelibalele had made any attempt to come even a short distance, and he said the prisoner had made no attempt to come. This boy then left the hut, and, going to Mabuhle, returned with him to the hut. On Mabuhle's entering, he said, “Yes, you messenger from the Government, our Chief tried to come; he came as far as Mbunda's, but his leg then became so bad that we tried to put him on horseback, but he fell.” I then asked Mabuhle how it was this boy had made a different statement, and said that Langelibalele had never made any attempt to come. Mabuhle said he was only a boy, and knew nothing about it, and had not been present when the Chief left his kraal, or when he returned. I replied that it was impossible that their Chief should have left his kraal, have come all that distance, and gone back again, and for a man, in whose company he was coming down, not to know anything about it, even by common conversation along the road. That is all that passed on that day. On the next morning we proceeded to Pietermaritzburg; I came on alone in advance, and reported my proceedings to the Government. I was present when the Secretary for Native Affairs met the prisoner's messengers. He asked Mabuhle how it was he was treated in this way, and

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told Mabuhle that it was impossible for him to do as well as the Chief himself—that he must go back and bring Langelibalele down. The Secretary for Native Affairs said he should allow a few days to elapse, and then send the same messenger again; that they must procure a wagon, or horse, and bring the Chief down. Other things may have been said, but that was the substance of what passed. Some few days after, when time had been given for the necessary arrangements to be made, I was again sent to Langelibalele, and received instructions to go and return by the same route I had travelled on the former occasion; to call on Mr. Macfarlane, and tell Langelibalele he was summoned on the same business as on the former occasion. I was further directed to inform the headmen present that, in case the prisoner persisted in his obstinacy, and refused to obey the summons, the tribe would cease to be a tribe; that, in fact, they would bring themselves to destruction. On my way up I delivered a letter to Mr. Macfarlane, and was told to proceed. Soon after leaving Estcourt I met Umpiko, one of Langelibalele's people, and an official witness under the Marriage Regulations. I met him on this side of Table Mountain, and asked where the prisoner was. He replied that he did not know exactly, but that he was at one or other of the kraals on the other side of the range of hills on which we had met. On arriving at the kraal Nobamba, I asked where the prisoner was, and was told at Pangweni, a kraal which I had passed on my way. I asked how they could send me back again, when I had heard the Chief was at the kraals in this direction. I was again told the prisoner was at the kraals which I had passed, but that he was ill, and could not be seen. I said—"Is there any chief that cannot be seen simply because he is unwell?" The people replied that they had not seen him, and, on account of his illness, did not know where the prisoner was. I told the young men that I was going to sleep at the kraal of Ngwahla, and that they must furnish me with a man to conduct me to where the prisoner was. The young men said they could not do that, and advised me to leave my sticks and go with them to a beer-drinking, or allow them to secure some beer from Langelibalele's sons. I declined, saying I had not come for the purpose of drinking beer, and they must provide me with a messenger to conduct me to Langelibalele on the morrow. I told the men, before they left for the beer-drinking, that they were acting foolishly, and, if the Chief were really ill, it would be better for me to see him, in order that I might bear witness to the Government that he was really ill. The men left, and went to the beer-drinking, and on their return in the evening I again complained that they were doing wrong in hiding the Chief from me. I said I was not a man of great importance—I was in amongst the prisoner's own people, and could not do him or them any harm; why, then, did they hide him from me? Shortly after this a messenger came from the Chief, stating that I was to remain where I was, and on the following day should know what I had to do. I asked the messenger where the Chief was, but he declined to state, saying I should know everything the next morning. About eleven o'clock on the following day a messenger from Langelibalele arrived, saying the Chief wished to see me, and that I was to be accompanied by Masipula, one of his sons. He said Langelibalele was at the kraal Mahendeni, and explained that I had not been informed of this the day before, because no one could then tell when the Chief, who was ill, could be seen. I went to this kraal; it was not a great distance, and I arrived in a short time. A great many people were assembled at the upper gate of the kraal, and on arriving amongst them I inquired for the Chief. Mabuhle said, "The Chief is sick, but you messenger from the Government can say what you have to say." I then said, "It is right that a message from the Supreme Chief should be delivered to Langelibalele himself." Mabuhle said that was impossible, the Chief was so ill that he did not now see his own people. I said I could not possibly do him any injury, and it would be better if I saw him, for I could then bear witness to the Government that he was ill. Mabuhle said I might as well deliver what I had to say, and they would tell the Chief; but I said no, I was sent to the Chief, and would deliver my message to him. They then persisted in the plea of sickness, and said they did not know what he had done wrong, or why the Chief should be sent for. I said he was summoned to explain something which had occurred in the county of Weenen. They said how could they possibly carry him down to Pietermaritzburg, and, in fact, bury him in a foreign place, instead of burying him where he should be buried. I again requested to be taken to the Chief, so that I might see he was so ill. I said I had been sent to many chiefs, even to the Chief in the Zulu country, and had never met with a refusal to see the Chief on account of his sickness, but had always been allowed to see him, whether sick or not. I continued to refuse to deliver them my message until I had seen the Chief. This conversation lasted from the time I had arrived there until about 3 o'clock p.m., when Mabuhle left, and went to Langelibalele; on returning, he said that prisoner had said I could deliver my message to the headmen, and afterwards see

him. Seeing there was no further use in persisting, I said what I had to say to them,— that I had come back again to deliver the same message which Mabuhle had received in Pietermaritzburg, and that they were to bring Langalibalele down on horseback, or in a wagon, in order that something which had occurred in the county of Weenen might be explained. I then told the men that the message to them was, that, if they persisted in their conduct, and did not aid Langalibalele to go down to Pietermaritzburg, they were doing themselves an injustice, and would suffer for it. I again pointed out how wrong they were to hide the Chief from me, a messenger sent by the Supreme Chief. They replied that they were not hiding him, but that he was really very ill. I again urged them to allow me to see him, so that I might bear witness of his illness to the Government. I then went up with Mabuhle to where Langalibalele was. I found him partially concealed by a box and partially by his men. I only saw his head and shoulders; he was lying down at the time. I then told Langalibalele that I had brought the same message I had brought before, and summoned him to appear in Pietermaritzburg. I told him if he could not proceed on foot he was to procure a horse, or some vehicle to convey him hither. He then asked how he could be taken away from his kraal and place when he was so ill; what was it that was so important? I replied that it was something which had occurred in Weenen county, and whether sick or not, whatever he had said or done, it was far better for him to proceed to Pietermaritzburg. He asked how was it possible, when he was so ill, and why was he forced to appear? for if one were taken ill in Pietermaritzburg he would be allowed to return home, and the case would be attended to after his recovery. I told him he was acting very wrong, that he was only a child in the hands of the Government, and should obey the summons. I told Langalibalele that it could not be anything very serious, as he had not committed murder, and I again advised him to go. All this I said on my own responsibility, in addition to the message delivered to me. Langalibalele said it was impossible for him to come, he was so ill. I said I was not going to convey his messages, as well as those of the Government, and if he wanted that message taken he had better send some one with it. He then told me to go back to Nobamba and sleep there. I received a calf, killed and eat it, and left the next morning; called on Mr. Macfarlane, and then returned to town, and delivered the message I had received from Langalibalele. These are the only occasions on which I went alone. A short time after this I went again, for the third time, with Mahoiza.

Mahoiza, duly cautioned, states: I went with the last witness to Langalibalele's. On my return from the Zulu country, where I went with the Secretary for Native Affairs, I was ordered to proceed to Langalibalele, with the last witness, to tell him he was required down here, and that the Secretary for Native Affairs had looked for him before his departure for the Zulu country, to summon him to appear as soon as possible, and if he was ill, and could not travel on foot, he was to come on horseback, or in a wagon; but if he was too ill to travel even in that way, he was to allow Mr. Gert Rudolph, Clerk to the Resident Magistrate at Weenen, to see him, and certify as to his illness. I called at Mr. Macfarlane's office on my way up, delivered a letter, and told him the message I had as to Mr. Rudolph. I met Judge Harding there, and he told me to tell Langalibalele to get rid of the madness in his head, and obey the summons. Mr. Macfarlane advised me to go to the great kraal Pangeweni, and if the prisoner was not there he might be brought there by his sons. I proceeded there, and found some of the Indunas sitting at the upper end of the kraal. I inquired for the head Induna, and after saluting Macaleni and Umzwilikazi, told them I had come to summon Langalibalele, and would proceed to where he was. I expressed my willingness to go to him, though Mr. Macfarlane said he was to be brought to me. The men promised to communicate my business to Langalibalele, and told me to remain there. I remained the whole of that day, and on their return next day I was told to go to Mahlala's kraal, and remain there until Langalibalele had collected his headmen, so that I might talk to them. I said I had nothing to do with the headmen; I had not come to talk over a case, but to deliver a message to the Chief. I remained at this kraal three days, and on the fourth went to Pangeweni, and seeing the headmen, told them that Langalibalele had been summoned by the Government, and must manage somehow, on horseback or in a wagon, to obey the summons, and proceed to Pietermaritzburg. The men and Indunas inquired for what matter Langalibalele had been summoned, and I said it was in connection with some case which had arisen, or circumstance which had happened in the county of Weenen, in connection with Mtshitshizelwa, Domba, and Faku. They said Langalibalele was ill; the summons had overcome him, and they had never heard of a person who was ill being forced to appear; a case would not be gone into until he recovered. They promised to tell the prisoner, but said the nature of this Government seemed hard, and that allegiance in the Zulu country was not required in

the case of a man like Langalibalele to be paid in person, but by Umhlaba, his Induna Langalibalele's head Induna, Macaleni, said he thought it best that Langalibalele should be taken down to Pietermaritzburg. Having heard what I had to say, I was requested to remain another seven days, so that they might talk the matter over. On the eighth day I despatched two messengers to Mr. Macfarlane, to report that I was detained, in consequence of not being allowed to see the Chief; and I expressed a hope that I should not be blamed for remaining so long. On the day appointed I went back to the kraal, and met the headmen whom I had met seven days before. Macaleni told me that what had been suggested and previously agreed to would not now be carried out; that they made resolutions at this kraal, and when they saw Langalibalele they were all undone, and fresh resolutions were suggested. I then requested to see Langalibalele, and said it would only be right that I should see him. Mabuhle said I could not see him unless he were first informed of it and I had been duly reported. On Mabuhle's return, after seeing Langalibalele, with the object of obtaining permission for me to see him, he said I was to return home; Langalibalele was too ill to see me, and could not come. I said it was very bad behaviour to keep me waiting all this time, and then tell me to go home. I said I should go to see him. Macaleni then advised us not to go, as he had done all he could to induce the prisoner to see us, but had failed. Umyembe, the last witness, suggested that, as Langalibalele might be afraid of me, and as he had seen him before, he should go to see him. Macaleni said he had done everything in his power and had failed, but if they thought they were better men they might risk the attempt. I again sent to Mr. Macfarlane, stating that the prisoner refused to see me, and on the return of my messengers I told Macaleni that I could not go back without delivering the message as directed by the Government, and I also wanted to see what would be done to me. I went next morning to Macaleni, and desired to be conducted to Langalibalele, but he said he was afraid to conduct me, for he had been to the prisoner since his last conversation with me. I said, "You had better go and put me in sight of the kraal, and then you can go back again." Macaleni said, if he did that, he might just as well go the whole way, and as I persisted in my intention to see the prisoner, he would accompany me. Macaleni then said, "You had better allow Umzwilikazi and Mabuhle to report that you are coming to-morrow." I objected, and said they had better be but a short distance in advance of me, and that we would keep near together. After proceeding some distance I met one of Langalibalele's men, and, stating I was going to see him, asked where the Chief then was. He advised me not to go, and inquired for Macaleni. I said, "He is behind." He advised me to sit down and wait, so that Macaleni might report my arrival, as it was not safe for me to go on. On reaching the White Mountain, I saw the cattle were being taken and were running away. I asked where they were going, and they said they did not know; Langalibalele had ordered the cattle to be removed. I proceeded, and arriving at the kraal found some men sitting at the gate. I saluted these men, and said I was hungry and wanted something to eat. They took no notice of my salute and only stared. Some young men on the other side called out, "Seize the carriers." Macaleni arrived at this kraal, and said I had better not go on that day; he had been warned that we were not to go on till next day. I objected strongly to this dilly-dallying and the short stages, and expressed my anxiety to deliver my message. We eventually decided to sleep at that kraal, but the people objected, and it was only owing to Macaleni's good offices that we procured a hut and something to eat. Macaleni said he would not suffer the Government man to be treated in that way; and if he and his party were driven away, he (Macaleni) would be driven away with them. I spoke to Macaleni, stating that I wanted to go on the next morning; but he said it was not day, and he had been ordered not to go too early. I said I should go on, and inquired at what kraal Langalibalele would be likely to be found. Macaleni said he could not tell exactly, but he thought Nobamba. On arriving in sight of Nobamba we sat down, and a messenger arrived, telling us not to go on; and we were kept at a small kraal of two huts. About this time Umyembe suggested that he should be sent on, to intimate to Langalibalele that it was quite time we had an interview, and that we had had nothing to eat on that or the previous day. I advised him not to go, and he did not. We waited for some further intimation. Shortly after this a messenger arrived, and said we were to go on. On approaching the kraal, we saw a great many people were assembled—more than are gathered here; they were all armed, some mounted, some seemed to be in confusion; they had assegais and shields, and some of them had battle-axes. As we approached we came up behind the men, who were drawn up facing the kraal. We saluted the men sitting outside, but they made no reply and took no notice; some stood with their assegais pointed. They told me to pass on and go below. I replied, "I am a messenger from the Supreme Chief; it is your place to turn round and face me, and

not my place to go below. There was great uproar on my saying that, and Mabuhle said, "Why should we turn round to face you? we are not your wives. Go round directly and speak at once, and make haste about it." I said, "I am a messenger from the Supreme Chief. How can I be hurried about in this manner. I have not been sent from any of your equals." He replied, "There are high powers in other places than this." I said, I had heard what they had to say, and thought they would have listened to me. Ngwahla inquired how they could treat me in this way, and they all turned round and pointed their sticks and assegais at him. He said it was all their fault for advising him to go to the Government. These men all belonged to Langalibalele's tribe, and his only. I said to the last witness, "We had better consent and go below;" and he said, "How can we talk if we put our mouths up in the air? We had better go close up to them." He said this because the ground was bad. I was now rather frightened, and divided my party into two, in order that some might escape if any came to harm. There were altogether about twenty men, including the boys who carried our mats. The two parties were now about ten or fifteen yards apart. It was late in the afternoon; and after we had separated and sat down, some young men came and trampled upon the assegais, and some went to one party, and some to the other, and sat upon the assegais. The headmen then said, "Say what you have to say." I said it was not necessary to say anything to them; I had already said all I had to say to them, and I now wanted to see Langalibalele, and not repeat what I had already said at the Pangeweni. I then said I had come to summon Langalibalele, and take him back to Pietermaritzburg with me; and if he was not able to come on horseback, he must come in a wagon. They said, "Tell us for what he is summoned." I replied that he had been sent for in reference to something which had occurred to the headmen, or Indunas, belonging to the Weenen Magistracy, and that the Government wished to bring the parties together to hear the rights of the case; after which they could go home again. They said it would have been better if I had brought Mtshitshizelwa, Domba, and Faku up with me, in order that the case might have been inquired into, and settled there. I said there was no power or head that could settle the case there; the only head which could inquire into the matter was in Pietermaritzburg. They replied that they would consider which would be worse for them, to take Langalibalele to be killed in Pietermaritzburg, or allow him to die where he was. I again requested to be allowed to deliver my message to Langalibalele himself. They all said it would be as well to die (i.e. to resist the Government) for two days, and on the third day they would beg for peace. I told Mabuhle I would not reply to what had been said, inasmuch as he was only an Induna, and I could only reply to such language when coming from Langalibalele himself. A messenger arrived, saying I was to be taken to Langalibalele, but I must be stripped. Some of the young men behind said it would be well if the Government gave them leave to have a fight with Pickade's people first. I said I should take no notice of these remarks, but address myself to Langalibalele. They then came up, took all my things from me, and asked what I had about me. I said they could search for themselves, but I had nothing about me. I then complained, and said I was being treated very badly; but even if they killed me it was not so much matter, I should deliver the message just the same. I said I considered it very bad conduct to strip me, and take me naked into the Chief's presence; but they persisted in doing so. They then said, "Umyembe, the last witness, must also take off his things." He said he had nothing; but they said they were afraid he might have the same pistol which Mr. John Shepstone had when he arrested Matyana. They then said, "Take them on, they are to go to Langalibalele." An order was then issued that the men who accompanied me were to be guarded, and they were surrounded by Langalibalele's men. When our clothes had been taken off, and they had found nothing they expected to find, they did not allow us to put them on again; we were told to leave our clothes where they were, and go to see the Chief. Whilst the guard was being placed around the other members of the party, Gayide made a rush and joined us to go down to the prisoner. Macaleni, Ngwahla, and Mhlaba accompanied us. Addressing the tribe, they said such conduct as stripping messengers and using them badly was never done; and unless they wanted to destroy the tribe they should not do it. I remarked that it did not matter much if they killed us, the Government would survive, and the tribe would never do such a thing again. We were pushed along and taken down to a hut, which was surrounded by men; we were taken inside, and found the hut was crowded; we were ordered to say what we had to say. I said there was no occasion to treat us in this way, that we should deliver the message from the Government, and there was no necessity to treat us as convicts. I then said I would not say anything more until I saw Langalibalele; I would not, for the third time, repeat my message to the men. The hut was

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crowded and very dark. Macaleni told them they had better leave me alone, and I could say what I had to say to Langalibalele. I then heard the prisoner's voice, and knew he was in the hut. I said to him, I have come to you; though I have been treated as I have, I shall still deliver my message. I am sent by the Government to call you, and although from my nakedness you might think I came from outside, yet I come from the Government. I told him the Government ordered that he should come down to Pietermaritzburg, and come either in a wagon or on horseback, as suited him best; and, further, I told him that he was summoned in reference to the same matter on account of which he had been summoned by Umyembe, the last witness. Prisoner asked why he was sent for, and I replied that it was in reference to the same business about which the Indunas, from Mr. Macfarlane's Magistracy, had been previously sent to him. He asked me why I had not brought Mtshitshizelwa with me; and I said, "Why should I bring him; the case is not to be tried here?" Prisoner then said, that boy, meaning the Induna referred to, had a grudge against him, and had given him a great deal of bother on former occasions, and endeavoured to get him into a row in reference to certain prisoners who had escaped from his (the Induna's) custody after they had been arrested. I said I had not been sent to discuss that matter, but only to request his attendance at head-quarters. I also said he had been sent for by the same Government which had placed him in his present position, and made him fat and rich; and that the supreme Chief was much surprised that a man whom he had raised to his present position should refuse to appear when sent for. I also delivered Judge Harding's message, and told him he was to allow his madness to leave his head and obey the summons. He then said, "What is this case; tell me what the charge really is?" I said no, you will hear when you arrive at Pietermaritzburg. I added that the Government were very much surprised that he had had communications with Molapo and other powers beyond the Colony. Prisoner replied that he had heard that he had been accused of doing so. I asked him from whom he had heard it, and said that when he arrived at Pietermaritzburg he would find out from the Government who had spread that report. He said it was not the first time the Secretary for Native Affairs had tried to get him into trouble. He had heard that the Secretary for Native Affairs had stated that he (prisoner) had bought guns, and was trying to get a way for a cannon; but that when about to go into the question, and investigate the charge, the Secretary for Native Affairs had said, "Let there be an end of that matter; it was simply a report." Prisoner at the same time stated that it looked as if the Secretary for Native Affairs (Mr. Shepstone) had a grudge against him. I then told Langalibalele that I had orders from the Government, if I was satisfied that he was sick and unable to travel, to send for Gert to see him, so that he also might bear witness of his illness. Langalibalele said, "Which Gert do you mean?" I said, "Mr. Gert Rudolph, the Clerk of the Magistracy to which you belong." He said he dare not "come here," and added that it was owing to Mr. Rudolph's false statements to Government that he was now in disgrace. Langalibalele then said he was afraid to go to the Government; he would turn Bushman, and go into caves. He was afraid because of something which had happened in the Zulu country, when, there having been a dispute amongst themselves, his (prisoner's) brother had been sent for and killed by the Zulu chiefs, and he himself had only escaped alive by fleeing to Natal. He said, "I am afraid to go, and you can tell the Government I won't come." After he had said that, I inquired how it was that I, an Induna under the same power as himself, should have been stripped and treated as I had been by his orders and in his presence. I said this in order to see whether it had been done by the people on their own motion, or whether he knew nothing about it and would rebuke them. Prisoner said we had been so treated by his orders, as he was afraid we might have had a gun or pistol about us, as Mr. John Shepstone had when he arrested Matyana. He (prisoner) knew the circumstances of that case, for he had been present and had assisted at the arrest. I then asked him if he had really made up his mind not to obey the summons. He said, "Yes, that is my final answer. I do not intend to obey the summons, and I do not intend to run away. You will find me sitting where I now am when you all come." I advised prisoner, in spite of all he had said, to obey the Government. He said, "Yes, if you can give me a fresh leg; if you can cut off this leg and give me a new one, I will come." Prisoner said he would pay a fine; and I asked to whom could he pay it, or who inflicted it, for I had not come to inflict a fine. He said he would pay a fine of threepence. I asked him to explain, and he said he would pay threepence because he had not such a large tribe as Moshesh or Faku, and that amount would be in proportion to his position and rank. I again advised him to go to Pietermaritzburg, saying we could travel slowly, and it would be far better for him to state what he had to state to the Government. He said, "I will never go." I said, "Why won't you go; you are called by your father, who has made

"you what you are." Langalibalele then called one of his headmen, who went behind the others, and they whispered together. I could not hear what was said, but when the conversation was finished Macaleni asked why the people were not appealed to and allowed to have their say in the matter when their Chief was sent for by the Government. Whenever had it happened, he asked, that a messenger sent from one power to another had been treated in this way; even when armies were facing each other, a messenger was often sent, and allowed to return without being injured. After Macaleni had said this, Langalibalele called him three times, and asked why the young men should not have their say, as well as the old men, considering that the former held the positions their fathers had previously held before them. Macaleni replied that the young men had their say, but as old men, and in charge of the tribe, they had a right to speak; and they said it was no matter, even if they buried the prisoner at Head Quarters, in Pietermaritzburg, it was his duty to go. Mhlaba said he agreed with what had been said; he had been frequently sent as a messenger to the Zulu Country, and had never been badly treated, but, said he to Macaleni, "your mouth has two openings" (i.e. you are double-faced). After entering the hut I requested that another of my men might be called in, so that there might be more witnesses; he was also stripped before he was allowed to enter the hut. As it was now getting dusk I wished the Chief good bye, and said that during the time I had been kept in custody I had only had three head of cattle to eat, and for three or four days I had had nothing to eat. Prisoner asked why should you be hungry, the country has now got to this state in consequence of your big stomachs (your extortions). I replied that a prisoner was always fed, and when hungry asked for and received food, even in gaol. He swore by the son of Usenzengakona, and told me to tell the Secretary for Native Affairs, and Mr. John Macfarlane, that they would never see him with their eyes again, and as to his cattle, they had departed long since. I asked, "Where are the cattle gone?" He said, "Those cattle which escaped the lung-sickness I sent away ages ago." I then asked the Chief why he had sent them away; of course I could understand why the cattle were being removed now, but for what reason had he sent away his cattle so long before. He said he had sent, and was sending the cattle away, because he saw the white people were running away, and he asked me what made them run away; I replied that I did not know they were running away, and in fact they had sent me here. Prisoner said all the farmers had run away, and were at Estcourt, and the Secretary for Native Affairs was also there. I said that it was not true, and he had better send some one down to see if it was true. Prisoner said I was only delaying him, that the army was at Estcourt; this I denied, but he said he had sent Mabuhle, and Umzwilikazi to see. The Chief told me to go and sleep where I had slept the night before; I asked him if he had anything more to say; if so, to tell me to return the next day; but if not, to let me go away altogether, and cover my nakedness. Prisoner then allowed me to leave. I appealed to the Induna, saying I had had no food for four days. After we had dressed, I sent back Umhlolo, on leaving, to dilly dally about the place where we had been stripped; and if questioned, directed him to say he was looking for my snuff-box. I wanted to see whether Langalibalele would come out of the hut, mount on horseback, and ride off. After stopping some time the man returned, stating that no one had left the kraal on horseback. I then sent the men back to ask for something to eat, as I was hungry, and they saw the prisoner mount his horse, and ride away from the kraal. They returned with Macaleni, and informed me of what they had seen. Macaleni said he had come to say good bye, and hoped I would tell the Government of all he had said and done. He said that Langalibalele was no longer under his influence; the young men had him under their influence, and what the old men tied up, the young men untied. Cattle were passing, and women running away towards the Drakensberg during all this time. I then returned, and reported to Mr. Macfarlane, at Estcourt, that the people were running away, the cattle were being removed, and so on. I remained at the Weenen Magistracy until the Secretary for Native Affairs found me there.

The prisoner was asked if he had any questions to ask these two witnesses. He replied that the only thing he admitted was the stripping the witnesses of their clothes. He added, I cannot possibly ask them any questions, or say anything without the presence of Mabuhle.

The Supreme Chief asked the prisoner "Why he had allowed the messengers to remain undressed, when he found they had nothing?"

The prisoner evaded the question, but said the messengers were in the hut, and they were afterwards allowed to put on their clothes again.

His Excellency asked witness, whether he understood, from what passed, that the prisoner had ordered the cattle away.

Mahoiza replied: Yes, I was not quite sure at first, though I could not tell why they

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should go away without the Chief's sanction, because if it were against his wish he would stop them; but when I inquired for food, prisoner said all the cattle had gone away, and I was then certain that he had ordered them away, and that it was with the knowledge of the Chief they were being sent away.

His Excellency inquired whether witness knew, of his own knowledge, and could identify any people as having resisted the Government by firing on the forces, white or black.

Mahoiza stated: I know positively that the people under me were fired upon by Langalibalele's people. We were ordered to proclaim aloud that the people were to return to their duty and allegiance, and that it would be better for Langalibalele to return, and allow the case to be gone into; on returning down a small spur of the hill, and when engaged in proclaiming,* my people were fired upon by prisoner's people; that was the day of the smoke on the Pass (Tuesday, November 4th, 1873). We were fired upon on the following day, close to the river Mibidwana, and we fired in self defence. Four of my people were killed. We had received orders not to fire first, and only in self defence. I remember a gun barrel which was shot through by one of my people. It is at my kraal, and when disabled was in the possession of one of prisoner's people. It had been used to fire upon us, in fact, I believe it was the means of killing some of my people, who on this occasion received gunshot wounds.

The Court instructed the witness to produce the gun at the next sitting of the Court.

Mahoiza wished to explain that the instructions he had received were not to fire or kill first, but his people were obliged to fire in self defence, before obtaining permission to do so. It was the first time he had known the Supreme Chief to be fired upon first by an inferior power; the reverse was generally the case, and the inferior power had to kill in self defence. The witness stated that the Tuesday before he had met the Secretary for Native Affairs at Estcourt,† was the date of his interview with Langalibalele.

The Court adjourned at 1.15 p.m., until 12 o'clock noon on Monday the 19th January, 1874.

I have, &c.,

(Signed) W. B. MORCOM,
Clerk of the Court.

Minutes of Proceedings of the Court of Inquiry into certain charges preferred against Langalibalele, late Chief of the Hlubi Tribe.

THIRD DAY.

The Court resumed on Monday, the 19th January, 1874, at noon.

Present:—His Excellency the Lieutenant-Governor, Supreme Chief, President; Lieutenant Colonel Milles, 75th Regiment; the Colonial Secretary; the Colonial Treasurer; the Secretary for Native Affairs; the Attorney General; Mr. Polkinghorn, M.L.C.; Mr. Bird, R.M.; Mr. Hawkins, R.M.; Mr. Paterson, R.M., and the following native Chiefs and Indunas: Teteleku, Hemuhemu, Nondonise, Zatshuke, Hlokolo, Manxele, and Mafingo.

His Excellency said: I wish to mention, before we commence business to-day, that I have determined to allow counsel to appear for the accused, in the person of a white advocate. I wish to say this is a very great innovation on Kafir laws and customs, and it must not be considered to be a precedent in any possible way; it would be a very dangerous precedent to introduce into this Colony, and I am only induced to allow it on this occasion, in consequence of the very great importance of this trial, or rather the very great importance attached to it by the public; but I most emphatically say this must not be considered a precedent in any Kafir Court; in fact it is contrary to Kafir law and usage.

Mr. John Shepstone now proposed to call Mhlaba, who was present at the kraal where Mahoiza and the other messengers were stripped, and who it was thought might be able to give information as to Langalibalele's departure from the kraal. Mhlaba is not a prisoner, but under surveillance at Mahoiza's kraal.

His Excellency inquired if there was any accusation against the proposed witness.

* Note.—The proclamation was published on Tuesday and Wednesday, November 4 and 5. The attack was made on Thursday, November 6, 1873.

† Note.—Mr. Shepstone met Mahoiza, at Estcourt, on November 1, 1873. The Tuesday before was the 28th October, 1873.

The Secretary for Native Affairs said: Mhlaba was under a charge until it was decided what to do with him, and others, who behaved in such a way as Mahoiza thought had saved his life.

After consultation, it was decided to receive Mhlaba's evidence unconditionally.

His Excellency, addressing the Native Chiefs, said: I am going on this occasion to make what you will consider a great innovation on the laws and customs of the Kafirs, and I do so with great reluctance, because I think it is not expedient, as a general thing. I am going to allow a European advocate to say what he can say fairly and justly for the prisoner. It is not to be taken as a precedent, and is quite contrary to your usages, as you know. This advocate is not only allowed, but requested by me, to say what he can say in the prisoner's favour.

Mhlaba, duly cautioned, states: I was present at the kraal Nobamba when Mahoiza arrived there, accompanied by Umyembe and others. Mahoiza had a conversation with the headmen outside; afterwards he was summoned to see Langelibalele, but they said that he must take off his clothes. To-day is the first time I have seen Langelibalele since that occasion. I left the kraal a very short time after Mahoiza left.

Cross-examined by the Secretary for Native Affairs: I went to the kraal of Nobamba at Mahoiza's request; he gave me the option of taking him to the kraal and then going home again. I had no personal conversation with Langelibalele as to Mahoiza's message before the interview took place. We sent to the prisoner by Mabuhle, he being the proper channel of communication. I had no conversation with Langelibalele as to receiving Mahoiza, although I am one of his Indunas. I am usually consulted on ordinary occasions, but in this case the consultation was specially confined to those in possession of guns, and I was not consulted. On the day that Mahoiza saw Langelibalele we had all received instructions to talk to the messengers, and, pleading prisoner's illness, say that he could not attend the summons. That is all we were instructed to say. Langelibalele did not say we were to make such a demonstration as would frighten the messengers. I was in the hut when Mahoiza was delivering the message to Langelibalele. I did not enter at first, but afterwards, with Umyembe. I did not say so in the hut, but outside I said that messengers of this sort were never badly treated. I said this when Mahoiza was told to strip. I also remarked to Macaleni, "Let the young men have their say. They won't do anything while we are present." After this Mahoiza was summoned to appear before Langelibalele.

Gayede, duly cautioned, states: I am son of the Chief Makedama. I was in the hut when Mahoiza delivered his message to Langelibalele. On entering the hut I found it full of people, and consequently so dark that I could distinguish nothing. The prisoner called upon one of his people to state what he knew of the circumstances which had transpired. This man, whose name I forget, said they were accused by their own magistrate, by Nitshitshizelwa, and two other Indunas, and on a previous occasion had been accused by the Secretary for Native Affairs of making a road up the Drakensberg to get a cannon down. After some further conversation Langelibalele said he was being destroyed, and addressing Mahoiza, said, "You have come to call me, and I am ill. But, suppose when I am not ill, what will be the end of the matter? Mahoiza, you can tell the Government I am ill. Yes; you persist in saying I am to come to the Government. But, take a knife, and cut off my crippled leg, and put on a new one, and even then I do not see my way clear to go to the Government. This has been our family misfortune. My brother was sent for in the Zulu country, and was killed at the Chief's kraal. You can tell the Government, Mahoiza, that I do not see my way clear to come. I am a man now who lives in caves; and you may as well go." Mahoiza inquired what he was to eat, or where he should sleep. Langelibalele told Mahoiza he might have a large stomach, but he would see what he had to eat. That was about all that was said. We got nothing to eat. There were no more cattle, and those we saw in the distance were moving towards the Mountain.

Cross-examined by the Secretary for Native Affairs: Two of the old men, Macaleni and Mhlaba, made remarks in the hut during the interview. Macaleni said he had never heard of a messenger sent in this way, from one power to another, being killed, injured, or treated in this way unless he were to meet an army on the road, when it was possible he might be injured. Mhlaba spoke to the same effect. While in the hut Langelibalele, addressing Macaleni, asked him why he had prevented the young men from having their say; they being orphans without fathers or mothers, should be allowed to have their say. This was said in reply to Macaleni's remark that messengers were never interfered with or injured. I do not know how the young men came to be mentioned, or whether anything had been previously said as to killing the messengers.

Mahoiza produced the gun referred to by him in his evidence on Saturday last. The

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gun was taken from one of Langalibalele's people who was shot. The registration mark is letter N, No. 8010.

The Attorney-General produced a return (drawn up in terms of Section 25, of Law No. 11, 1862) of firearms sold by Black, Baxter, and Co., showing that on 23rd July, 1873, 45 single guns, Nos. N 7973 to 8017, were sold to Wildridge and Pringle, Griqualand. Wildridge and Pringle applied to the Administration of the Government, who on 2nd July gave them permission to purchase these guns, their application being supported by a certificate from Mr. Brisly, secretary to Captain Adamkok's Government, that the guns would only be sold in Griqualand, and under special permits issued from the office of the secretary. The Attorney-General also produced a permission, signed by Colonel Milles, the Administrator of the Government, on 18th July, 1873, for the conveyance through the Colony to Griqualand of certain guns, including the numbers N 7973 to 8017, a certificate that the guns had been produced on 30th August, 1873, to the Field-Cornet, at Hancock's Drift, and another certificate, signed by S. Strachan, by order of Captain Adamkok, that the guns had been duly delivered to him on 15th September, 1873; and lastly, a certificate from the Resident Magistrate of Durban, showing the transfer to and registration of these guns, in the name of Wildridge and Pringle, on July 23rd, 1873. This list also included four other guns, one of which was fired at Wheelwright, from the cave.

Makatise, a Basuto, under the Chief Hlubi, duly cautioned, states: I was present at the Bushman's Pass, with Major Durnford and the Carabineers. I was some distance off, and do not know what was the nature of the conversation he had with the Kafirs. When we arrived at the pass to stop it, Major Durnford ordered my chief to send six men to Langalibalele's people, who had gone up the pass, and instruct them to return with their cattle. The six men obeyed the order, and on their return reported that Langalibalele's people had taken no notice of the order, had treated them with contempt, and were inclined to stab them with their assegais. On the return of the six men, a detachment of Langalibalele's people appeared to be coming down towards the pass, and Major Durnford went to meet and talk to them, but what was said I do not know; I was too far off. I recognised the people, and knew they were Langalibalele's, for we are their neighbours. I knew the Induna, Mabuhle, who was in charge on that occasion, and saw him. He was the only Induna I saw there. When Major Durnford returned from speaking to these men, others with their cattle were coming up from below; the cattle above, and those below, appeared to be about equal. When the cattle came in sight, the men, who were armed, pushed on in front. The Basutos said to their Chief Hlubi, "These men behind will not listen to what the authorities say, and these in front are coming up also; what have you to say?" Major Durnford was communicated with, and he directed Hlubi to send two men to order the men to return down the Pass. I was sent with Libna to order the men to go back, and tell them the Government was surprised, and wanted to know where they were going. When we had gone about the width of the road from our own people, they called out to us not to go too far, as the men were angry, and appeared inclined to fight, but to call out to them, as they were near enough to hear. Langalibalele's men called to us to come to them, and asked what business we had there. The men from below continued to come on. On my return I found the people still standing; Major Durnford had again gone back to those he had been talking to before; only Langalibalele's men had increased in number, and had come much nearer; they were accompanied by Mabuhle, and passed on both sides of where we were standing; they were becoming violent, and making a great noise; we saw they intended to fight. I forgot to mention that Major Durnford ordered a beast to be killed on our arrival at the Pass, and we had only just finished skinning the beast when Langalibalele's people arrived. On returning with Libna, I found the prisoner's people were inquiring when we were going to eat the cow which had been killed. At this time the men coming up the pass had come very close, and Major Durnford ordered Hlubi to push the men back, but not to fire upon them; to tell them not to come up the pass, and if Langalibalele's people fired first, and only then, had we permission to fire. We obeyed orders, and took the left, the Carabineers the right side; we tried to force and push the people down, but no shots were fired. Shortly after I saw Major Durnford, Captain Barter, and the Chief Hlubi talking together, and after this we received orders to retire the same way we had come. As the ground was bad, we had to go round; we went slowly alongside a stream of water, the ground being bad. We had to pass by a narrow place where the ground rose on either side; on one side the stream intervened between the elevated ground, and where we were, on the other side, the high ground was close, and we were under the rocks where the men of Langalibalele were sitting. We heard them say, now is the time to fire upon them. Jantje, the son of Silele, was about to fire, when some one said, "Wait and fire on the rear ones," but Jantje did eventually fire the

first shot; shortly after the firing became general. The ground then descended a little, and the rear could not see the front rank, though Langalibalele's people on the ridge could see the whole line. Two of their Europeans fell with their horses in front of me. One horse fell with such force that one of my men was knocked off his horse, and I thought he was killed, but he was not. The force went slowly until Langalibalele's people opened fire; they were walking; some were stopping to drink as they went along, Major Durnford, Elijah, and the Basuto, who was killed, amongst the number; after the firing commenced they went fast. None of Major Durnford's party pointed their guns at or fired at Langalibalele's people until they fired upon the European force. The Basutos in the rear pointed their guns after the firing commenced, but no one raised a gun before Langalibalele's men fired. We returned back the way we came. I only recognised Jantje as one of the men who fired; I did not see Mabuhle with a gun; in riding to and from the two divisions of Langalibalele's people he had no gun in his hand, but whether he had stowed it away somewhere I cannot say. I do not know the names of any of the people who were there. I recognised the son of Jozana, but I do not know his name; I should know him again. I knew Mabuhle was the Induna of Langalibalele who carried messages to Mr. Macfarlane; I had often met him at the Magistrate's office; he was a subject of the prisoner, and the people at the Pass were those of prisoner. When speaking to Major Durnford, the people said Langalibalele was below the Pass. The men who were not armed with guns carried assegais and shields, and were all in warlike costume; a great many were armed with guns, but the majority with shields and assegais; they were all armed and ready for fighting; they were not a large army, but a strong force. I saw the men sharpening their assegais. Mabuhle misled us altogether; at first he appeared to be trying to prevent the men from fighting, and those who were urging them on to fight were sharpening their assegais. We afterwards saw that Mabuhle's object was to get time to arrange his men. Whilst sharpening their assegais, Langalibalele's men said we had come to stop the Pass, but by the time the sun went down we should see in what position we stood to each other, and who would be left to talk at sunset; they also said we were not sufficient in number to stop their army. They were all this time swearing by their Chief Langalibalele; they also asked why they were followed now they had left the country of taxes. Five were killed on this occasion—three Englishmen, Elijah, and a Basuto.

The prisoner, when asked if he had any questions to ask the witness, said, I cannot ask any questions, as I was not there. I was on ahead, I had passed through the Pass. I cannot ask questions, inasmuch as I don't know anything about what happened; I was on ahead, and did not go back to know what took place.

His Excellency said the men had been recognized as those of prisoner's, had he nothing to say in answer to that?

Prisoner replied that Jantje was dead; he was one of the sixteen killed by the mounted police at Molappo's, and Mabuhle was not here, and he (prisoner) could say nothing; they were also officers of Mr. Macfarlane.

His Excellency said, what affected the prisoner most seriously was, that these men at the Pass had been identified as a part of his tribe; it was, therefore, important that he should pay attention to what witness had stated.

Prisoner said: I cannot deny that I had run away, and they were following me, and I cannot deny they were my people.

His Excellency asked the prisoner what made him run away?

Prisoner said: What really drove me away at last was a message from Mr. Macfarlane to me to get ready, as he was coming. This was after Mahoiza's return. My own people brought the intimation.

His Excellency asked the prisoner where Mabuhle was.

Prisoner replied: Mabuhle accompanied me to Molappo's, and was there arrested with me, but made his escape.

His Excellency informed the prisoner that counsel should be assigned to him if he wished it.

The prisoner said he should like to have counsel.

His Excellency inquired whether he would like a Kafir or a European advocate to speak for him.

Prisoner replied: I leave it in your Excellency's discretion; Langalibalele has no choice.

The prisoner was then removed, some conversation ensued as to the evidence in the case, and as the arrival of counsel was uncertain, the Court adjourned at 2.15 p.m., until some future day, of which the members of the Court are to be informed.

I have, &c.,

(Signed) W. B. MORCOM, Clerk of the Court.

Minutes of Proceedings of the Court of Inquiry into certain charges preferred against Langalibalele, late Chief of the Hlubi Tribe.

FOURTH DAY.

The Court again met on Friday, the 23rd January, 1874, at 11 a.m.

Present:—His Excellency the Lieutenant-Governor, Supreme Chief, President; Lieutenant-Colonel Milles; the Colonial Secretary; the Colonial Treasurer; the Attorney-General; the Secretary for Native Affairs; Mr. Barter, M.L.C.; Mr. Polkinghorne, M.L.C.; Mr. Bird, R.M.; Mr. Hawkins, R.M.; Mr. Paterson, R.M.; and the following Native Chiefs and Indunas:—Teteleku, Nondonise, Hemuhemu, Hlokolo, Zatshuke, Manxele, and Mafingo.

His Excellency said: At the last meeting I stated that we intended to allow counsel to appear for the prisoner, and we selected Mr. Escombe for that purpose. Mr. Escombe, on being informed that this Court was of a peculiar nature and jurisdiction, and that he must confine himself within certain limits, could not accept the duty, and I think properly. He said that, as an English counsel, he must ever be at full liberty to say or do what he liked, or he could not take up the case at all, and, therefore, he had declined; but looking at the peculiar character of this Court, and its being so directly contrary to Kafir usage, custom, and law, to allow counsel, I made up my mind that it would not be desirable to allow, or ask any one else to say anything, or act for the prisoner; he could only say something in extenuation of the guilt of the prisoner, because he had admitted it, and this Court is willing to take the most lenient view it can of the prisoner's conduct, and there is no necessity to urge that course; we shall be as merciful as circumstances will admit of. The native chiefs are aware that it is competent for them to put any question to assist the prisoner, if they feel so disposed.

Mr. John Shepstone said it would be necessary to complete the chain of evidence, to hear the statement of the Secretary for Native Affairs.

The Secretary for Native Affairs explained, that at the commencement of last year he had become aware that the Magistrate of Weenen county, and Langalibalele, were not acting cordially together. He said, several instances of that sort were brought to my notice by the Magistrate, and after a time he requested that I would send for Langalibalele; and as giving the history of matters up to this time, I will read the message to Langalibalele of the 4th October, 1873.

Message from the Secretary for Native Affairs to Langalibalele, Chief of the Amahlubi Tribe in the Colony of Natal.

“October 4, 1873.

“Before I went to the Zulu Country, I sent my messenger Umnyembe twice to you, to request you to come to Pietermaritzburg, in order that I might explain to you your proper position with reference to your magistrate, and communicate to you several complaints in the presence of the complainants themselves, so as to enable you to explain to me, face to face with them, any part of your conduct which they might have misunderstood or have misrepresented.

“These complainants were messengers sent to you by your magistrate, and he preferred that I should investigate the statements they had made to him; he thought that by my doing so in his absence, you would feel less hesitation in explaining your conduct than if he were present; his object was to remove an obstruction to frank communication between you. My messengers assured you that it was in your interest and in that of the Amahlubi Tribe that I required your presence; that my object was to prevent future evil to both, and that I must insist on your obeying my summons.

“On the first occasion you expressed your readiness to come at once, and dismissed my messenger after having definitely arranged with him to await your joining him on a certain day a few miles from the seat of Government, in order that he might escort you into town. My messenger acted in accordance with your arrangement, but on the appointed day a party of men arrived without you, saying that you had started on horseback in pursuance of your promise, that you had ridden as far as Umbunda's (about twenty miles), on your way to Pietermaritzburg, but that you had been compelled to turn back by pains in an old wound, caused by your riding on horseback. This excuse and statement were brought to me by my own messenger and your men, who requested him to introduce them to me.

“I knew that in olden times you had been seriously wounded, and accepted your excuse, believing it to be true; I however again impressed upon your men the necessity

for your coming, and the object I had in view in requesting you to come; and suggested that if you found it difficult to ride on horseback you should procure a wagon, and that I should expect you in a few days after their return, or a message telling me the cause of delay.

"While resting content with this arrangement, I became aware that you had deliberately sent me an untrue statement; that you had never moved from your place to start for the seat of Government, and that to all appearance your promise to my messenger to meet him near town was made simply to get rid of his presence and importunity. I hoped, however, that my information might be wrong, and awaited further communication. Days and weeks passed by, but no word from you came, and I again sent Umnyembe to impress upon you the necessity for your coming, and to point out that unless you found some means of obeying my summons that I should have to lay your conduct before the Supreme Chief and Government; I still hoped that the information I had received of the untruth of your first excuse might be wrong, and I made no allusion to it in my message.

"The messenger discharged his duty faithfully. He fully explained to you the urgency of your position and that of the tribe; and although he brought back to me your assurance that you could not come because you stated you were sick, he was unable to certify to me his belief that your excuse was valid or well-founded.

"I left the matter in this condition when I went to Zululand, and intended to reopen it on my return with one more message to you before I made a serious representation of it to the Supreme Chief and his Council.

"But I found that, during my absence, circumstances had overtaken and passed by my intentions. The Government of the Cape Colony had made a representation to the Government of Natal to the effect that you had asked the Basuto Chiefs to receive your cattle under their protection, while you resisted an order of the Natal Government, which you expected would be made and enforced.

"The Supreme Chief received this information with astonishment; and I have laid the whole case before him, as I have now stated it to you. It is not many months since he assumed the Government; but he is no stranger to you or to the Colony. He was Supreme Chief shortly after you were placed with your people as refugees on the land which you at present occupy. He knew you then in your distress, and helped you to become what you now are.

"Your riches may deceive you, and your fatness may blind you to the danger of what you are doing. But the Supreme Chief does not wish to take advantage of the folly which your weakness may have led you into. He helped you to your prosperity, and he would gladly avoid bringing misfortune upon you or your people. He is willing to give you full opportunity for explanation; but he is bound by his duty to his Queen to require that such explanation shall be full and satisfactory.

"He requires, therefore, that you present yourself to me at Pietermaritzburg on or before the 14th day after you receive this communication, which is sent by Umnyembe and Umhoyiza, and give such explanation of your conduct in respect of the contents of this message as you may be able; and the Supreme Chief trusts that your explanation may be satisfactory.

"(Signed) T. SHEPSTONE,
"Secretary for Native Affairs."

The Secretary for Native Affairs continued: I may mention that messengers came from Langalibalele twice, Mabuhle on each occasion being the leading messenger. On each of these occasions I fully explained to the messengers the contents of this message, because I saw there was a disinclination to render obedience. On the 29th October also, the day before your Excellency started from Pietermaritzburg, two men, named Bomba and Makalika, arrived in town, pretending to have been sent from the prisoner, and I took the opportunity of explaining to them also the whole state of the case, and requesting them to go at once to Langalibalele, and tell him if he would only meet your Excellency, and explain his conduct, no harm whatever would happen; but, if he did not, very serious consequences must, from the nature of things, happen.

His Excellency asked Langalibalele if, having heard what the Secretary for Native Affairs had said, he had any questions to ask him.

Prisoner replied: I have nothing to say; I am simply awaiting the decision which your Excellency may arrive at, and when that is given I should wish a note or pass in order that I may send about and collect my children (tribe).

His Excellency told the prisoner he was most anxious he should put any questions he wished to the Secretary for Native Affairs, or make any statement he desired.

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Prisoner, in reply, called himself an Umtagati, admitted that he had sinned, and had nothing to say; he confessed his guilt.

His Excellency asked the native chiefs, members of the Court, if they wished to ask any questions or say anything, especially anything in favour of the accused.

Zatshuke expressed his surprise at what Langalibalele had said just now, when asking for a pass, before he knew what his sentence would be, especially after admitting his guilt at the same moment. That conduct barred them from saying anything in prisoner's favour.

His Excellency asked the Secretary for Native Affairs, as, though it was not material, still it would be satisfactory to know, what was the general nature of the disputes between Mr. Macfarlane and Langalibalele.

The Secretary for Native Affairs replied, "I never had any opportunity of going into them; they were mostly of a minor character, and on subjects of minor importance. There was a question with regard to the seizure of some guns by, I think, the Acting Magistrate, not Mr. Macfarlane; there was also a question as to the non-registering of guns. In the early days of the Diamond Fields it was found that guns to a large amount—in very large numbers—were being brought into this Colony by natives who had gone from Natal to work at the fields, that it was quite easy to get guns there, and that one of the objects of these men in going there to work was to procure such guns. It was found impossible to check this proceeding, seeing the acquisition of guns by natives was legal at the Diamond Fields, though not legal here, except under certain circumstances. The Government, therefore, felt bound and compelled to issue a circular to the magistrates, telling them that any of these people buying guns in this way lawfully, and bringing them at once to the Magistrate to be registered, would be allowed a licence from the Supreme Chief to hold such firearms. It was in connection with that circular and its operation that some of these disputes, though not all of them, arose. Many of these disputes were of a minor character, and had reference to similar matters.

Mr. Barter inquired whether prisoner had always paid up his taxes.

The Secretary for Native Affairs said: It was always understood that he had, and I don't know to this day whether it was so or not. A native came to me once and told me privately that the prisoner and his people evaded a good deal, but he would not give me any information of a character sufficiently definite for me to take action upon, and he was afraid, if his name were mentioned, that his life would not be safe. I wrote privately to the Magistrate, telling him of this, and requesting him to be on his guard in reference to the matter. He then recommended that the huts should be counted, but some difficulty occurred, and the next hut tax collection time came too near, and it was decided to count the huts afterwards; but then this difficulty arose, and I cannot say whether there was any ground for the charge; the huts were not counted.

His Excellency: I understand the principal dispute between the Magistrate and Langalibalele arose with reference to the registration of guns; that the Government did not object to the natives having firearms they had lawfully bought, but insisted, and properly so, upon the fulfilment of the law regarding registration, and that, as I understand it, was resisted.

The Secretary for Native Affairs said a large number of Diamond Fields tickets had been found by the forces in the Location, and he had seen a large number of guns, many of which had never been registered in this Colony.

Mr. Hawkins: They were ordered by Mr. Mellersh to bring in the guns, were they not?

The Secretary for Native Affairs: That was a particular case of five guns; at first they refused, but ultimately took in these five guns on further pressure being brought to bear upon them. The broader question between the Magistrate and prisoner was that of registration generally.

His Excellency: Do you think the conduct of Langalibalele has been, in any large degree, influenced by fear of the consequences if he came in?

The Secretary for Native Affairs: I suppose it must have been influenced by fear to some extent, but I have no idea what grounds he had for fear.

His Excellency: You have had large experience, and have virtually been governing the natives for a long time: have you ever known a chief who has come to explain his conduct to be badly treated?

The Secretary for Native Affairs: We have always been careful to avoid anything of the kind, because it would so easily set matters wrong; anything having the appearance of bad faith, or entrapping any native, has never been done.

His Excellency: No man has ever been put to death or maltreated who explained matters when sent for?

The Secretary for Native Affairs: Certainly not; as far as I am aware, it has been particularly avoided. The Magistrates can state whether they know of any such case.

His Excellency wanted to understand how far the prisoner was justified in having any fear of coming, and inquired of the Magistrates if a chief were sent for, and asked to explain, was there any case within their recollection in which the chief had been summarily dealt with, detained, imprisoned, or anything else done to him.

The Magistrates could remember no such case.

Mr. Bird added that it was well understood that where the conduct of the chiefs was blameable, it was not a matter with which the Magistrate had power to deal; it would be referred to the Secretary for Native Affairs.

His Excellency: I believe the chiefs of this Colony are aware of the consequences of not obeying a summons from this Government to come in and explain their conduct—they are aware that it is a very grave offence.

The Secretary for Native Affairs: They all know that to refuse obedience is an act of contumacy.

Mr. Bird: I should wish Mr. Shepstone to say whether it is perfectly well known, as a matter of true practice and law, that the removal of cattle from the territory of the monarch, under which the chief lives, is looked upon by themselves as something treasonable.

The Secretary for Native Affairs: It is a dismemberment of the tribe, and therefore is so. The principle is admitted among all the native tribes, as far as the Cape. When people run away with cattle, it is an offence punishable with death, and this Government, acting as far as it could upon this principle, in the olden times always gave up the cattle of refugees. It would have been the same with regard to the people also, but we have always acted on the supposition that we are a higher power, and whilst admitting the law, and giving up cattle, we have always, as regards human beings, reserved to ourselves the right of giving them up or not, according to the particular merits of each case. On that ground we have never had any treaties involving equality with the natives in our neighbourhood.

His Excellency: It is a clearly recognised principle that the removal of cattle is a great offence. Is there any further evidence?

Mr. John Shepstone said he did not consider it necessary to produce any further evidence. The prisoner admitted the charges preferred against him, and they were of a serious nature. If anything could be found at all extenuating, for under native law it was allowable to defend as well as prefer charges, he thought it might be considered whether the prisoner was actuated by fear, or whether any extenuating circumstances could be brought to bear in his favour. Although prosecutor, he was ready, and would gladly accept such circumstances. The prisoner admitted the charges were fully proved, he admitted his guilt, and begged for mercy; he said, "Punish me; and allow me to collect my children."

The Secretary for Native Affairs said he must mention that some years ago, when any questions had arisen in which prisoner was concerned, he had taken into consideration the fact that prisoner did not care about travelling, and had, when at Ladysmith or Estcourt, for the purpose of attending combined courts, arranged to meet prisoner at Estcourt, or nearer his own residence, and there explained matters to him. He remembered having done so on two occasions. The questions as to the cannon, and the construction of a road up the mountain, were matters which had appeared in the Free State papers, and when going to prisoner, on other business, he (Mr. Shepstone) remembered mentioning to him that these reports were being circulated, and asking if he could account for them in any way. He had often thought lately that prisoner had misunderstood his reason for going to him in this way, and thought that he always ought to go. He was afraid his going to Langalibalele in this way had really been a mistake.

His Excellency asked the Chiefs whether, knowing the usages here, and the manner in which the Government had always dealt with the chiefs and people of this Colony, they were of opinion that the prisoner was under the influence of fear. He did not mean when the forces were going against him, but when the first messages were sent—whether, in fact, it was owing to fear that he had not obeyed the summons.

Manzele answered "No." He did not consider it was fear at that time; it must have been some object he had in his own heart. It would be impossible to say it was through fear, inasmuch as he had been simply summoned to explain a difference between himself and Mr. Macfarlane, who was an inferior power to the Supreme Chief, to whom he could alone clear himself. If he was afraid to do that, what could he do?

Teteleku thought it was quite possible that Langalibalele might be afraid when sent for to appear. He knew that he had had a dispute with the Magistrate, and that it was

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on account of the guns which had been accumulating in the tribe without the knowledge of the authorities. He knew this was a contravention of the law, and it would be quite possible, if he were a coward, that he might be frightened and not appear. Only a brave man would say, "It is my only chance. I will go and explain matters."

Manxele could not see how the prisoner could be afraid at first, but he believed that latterly the prisoner had been actuated by fear, because so many messengers had been sent and he had not obeyed.

His Excellency requested Mahoiza to describe to what extent he had been stripped.

Mahoiza said: When they delivered the message that I was to be stripped, because they thought I had a gun hidden away in my possession, as Mr. John Shepstone had at the arrest of Matyana, I opened my coat, and said, "You can search me and see if I have." While I was making these remarks they came up and took off my clothes. They intended to strip me altogether, but I said I had no other dress to wear, and I was allowed to retain my trousers and boots. They took off my coat, waistcoat, shirt, and gaiters.

His Excellency inquired: Did they offer to allow you to put on your clothes again, when they found out you had no gun?

Mahoiza: I suggested that I should be allowed to put on my clothes again, but they would not consent. They said, "Let us take him to the Chief as he is," and in this guise I went before the Chief. Anyone acting under fear would never treat a messenger from the Supreme Power in that way.

Mr. Hawkins asked: Did they give you any beer?

Mahoiza replied: About a quart of beer was handed round, according to Kafir custom; but when I said I was hungry, Langalibalele said, "What will you eat? the cattle are all gone."

His Excellency (to prisoner): Have you anything further to say? I shall be glad to hear anything you have to say.

Prisoner replied: I have nothing more to say beyond thanking Mr. John Shepstone for what he said on my behalf. It is quite true that I acted under fear, and was urged on by other people—Mabuhle and others, the official witnesses, to do what I did.

His Excellency said: Tell Langalibalele I have heard his case with all the care I have been able to bestow upon it, and it has been tried according to the usages and customs of Kafir law; but we have endeavoured to temper that law with the principles of humanity in which we have been brought up, and under which we are accustomed to act, that I have now heard all he has to say on the whole case, and I shall reserve my judgment until next week, when he will receive the judgment of myse and the Court in this case.

The prisoner said he should feel thankful if a messenger were allowed to go to his kraal and people, and tell them of what was going on. It had been reported that he was dead, and he would like to have that statement contradicted.

His Excellency said: Before I go away I want to say one word with regard to the speeches the Chiefs made to me on the first day of the trial. Some fault has been found with their giving their opinions at that stage, by persons who do not exactly understand the usages and customs of Kafirs; but from their point of view, from which I am bound to view it, they were quite right. Langalibalele had confessed his guilt, and stated circumstances which he considered were an extenuation of his guilt, and according to Kafir law and usage, the trial was over. In their point of view the Chiefs were quite right, and I thank them for the opinions they gave. All the subsequent proceedings which have taken place are in conformity with our own ideas of justice; we wanted to find out what extenuating or mitigating circumstances there might be; that would not have occurred in a strictly Kafir Court; but according to our own notions of justice and propriety, we thought it proper to go on and ascertain any circumstances which might mitigate or extenuate his conduct. The members of the Executive Council have been here to look on and assist with their advice, and next time this Court assembles they will not be present, because, not forming a part of the Court, they cannot take part in the judgment; the Court will be composed of myself, the Secretary for Native Affairs, the Magistrates, and the Chiefs.

The Court then adjourned, at 12.40 p.m.

I have, &c.,

(Signed)

W. B. MORCOM,
Clerk of the Court.

Minutes of Proceedings of the Court of Inquiry into certain charges preferred against Langelibalele, late Chief of the Hlubi Tribe.

FIFTH DAY.

The Court again met on Wednesday, the 4th February, 1874, at 11.15 a.m.

Present: His Excellency the Lieutenant-Governor, Supreme Chief, President; the Secretary for Native Affairs; Mr. Bird, R.M.; Mr. Hawkins, R.M.; and the following Native Chiefs and Indunas: Teteluku, Nondonise, Hemuhemu, Hlokolo, Zatshuke, Manxele, and Mafingo.

Mr. John W. Shepstone called Mr. John Macfarlane, the Magistrate of Weenen County, to state generally the circumstances which had transpired prior to the matter coming directly into the hands of the Government at head-quarters.

John Macfarlane, Resident Magistrate of the County of Weenen, states: The late Chief Langelibalele was in my jurisdiction. For a long time before this disturbance I had noticed indications of disobedient conduct on the part of the prisoner and his tribe. There was a general disinclination to obey, with anything approaching alacrity, any order sent them, and there were general indications, of which, however, it is difficult to give special instances, of an impatience of control. What more immediately brought on the present proceedings was the endeavour to conceal the possession of fire-arms by his people. That began early in the year 1873. There was also a difficulty about the Marriage Law, the prisoner and his tribe endeavouring to effect marriages, and hurry them on in defiance, and to avoid the provisions of the Regulations promulgated by the Secretary for Native Affairs, and which were, as I am personally aware, communicated to Langelibalele himself. The Secretary for Native Affairs had to interfere on that occasion, and the prisoner was summoned to appear before him at Estcourt; he came with his headmen and a large number of his tribe. A fine was imposed for these evasions, and it was duly paid. The prisoner and his people were solemnly warned by the Secretary for Native Affairs as to the consequences of such attempted proceedings. As to fire-arms: The Acting Magistrate, I being absent, received information as to certain guns having been brought to certain kraals from the Diamond-fields. He sent a message ordering the people to bring in the guns for registration; they refused to obey the order, and a message was then sent to Langelibalele by the Acting Magistrate, and subsequently by myself, to send the people in with the guns, and a certain time—a few weeks—was given him in which to do this. The prisoner took no notice of the order, and at last refused to send the people in, saying the guns had been earned at the Diamond-fields, and he would retain them. It was clearly explained to the prisoner that the object of calling for these guns was to have them registered—in fact, some of the guns were afterwards brought in, registered, and given back to their owners; one gun was so returned to one of the prisoner's sons, Bombo. I applied to prisoner to send in all the guns for registration; this he refused to do, and the investigation being carried on, I found that large quantities of arms had been and were being brought in from the Diamond-fields. I repeatedly cautioned the prisoner, and said wherever the guns were frankly brought in and produced they would be registered, and I would do my best to procure his Excellency's permission for their retention by and return to the possessors. I at last thought that matters were getting so grave I should report them to the Secretary for Native Affairs, and I did so. Before this I summoned the prisoner to appear before me in reference to this matter. This was the first time the prisoner ever refused to appear before me when ordered to do so. He refused on that occasion, and I reported the whole matter to the Secretary for Native Affairs, suggesting that he should be sent for to head-quarters, and the matter all gone into. After my report, and after his refusal to appear, I advised him in the strongest possible manner to submit, and on one occasion offered myself to go to Pietermaritzburg, and do what I could to make the punishment inflicted as lenient as possible. I remember the circular of 14th February, 1872, to the effect that, if the holders of guns were favourably reported upon, their arms would be registered, and they receive permission to hold them. I made this perfectly well known to the prisoner, and his headmen and the other tribes in my county. I was aware the desire to possess guns was so strong, and the inducements offered at the Diamond-fields so great, that I thought it far better that permission should be given, than that these men should be possessed of guns, which they knew they were possessing in defiance of the laws. It was perfectly well known by Langelibalele and his tribe that per se it is illegal for natives to hold guns in this Colony, and that guns can only legally be held by them after the permission

NATAL. — of the Lieutenant-Governor has been obtained. The prisoner and his people also knew there was a reasonable prospect of their getting such permission if applied for; they knew from me that no man of ordinarily decent character would be refused such permission, if he had fairly earned a gun. I was almost daily in communication with the prisoner and his tribe, by means of his own confidential men, and the assurances I have mentioned were given to these men, and I know they were communicated to the prisoner, because on some occasions some of my people went with them. The Chief has certain Indunas, and all official communications with the Chief must be made through them. There are recognised messengers between the several Chiefs and the Magistrate, and when these accompany each other, there is a double guarantee. This is the official mode of communication, just as the Secretary for Native Affairs is the official means of communication with the Lieutenant-Governor as Supreme Chief. The visits of a Chief, unless he has been summoned, are matters of ceremony, and, if any communications are made to him then, it would be through his attendant counsellors. There is the same kind of official communication between the Magistrate and the Chief, and the Chief and the Magistrate, and if the Chief's messenger be accompanied by a man from the Magistrate's office, there is a double guarantee. That is the usual custom, and with very important messages the Chief's own messenger goes back, accompanied by the confidential messenger of the Magistrate; this was done several times in these proceedings. The regulations under the Marriage Law require the appointment of official witnesses, who are nominated by the Chief, and appointed by the Magistrate. For these offices the Chief selects his most confidential men—men of station and rank in the tribe. The following are the names of six official witnesses, recommended by the Chief Mabuhle, Nkunjana, Umzwilikazi, Umhololo, Umgondo, and Umpiko. The first three were the chief persons employed as messengers between the prisoner and myself, especially in the matters now under discussion. In addition to being official witnesses, they were the principal Indunas of the tribe; they were Langalibalele's officers, not mine. Official witnesses receive 2s. 6d., and the Chief 7s. 6d., on each marriage. Mabuhle was the prisoner's confidential Induna, and in these, and every important matter, he was invariably the chief messenger sent in by the Chief; he was specially recommended by prisoner for the appointment of official witness, as one who possessed the entire confidence of himself and the tribe generally. He was the chief messenger, and when others were present took the lead.

Prisoner inquired whether Umpiko was not the chief official witness.

Mr. Macfarlane said Umpiko was not the chief official witness, nor was he so regarded by the people, nor by him as Magistrate. As Umpiko lived on Mr. Ralfe's farm, near the office, he was there almost daily, but frequently he (Mr. Macfarlane) had no communication with him.

Prisoner said Umpiko was the head official witness, and the greatest man. Umzwilikazi was not an official witness, but a man of standing in the tribe. Mr. Macfarlane should not only have stated the case of Umbombo, in which the gun had been returned, but that of Gweba's sons, in which the guns had not been returned.

Mr. Macfarlane said some guns had been sent in after prisoner had been summoned to appear in Pietermaritzburg, and though there was no forfeiture, he had explained to the people that the matter was then in the hands of the Secretary for Native Affairs.

Prisoner inquired, in reference to his not having obeyed the summons, whether he had not asked Mr. Macfarlane for medicine, and complained of his leg.

Mr. Macfarlane said he had on some occasions given an order to the hotel-keeper to supply the prisoner's men with a bottle of rum, as a medical comfort, and on one occasion believed he had sent him a box of pills. In answer to a further inquiry, he said the guns referred to had been properly labelled in his office, and laid on one side, pending the result of the reference to the Secretary for Native Affairs.

Prisoner said he did not know whether it was the correct thing for Mr. Macfarlane to report him so sharply to the Government, and he inquired whether it would not have been better if he (Mr. Macfarlane) had sent his clerk to see whether he was ill or not.

Mr. Macfarlane: He refused to see Mr. Rudolph when I suggested he should do so, he said he considered Mr. Rudolph as his enemy, and one who was poisoning my mind against him.

Prisoner said: Is it not true, am I not here, am I not now dead? I deny that I refused to see Mr. Rudolph until matters had gone further, and were reported to the Government.

His Excellency said Mr. Macfarlane wanted to send his clerk, and had offered to do so, but prisoner had refused to see him.

Prisoner denied this.

Mr. Macfarlane: It was after repeated messages and warnings by myself and my people, to himself and his people, as to what he would bring upon himself and people, if he did not obey the summons, and go to Mr. Shepstone. It was long after his pretended sickness, and the lie he told as to his departure for town.

His Excellency inquired whether the Court wished further evidence in support, or otherwise, of Mahoiza's statement as to his having been stripped.

The Court required no further evidence on this point.

Mr. Bird wished to have it put on record that, to require a messenger to take off his clothes, was in this country regarded as an insult, and a palpable and open defiance of the authority from which he might be sent.

On this point, therefore, Mr. John Shepstone called a Native Chief.

Homoi, Chief of the Amabomvu tribe, in Umyoti county, states: I have heard in what way Mahoiza and others, messengers from the Government to Langalibalele were received at the kraal, their clothes having been partially taken off. From my knowledge of native law and custom, that is not the proper way to receive a message from the Great Chief. It would be a challenge of war to treat a messenger in that way in the case of two native powers. If my brother Somahashi, Chief of the Amabomvu tribe, had sent messengers to another Chief, and they had been treated as Mahoiza was, there would in the olden time have been war. In the olden time, even when two armies were facing each other, the person of a messenger was always sacred, and if he were sent he would be allowed to return again unmolested.

The Secretary for Native Affairs asked the prisoner when he had first heard of the affair at the Pass?

The prisoner replied: The third day after I crossed the mountain Mafutyana brought me the news, and said Mabuhle had sent him. He sent him officially, and I found fault because Mabuhle had not sent an older man. When I heard the news I simply pushed on forward. Mabuhle had charge of the cattle, and had to see them up the Pass.

The Secretary for Native Affairs inquired: By whose directions?

The prisoner replied that Mabuhle knew the duties of his position. He was the commanding officer of all the regiments. There were three regiments of some strength, but the others were dissipated, and had died off. Mabuhle was the senior officer in command.

The Court adjourned at 12.35 p.m. until 2 p.m., when

Mr. John Shepstone called the following witnesses:—

James Perrin states: I am Chief Clerk to the Secretary for Native Affairs. I keep the register of all licences issued under the law by the Lieutenant-Governor, authorizing natives to hold fire-arms. I produce the book. I find that forty-seven individuals of the Hlubi tribe are authorized to hold forty-eight stand of fire-arms. Langalibalele had permission to possess two. The date of the last licence issued is May 31, 1873. I have a page open for every tribe, or section of a tribe, and all licences are accurately registered. In our office we know the whole number of guns lawfully held by the natives in this Colony, the possessor's name, and the date on which permission was issued, and whether the natives live on mission stations, private farms, or elsewhere.

Albert B. Allison states: I was in command of the column which followed the prisoner to Basuto-land. Before I left Molapo's, on my return journey to Natal, certain fire-arms were handed over to me by Major Bell, the Magistrate at Leribe; there were 111 stand of arms. They were handed over to me as having been surrendered by prisoner and his people, and taken charge of by Major Bell. I do not think these were all the guns which the tribe had; these were the arms taken from those who surrendered, and one-half of the tribe, at least, did not surrender, but retired into the bushes and kloofs. Guns were also taken in the location before I left. Mr. Arthur Shepstone had several guns, but how many I cannot say. The Mounted Police held Langalibalele and his sons prisoners when I arrived at Molapo's. I don't know who commanded the tribe. The prisoner, and some of his people, surrendered at Molapo's, and were afterwards taken possession of by the Mounted Police. I saw Mabuhle in the custody of the Mounted Police, he and a son of Langalibalele escaped at night by slipping their handcuffs.

This terminated the evidence.

The Court then adjourned at 2.30 p.m., until Saturday, the 7th instant, at noon, when judgment will be given, and the prisoner sentenced.

I have, &c.,

(Signed) W. B. MORCOM,
Clerk of the Court.

Minutes of Proceedings of the Court of Inquiry into certain charges preferred against Langalibalele, late Chief of the Hlubi Tribe.

SIXTH DAY.

The Court again met on Monday, the 9th February, 1874, at 1.15 p.m.

Present: His Excellency the Lieutenant-Governor, Supreme Chief, President; the Secretary for Native Affairs; Mr. Hawkins, R.M.; Mr. Bird, R.M.; and the following Native Chiefs and Indunas:—Teteleku, Nondonise, Hemuhemu, Hlokolo, Zatsuke, Manxele, and Mafingo.

His Excellency said: I am now going to deliver judgment in this case. In this judgment all the members of this Court, of which the Native Chiefs and Indunas form a part, most fully concur.

“Before we proceed to deal with the very important case before us, it may be well to describe briefly the position of the Native Chiefs and people of this Colony under the law. By the Queen’s Letters Patent, confirmed by enactment of the Local Legislature, the laws, customs, and usages of the native inhabitants were retained in full force, except so far as they may be repugnant to the general principles of humanity as recognized throughout the civilized world, and, subject to the same limitation, the power of the Chiefs over their people is also retained. By the same authority the Lieutenant-Governor is invested, as to the natives, with all the power and authority of a Supreme or Paramount Native Chief. Immediately subordinate to the Governor, acting as Supreme Chief, an officer was appointed, at first called Diplomatic Agent, afterwards Secretary for Native Affairs, who was charged with the duty of carrying the orders of the Supreme Chief into effect, and exercising a general control over the natives as his representative. Under the authority before mentioned, the Supreme Chief has, from time to time, invested the Magistrates over divisions and counties of the Colony with the power and authority to control the native population, and to administer justice according to native law, within their several jurisdictions. Immediately subordinate to the Magistrates stand the native chiefs, who, whether hereditary or not, are allowed to manage their own tribes on behalf of, and as representative of, the Supreme Chief. But every chief and tribe is subject to the immediate control of the Magistrate of his or their division or county, who acts under the order of the Supreme Chief, issued through the Secretary for Native Affairs. The prisoner, the late chief of the Hlubi tribe, was a chief and rain-doctor in the Zulu country, under the late king Panda. He was in 1848 forced to fly for his life, and to take refuge in this Colony, with his own tribe and that of Putini. In the following year the two tribes were placed by the Government along the base of the Drakensberg, between Giant’s Castle and the little Tugela River, in order to close and guard the mountain passes against the inroads of Bushmen. In this situation the prisoner was under the immediate jurisdiction of the Magistrate of the County of Weenen, and stood towards his own tribe, the Magistrate, and the Government, precisely in the position of any other native chief, as already described. It appears that for some years past, the Magistrate of the county in which the prisoner lived had noticed circumstances which led him to believe that the prisoner and his tribe exhibited an independence and impatience of control which might lead to difficulties. This feeling seems to have been especially observed in connection with the Marriage Regulations, which the prisoner and his tribe attempted to evade, and to defraud the Government of its dues. This insubordinate feeling became more manifest soon after the discovery of the Diamond-fields. In the years 1871 and 1872 large numbers of fire-arms were brought from the Diamond-fields into this Colony, and especially into the prisoner’s location, by members of his tribe and others who had gone thither to work. Now there was this singular, and as we think, unhappy conflict between the law of this Colony and that of the Government of the Diamond-fields, namely, that no native in this Colony could lawfully possess a fire-arm without the written authority of the Government. This authority could only be obtained on the recommendation of the Magistrate within whose jurisdiction the applicant resided, and further, the fire-arm had to be stamped and registered. Without all these requisites were fulfilled, no native could lawfully possess a fire-arm. On the other hand, at the Diamond-fields, as we are informed, any native could legally obtain fire-arms on the mere certificate of his employer. It appears, moreover, that at the Diamond-fields it was a common practice for the native to stipulate for the possession of a gun as a condition of going to work. To limit as far as practicable the difficulty and danger occasioned by this conflict of the

laws of two Governments both under the Queen's flag, the Government of this Colony issued a Circular, dated the 14th of February, 1872, directing the Magistrates to inform any natives of this Colony who had possessed themselves of fire-arms beyond the boundary, that such fire-arms, however obtained, were liable to be confiscated in this Colony, unless the Governor's authority to hold them were obtained in the usual form, and subject to the usual conditions. In the years 1872 and 1873, it became known to the Resident Magistrate of the County of Weenen that both the law and the Circular were set at defiance. The attempts made by the Magistrate to enforce obedience to the law, and even to obtain explanation of its breach, were met by the prisoner and his tribe with indifference, and in some instances with resistance, till at last matters became so serious, that the Magistrate reported the facts to the Government, and suggested that the prisoner should be directed to appear at head-quarters and explain his conduct. In accordance with this suggestion, a messenger was sent by the Secretary for Native Affairs to order the prisoner to appear at Pietermaritzburg in April, 1873. The prisoner promised to come, and arranged with the messenger to await his arrival a few miles from the town, and to accompany him to the Secretary for Native Affairs. Instead of obeying the order, the prisoner sent Mabuhle and others, with the excuse that he had started and ridden as far as the residence of Umbunda, a distance of twenty miles, but could not ride farther, and was obliged to turn back. It turned out that this statement was utterly false, and that the prisoner had never left his location on the occasion in question. However, the excuse was accepted; and Mabuhle was fully informed of the reasons, and of the urgency, which rendered it necessary that Langalibalele should appear in Pietermaritzburg. The prisoner, however, refused to appear, on the plea of being ill; but the messenger disbelieved the statement. After this, Mabuhle, with others, again visited Pietermaritzburg, and saw the Secretary for Native Affairs, who blamed him for bringing a false message, and again explained the urgency of the matter. Mabuhle stated that the falsehood was not his, but he was simply the bearer of it. The Secretary for Native Affairs told the messengers that he was then going to Zululand, but that he would reopen the matter on his return. At this stage of the business, the present Lieutenant-Governor assumed this Government. He found it was known and talked of by both races residing in the Colony, and he fully concurred with the Secretary for Native Affairs as to the necessity of taking measures to vindicate the authority of the Government. These measures were delayed by Mr. Shepstone's mission to Zululand, which the Lieutenant-Governor concurred with him in thinking of great and pressing importance. During Mr. Shepstone's absence, information reached this Government that the prisoner had made overtures to some of the Basuto Chiefs, Overberg, to receive his cattle, asserting that he intended to resist the orders of the Government. On the 4th October last, Mahoiza and Umnyembe were sent with a message fully explanatory of all that had passed before, with the intelligence received of the overtures to the Basutos added, and requiring Langalibalele's presence at the seat of Government within fourteen days after the delivery of the message. The messengers reached the prisoner's chief kraal, Pangweni, on the 11th October, but he declined to go to them, or to allow them to go to him; and it was not until the 28th that they succeeded in obtaining an interview with him, at another of his kraals, about ten miles distant from Pangweni. The prisoner, on this occasion, positively refused to obey the summons; alleging fear as the reason. The messengers from the Supreme Chief were received by an assemblage of men belonging to the prisoner's tribe, armed with assegais, who treated them with insult and disrespect. They were partially undressed by the prisoner's orders, under the pretext that weapons were concealed in their clothes, and then conveyed to his presence surrounded by armed men. The Supreme Chief, finding meanwhile that the prisoner had declined to receive his messengers, and that the time allowed for Langalibalele's appearance in Pietermaritzburg was drawing to a close before they had been allowed even to approach him, determined to send a force to invest the country occupied by the prisoner and his tribe, with the view of requiring explanation and submission. That portion of it sent to the Bushman's River Pass found the cattle of the tribe, escorted by men in arms, unlawfully escaping from the jurisdiction of the Supreme Chief, towards Basutoland; these men fired upon the force sent by the Supreme Chief, and killed five of the Queen's subjects, before a shot had been fired by the latter, and after Major Durnford, who was in command, had repeatedly exhorted the rebels to return to their duty and allegiance, and after Mabuhle, who was in charge of the rebels on behalf of the prisoner, had, with treacherous purpose, consented to take these proposals into consideration. After this, the prisoner and his tribe, with their cattle, continued their flight over the mountain into the Basuto Country, towards the Chief Molapo. They were pursued by a column sent by this Government, under Captain Allison and Mr. Hawkins,

composed of volunteers and our loyal natives till intercepted by the Cape Mounted Police, they took refuge with Molapo and his tribe, by whom they were surrendered to the Cape Police, who gave them up to our forces, who were a day's march behind at the time of the capture. Along with the prisoner there were taken, among others, his sons and the Induna Mabuhle, who unfortunately afterwards made his escape. Such is a brief narrative of the events of this rebellion, as far as the prisoner is concerned. From the evidence before us, the following facts are brought to light:—

“1st. The prisoner has for a considerable time past set at nought the authority of the Magistrate to whom he was immediately subject, in a manner not indeed sufficiently palpable to warrant the use of forcible coercion according to our laws and customs, but perfectly clear and significant according to native law and custom, and therefore dangerous as an example to other natives and to the peace of the Colony. At this point it may be asked why the Government, knowing the danger, did not at once proceed to punish the prisoner? The answer is clear, and it discloses one of the very great difficulties with which the Native Government of this Colony has to contend. There are acts done by natives which, in the eyes of civilized communities, are perfectly harmless, or at least unimportant, but which, in the eyes of a native community, are criminal, and dangerous to the public peace. Now the Native Government, if it punishes such acts, incurs the censure and the odium of civilized public opinion; if it passes them over, it loses respect in the eyes of the native population, and endangers the peace of the community. It stands, in fact, between two public opinions, now, and, as it is to be feared, for some time to come, irreconcilable.

“2nd. The prisoner has at least permitted, and probably encouraged, his tribe to possess themselves of fire-arms, and to retain them in direct violation of the law. On this point the evidence is clear and precise. The general law, prohibiting the holding of guns without licence was well known to him; and the relaxation of that law, by the circular of the 14th February, 1872, and its adaptation to the circumstances which had arisen, had been carefully explained to him. Yet, in the face of this, it is clearly proved that the prisoner and his tribe possessed a large number of guns which are unstamped and unregistered.

“3rd. It also clearly appears from the evidence that, with reference to the unlawful possession of these fire-arms, the prisoner set the authority of the Magistrate at defiance, and on one occasion insulted his messenger.

“4th. It has further been brought to light that after the supreme Government had been called upon by the Magistrate to support him, the prisoner set even that authority at defiance, by refusing to appear before it; excusing his refusal by evasion and deliberate falsehood, till, at last, emboldened, as it would seem, by the extreme forbearance of the Government, he insulted their messengers sent to deliver to him a message full of mercy as well as justice.

“5th. We come now to the final stage of the prisoner's proceedings. It has been proved that he directed his cattle and other effects to be taken out of the Colony under an armed escort, thereby manifesting a determination to resist the Government with force and arms. Now on this subject the Court wishes to remark that, according to native law as administered under the native chiefs, the mere removal of a tribe with its cattle out of the jurisdiction is an act of treason and rebellion. This law has been so far recognized by this Government that it has always been in the habit of giving up cattle brought into the Colony by refugees; but it has not given up the people, on the intelligible ground that it has no means of judging, by itself, how far the people may have been guilty of treason, except by such act of removal. But this Government has never recognized the mere act of such removal as an act of treason, if unaccompanied by any criminal acts; and it cannot be too clearly understood that any tribe in this Colony is at liberty to remove itself and its cattle out of our jurisdiction, if it does so peaceably, and with the cognizance and previous consent of the authorities. The case before us, however, is quite different. It is that of a tribe flying from the jurisdiction, after having set the authority of the Government at defiance, and thereby endangered the peace of the country. We come now to the affair at Bushman's River Pass. A great deal has been said upon this subject, in the Colony and elsewhere. But all we have to do with it is to look at the evidence submitted to us as it concerns the prisoner. It has been proved that a force sent by this Government, under Major Durnford, to intercept the prisoner's tribe and prevent them from leaving the Colony, met at or near the Bushman's River Pass, with portion of the tribe, under the command of the Induna Mabuhle; that Major Durnford entered into a lengthened parley with that Induna and members of the tribe, in which he earnestly and for some time endeavoured to persuade them to return to the Colony and to their allegiance; that the Induna, and those with

him, led Major Durnford to believe that they would consider his injunctions, and so prolonged the interview till they had brought up an additional force. It appears that then after many threats and insulting gestures and language, the tribe fired upon our forces, and killed five of the Queen's subjects, who were doing their lawful duty by attempting to support Her Majesty's authority. It is needless to say that this act of firing on the Queen's forces, even had they, in obedience to authority, opened the fire, amounted in the eye of the law to rebellion and murder. But, to fire on Her Majesty's forces, and to kill her subjects who had not thought it right to commence firing, and whose leaders were trying their utmost to avoid the shedding of blood by an appeal to reason, was wilful and deliberate murder. The law of England declares that any person who, in committing any felonious act, causes, even accidentally, the death of another, is guilty of wilful murder. The next question is, Who committed this act of rebellion and murder. It was proved in evidence that the Induna Mabuhle commanded the portion of the prisoner's tribe at the pass, and therefore presumably commanded them to fire. He is, then, the immediate traitor and murderer. But, now comes the inquiry, In what relation did this Induna stand with respect to Langalibalele? It has abundantly been proved, by the evidence before us, that Mabuhle was one of the most trusted, perhaps the most trusted, of the prisoner's Indunas; that he always formed part of any important mission sent by the Chief to the Magistrate. It has been further proved that he took a prominent part in the communication which latterly took place between the prisoner and the Secretary for Native Affairs. But, more than all, it has been admitted by the prisoner himself that Mabuhle was the commander of the military portion of his tribe; in fact, as we should say, Commander-in-Chief of his army. It has been proved and admitted that the prisoner himself was, at the time, actually with that portion of his tribe who were some distance in front; that is, that he was personally with the armed array which was leaving the Colony, of which array the divisions under Mabuhle formed a part. It has further been admitted by the prisoner that the killing of the Queen's subjects was reported to him by a messenger sent to him by this same Induna, Mabuhle. Lastly, it has been proved that this Mabuhle was in company with Langalibalele when he was taken prisoner. Thus, in every way, before and after the fact, the prisoner was identified with the actual perpetrator of the murders, so as to render him as directly responsible for those murders as if he had himself commanded on the spot.

"6th. The charge against the prisoner of treasonable communication with others out of the Colony has not been inquired into, in consequence of the length of time which it would take to collect evidence, and also because, in the presence of the grave charges proved against him, it was not thought necessary to press this charge. On all the other charges we find the prisoner guilty. The prisoner Langalibalele, therefore, appears before us convicted on clear evidence, of several acts, for every one of which he would be liable to severe punishment under the native law; for some of them he would be liable to forfeit his life under the law of every civilised country in the world. Looking, then, at the acts of the prisoner, simply by themselves, as violations of the positive existing law which we are called upon to administer, it would be our imperative duty to inflict upon him a severe sentence. He has suffered no wrong or injustice from the Government. In fact, if any charge can be made against the Government of the Colony as to its native policy, it is that it has been lenient and too forbearing in its dealings with delinquents. We have carefully weighed any extenuating circumstances which can be alleged in the prisoner's favour. We have tried to discover whether some of his acts were caused by fear. We think it probable that his neglect to appear before the authorities may, latterly, have arisen from this cause; but we are satisfied that his former conduct, and last open resistance to the Government, sprung from other causes. But, in considering this case, we cannot and ought not to shut our eyes to the very great danger to which any undue leniency or trifling with the faithful administration of the law would expose both races of this community. We cannot close our eyes to the evils which would arise if men of either race were to infer from our judgment in this case that they can rebel against the Supreme Authority and endeavour to involve the country in war and bloodshed, without incurring the severest penalty which the law can inflict. Our unanimous judgment, therefore, is that the prisoner Langalibalele, the late Chief of the Hlubi tribe, is, under the law which we are bound to administer, liable to the punishment of death; but, taking into consideration the extenuating circumstances alluded to, and giving them the greatest and fullest force, and also the punishment he has already undergone by deposition from his office and confiscation of his property, we sentence the prisoner to banishment or transportation for life, to such place as the Supreme Chief or Lieutenant-Governor may appoint."

NATAL.

His Excellency said: I need not say this sentence involves imprisonment in the meantime.

The Court then rose at 2.30 p.m.

(Signed) W. B. MORCOM,
Clerk of the Court.

No. 46.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal,
February 26, 1874.

(Received April 7, 1874).

MY LORD,

I HAVE the honour to transmit with the usual Report from the Attorney-General thereon, copy of a law passed by the Legislative Council during its recent Session, and to which I have given my assent, viz. :—

LAW No. 2 of 1873.

“ To make special temporary provision in regard to the County of Weenen.”

2. The County of Weenen includes the two locations lately occupied by the rebel tribes—Putili and Langalibalele. Although the rebellion has been suppressed, and all danger at an end, yet these locations, from the fact of their bordering on the mountains over which the rebels fled, and it being known that many of them are still hovering among these mountains, waiting an opportunity to return to their old haunts, will for some time have to be most carefully watched.

3. For this purpose I have appointed a superintendent of the County of Weenen, in other words a sub-magistrate, who is now in occupation with a small native force.

4. The gentleman appointed by me as Superintendent has been for some years Interpreter to the Resident Magistrate of Pietermaritzburg. He accompanied me during the late expedition as my interpreter. Thoroughly conversant with the language and habits of the natives, active in mind and body, with a knowledge of magisterial duties, and possessing a high character, I could not have found a man more suited for the work.

5. These locations have never been handed over to the native trust, so that I possess every right of control over them; nor have they even been defined by survey. This work, combined with a thorough inspection of the mountain passes, is in progress now; and as soon as complete, I intend cutting up the locations into 2,000 and 3,000 acre grants, to be given under military tenure to such persons as shall be able to fulfil the conditions of tenure, taking first those who have served in the late expedition.

6. As close to the Berg as the climate there will permit of, it is intended to locate a belt of natives, who will form as it were the outer wall of protection, while they will be a source of labour for the settlers, and will come more directly under our supervision than heretofore.

7. The Superintendent will be responsible for the due observance of all conditions and regulations imposed by the Government on these lands.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

P.S.—The gentleman whom I have appointed as Superintendent of Weenen County is Mr. William Douglas Wheelwright. His salary will be at the rate of two hundred and fifty pounds per annum sterling, and forage allowance will be made him for two horses at the rate of one shilling and sixpence per diem for each horse.

BENJAMIN C. C. PINE.

Enclosure 1 in No. 46.

STATEMENT ON BILL No. 17, 1873, intituled Bill “ To make special temporary provision in regard to the County of Weenen.”

Attorney-General's Office, Natal,
Dec. 30, 1873.

This Bill was introduced by the Government in consequence of the disturbed state of the County of Weenen, resulting from the recent rebellion and subsequent dispersion and breaking up of two important native tribes in that county.

It empowers the Governor to appoint an officer to be called the Superintendent of the County of Weenen. Such Superintendent shall be subject to and shall obey all lawful orders of the Governor or the Magistrate.

His authority and jurisdiction are to be regulated by Proclamation, and may be limited to matters of a criminal nature only, or to matters of a civil nature only, or in whole or in part to both.

In the absence of the Magistrate, he may sit on Combined Court; and his jurisdiction in civil or criminal cases shall be exercised according to the ordinary rules of Magistrates' Courts.

The Governor may under Clause 8, for any sufficient cause, remove or dispense with the office or services of such Superintendent at any time.

In my opinion this law may properly receive the Royal Assent.

I have, &c.,
(Signed) M. H. GALLWEY,
Attorney-General.

Enclosure 2 in No. 46.

LAW No. 2 of 1873.

[No. 17, 1873.]

BILL "To make special temporary provision in regard to the County of Weenen."

WHEREAS it is expedient temporarily to make special provision for the management of the County of Weenen:

Be it therefore enacted by the Lieutenant-Governor of Natal, with the advice and consent of the Legislative Council thereof, as follows:—

1. It shall be lawful for the Lieutenant-Governor to appoint an officer, to be called the Superintendent of the County of Weenen.
2. The said Superintendent shall be subject to, and shall obey all lawful orders of the Lieutenant-Governor or the Resident Magistrate of Weenen.
3. The said Superintendent shall exercise such judicial authority, and possess such jurisdiction as shall from time to time be vested in him by Proclamation, to be issued under the hand of the Lieutenant-Governor and Public Seal of the Colony.
4. Provided that the said Lieutenant-Governor shall not grant to such Superintendent any greater or other power or jurisdiction than that by law now possessed by any Resident Magistrate in this Colony.
5. In all cases in which the Superintendent shall, under such Proclamation as aforesaid, have the power and jurisdiction to deal with any matter or thing, civil or criminal, and which, but for such Proclamation, would be cognizable by any Resident Magistrate, or before the Court of any Resident Magistrate, such power and jurisdiction shall be exercised subject to and under the laws and the rules of Court applicable to any Resident Magistrate, or to any Resident Magistrate's Court.
6. The said Superintendent may, in the absence of the Resident Magistrate of Weenen, sit in his place and stead with the Judicial Assessor in any Combined Court to be held for the County of Weenen.
7. The judicial powers of the said Superintendent may be limited to matters of a criminal nature only, or to matters of a civil nature only, or in whole or in part to both.
8. The Lieutenant-Governor may, for any cause to him appearing sufficient, remove or dispense with the office or services of such Superintendent.
9. This law shall commence and take effect from and after the promulgation thereof in the 'Natal Government Gazette,' after the passing thereof.

WALTER MACFARLANE,
Speaker.

I certify that this Bill passed the Legislative Council this 15th December, 1873.

THOMAS FOSTER,
Clerk.

The EARL OF CARNARVON to Lieutenant-Governor Sir B. PINE.

SIR,

Downing Street, April 7, 1874.

You have, I am aware, been called upon by my predecessor to report with reference to the late outbreak in Natal, upon the alleged seizure of women and children, and their apprenticeship in distant parts of the country. You will also have received from me in my Despatch of 10th ultimo* a request for further explanations relative to measures which you were apparently contemplating in reference to the Putuli tribe which had been concerned in the recent insurrection.

By this time probably you will have prepared the answer to those inquiries, though it has not yet been received here, and I have no doubt that it will prove to be satisfactory. At the same time I am bound to say that I have observed with considerable anxiety statements which have recently found their way into the public newspapers, and which, if correctly reported, would imply an amount of bloodshed and unnecessary severity in the repression of the late outbreak which I should deeply deplore.

Knowing as I do your long experience in Colonial administration, and confident as I feel of the spirit in which you would endeavour to exercise the power entrusted to you under such circumstances as those that have occurred in Natal, I have every hope that there is misapprehension and exaggeration in these reports, and that you have not allowed yourself to be led aside by the not unnatural feeling of excitement which is so apt to prevail in a colony circumstanced as Natal.

But the charges are of so grave a character that you will at once recognize the necessity of vindicating at the earliest opportunity the conduct of yourself and of those who were concerned in the suppression of this outbreak. I need hardly say that whilst entirely suspending my judgment until I hear further from you, I shall await with deep anxiety your reports upon these questions, trusting to find in them not only all details with regard to the suppression of the outbreak, the trial of the offenders, the mode of dealing with the condemned, and the policy to be pursued with regard to the tribes connected with the recent disturbances, but also a full and satisfactory answer to those statements to which I have adverted.

Lieut.-Governor Sir Benjamin Pine,
&c. &c. &c.

I have, &c.,
(Signed) CARNARVON.

No. 48.

The EARL OF CARNARVON to Lieutenant-Governor Sir B. PINE.

SIR,

Downing Street, April 9, 1874.

SINCE writing to you my Despatch of the 7th instant,† I have received from Mr. Jenkins a letter dated 4th instant,‡ in which the allegations of undue severity in the repression of the recent insurrection are shortly summarised. I enclose a copy of it for your information, and in reference to the inquiries which in my Despatch of the 7th I have thought it my duty to make of you.

Lieut.-Governor Sir Benjamin Pine,
&c. &c. &c.

I have, &c.,
(Signed) CARNARVON.

No. 49.

COLONIAL OFFICE to E. JENKINS, Esq., M.P.

SIR,

Downing Street, April 11, 1874.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 4th instant,† in reference to the suppression of the recent insurrection in Natal, and I am, in reply, to say that Lord Carnarvon had already written to the Lieutenant-Governor Sir B. Pine, calling his attention to the reports which had recently appeared in the newspapers, and requiring a full and specific report on the subject.

The administrative ability and character of those in authority who have been locally

responsible for the management of these affairs are such that Lord Carnarvon would be slow to seem to prejudge the question on the partial evidence now in his possession; and therefore I am to state, with reference to the issue of a Commission of Inquiry, that although this course of proceeding had already engaged Lord Carnarvon's attention, before determining definitively upon a measure which might obviously have serious effects under the circumstances of a population and country such as that of Natal, Lord Carnarvon feels it prudent and only just to the local authorities to await the arrival of information which may be expected at an early date, and which may throw light upon this important subject.

Under these circumstances Lord Carnarvon does not doubt that you will perceive that it would be premature and indeed unnecessary for any Member of Parliament to take the step which is indicated in your letter. That letter, however, was transmitted by the mail of the 10th instant to the Lieutenant-Governor of Natal for his explanations of the statements contained in it.

I am, in conclusion, directed by Lord Carnarvon to acknowledge the personally courteous and considerate manner in which you have been good enough to make this communication.

E. Jenkins, Esq., M.P.

I have, &c.,
(Signed) ROBERT G. W. HERBERT.

No. 50.

The EARL OF CARNARVON to Lieutenant-Governor Sir B. PINE.

SIR,

Downing Street, April 13, 1874.

I HAVE received your Despatch of the 16th February,* transmitting copies of the judgment of yourself and your assessors on the trial of Langalibalele, and of the evidence taken in the case.

2. As I have, by my Despatch of the 7th instant,† called upon you to report fully upon all the circumstances attending the repression of this outbreak, I shall, until I have received your explanations, suspend my judgment as to the conduct of this trial, forming as it does the concluding act of the proceedings upon which those explanations are required. I cannot, however, conceal from you that, looking to the evidence adduced at the trial and to the severe punishment which Langalibalele had already undergone, I am, as at present advised, of opinion that a lighter sentence would have met the justice of the case, and would have been sufficient to deter other native Chiefs from following his example.

And however ready to give due weight to the unanimous opinion of the Court, I cannot help feeling great regret that the prisoner was not allowed to be defended by Counsel. On the one hand the charges against the prisoner were so grave as to render it extremely desirable that every appearance of hardship or of undue pressure upon the prisoner should be avoided; while on the other hand the circumstances of the case were so peculiar that I cannot conceive any real difficulty in preventing the privilege, if such it was, from being drawn into a precedent for the future. A careful cross-examination of the evidence might have brought out points in favour of Langalibalele, and at all events would have proved of assistance to the Court in weighing that evidence; and for this reason I should have thought it possible that even if Mr. Escombe had persisted in his refusal to undertake the defence of the prisoner, subject to the regulations of a court-martial trial such as you proposed, some other barrister might have been found capable and willing to do so. Anyhow I find it difficult to understand that the Court would not have had sufficient weight to restrain an advocate who was disposed to inflame the native mind by violent or injudicious appeals, and to confine him to an argument upon the points of law or the facts of the case.

3. Meanwhile pending the arrival of the further information which I expect and the consequent consideration of the proceedings of this trial, I must direct your attention to a serious question connected with the sentence which has been passed upon the prisoner of banishment or transportation for life, as I am at a loss to understand how effect can be properly given to it.

* No. 45.

† No. 47.

NATAL.

4. As you are probably aware, a sentence of transportation cannot be carried out under a Colonial Law beyond the limits of the Colony, unless an arrangement has been made with some other Colony under the Colonial Prisoners Removal Act (32 and 33 Victoria, cap. 10). It is for this reason that it became necessary to validate by the last section of that Act all former removals of prisoners under sentences of transportation passed by Colonial Courts, and that the power to Colonial Courts to pass such sentences of transportation has been abolished in almost all if not all the Colonies.

5. Nor am I aware how, without the consent of the prisoner, the sentence of banishment can be carried into effect, nor, assuming that the Chief is prepared to leave the Colony, how sufficient security can be obtained that he will proceed, when once beyond the limits of the Colony, to the place assigned to him and reside there. It would not be prudent to allow a convicted prisoner under such circumstances as those of Langalibalele to reside near the frontier, even though outside it, where there would be facilities and temptations to the stirring up of discontent and disaffection among the natives.

Under these circumstances it becomes a grave question whether the sentence must not be commuted to one of imprisonment.

6. I may add that I should wish to be furnished with a full account of any law, besides the Ordinance 5 of 1859, and 11 of 1860, relating to the possession of fire-arms by the natives, and with copies of the Circular of the 14th February, 1872, which is referred to in the judgment of the Court, and of the orders issued by the Magistrate of this district under that Circular.

Sir B. C. C. Pine,
&c. &c. &c.

I have, &c.,
(Signed) CARNARVON.

No. 51.

E. JENKINS, Esq., M.P., to COLONIAL OFFICE.

MY LORD,

House of Commons, April 14, 1874.

I HAVE the honour to acknowledge the receipt of the letter of the Assistant Under-Secretary of the 11th instant,* by which I am informed, in reference to my letter to your Lordship of the 4th instant,† respecting the suppression of the alleged outbreak of Kafirs at Natal, that your Lordship had already written to the Lieutenant-Governor, calling his attention to the reports which had recently appeared in the newspapers, and requiring a full and specific report on the subject.

Further, with reference to the issue of a Commission of Inquiry (as suggested by me), that although this course of proceeding had already engaged your Lordship's attention, before determining definitely upon a measure which might obviously have serious effects under the circumstances of a population and country such as that of Natal, your Lordship feels it prudent and only just to the local authorities to await the arrival of information which may be expected at an early date, and which may throw light upon this important subject.

Under these circumstances your Lordship has directed the Assistant Under-Secretary to suggest to me whether it would not be premature and indeed unnecessary for any Member of Parliament to take the step indicated in my letter; and I am informed that my letter was transmitted by the mail of the 10th instant to the Lieutenant-Governor of Natal, for his explanations of the statements contained in it.

Having regard to the circumstances, to the assurance that the matter is engaging your Lordship's attention, and is in course of investigation, I have no difficulty in postponing for the present any parliamentary action in the matter.

I would, however, still suggest that some instalment of the official information already in your possession should be afforded to Parliament, and should further ask whether there is any objection to the publication of the correspondence in the meanwhile?

The Secretary of State for the Colonies.

I have, &c.,
(Signed) EDWARD JENKINS.

* No. 49.

† No. 44.

No. 52.

The EARL OF CARNARVON to Lieutenant-Governor Sir B. PINE.

Downing Street, April 15, 1874.

SIR,

I HAVE received your Despatch of the 26th of February,* transmitting a copy of a law passed by the Legislature of Natal "To make special temporary provision in regard to the County of Weenen."

Before tendering any advice to Her Majesty upon this law, I shall await the details which I have called upon you to furnish with regard to the suppression of the late outbreak; and with respect to your proposal, referred to in this Despatch, of cutting up the lands occupied by the tribes of Langalibalele and Putili into locations for military settlers, I desire, before expressing any opinion upon it, to be informed what number of natives will be dispossessed by the scheme, and how it is proposed to dispose of them. I am bound to say that I am not clearly satisfied that such an extreme measure as that proposed can be justified by what has passed; but should it be determined after full consideration of all the circumstances of the case that it is necessary to place on these lands settlers under conditions of military tenure such as you indicate, great caution and forbearance should be shown in carrying the scheme into operation, so as to avoid the infliction of any unnecessary hardship upon those natives who, though belonging to these two tribes, are free from any complicity in the acts of their chiefs.

I have to point out that this Act has been transmitted in an irregular form, without your signature or the seal of the Colony.

I have, &c.,
(Signed) CARNARVON.

Lieut.-Governor Sir Benjamin Pine,
&c. &c. &c.

No. 53.

COLONIAL OFFICE to E. JENKINS, Esq., M.P.

Downing Street, April 18, 1874.

SIR,

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 14th instant,† and to state, in answer to your question whether there would be any objection to the publication of the correspondence which has passed on the subject of the recent outbreak of Kafirs at Natal, upon receiving the further particulars which Sir B. Pine has been called upon to furnish me, that his Lordship considers that inasmuch as the information at present received is imperfect, it is desirable to postpone for a time the issue of the papers in question.

H. T. HOLLAND.

E. Jenkins, Esq., M.P.

No. 54.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal,
March 17, 1874.

(Received 23rd April.)

MY LORD,

I HAVE the honour to acknowledge your Lordship's Despatch of the 26th January last,‡ covering a letter from the Secretaries of the Anti-Slavery Society on the subject of the late proceedings against the rebel tribes.

2. The Despatches and papers, which are by this time in your Lordship's hands, show very clearly that the neglect to register firearms was not the ground of our proceedings, but that it was only the commencement, or rather the occasion, of the more recent

* No. 46.

† No. 51.

‡ No. 25.

NATAL.

insubordinate conduct of the tribes, and that resistance to the Government has been long meditated and planned.

3. The punishment inflicted on the tribes by the seizure of their cattle, and imprisonment of the Chief and his people, is the most lenient that could have been inflicted, without great danger to the peace of the Colony. In fact, many of the chiefs consider that the Government has erred on the side of mercy.

4. With regard to the women and children of the tribes, we have, from the circumstances, been placed in very great difficulty.

The bulk of the tribe had left them behind, under the guard of men who lost no opportunity of firing on Her Majesty's forces from caves and other inaccessible places, whereby we sustained considerable loss of life. After these men, who were repeatedly offered mercy, had been killed or fled, the women and children were left on our hands. To have left these women in the caves and fastnesses, which had been carefully stored with food, would have been to leave these places ready for the reception of the men, who had determined to return to the Colony after they had placed their cattle in safety in Basuto-land. It would have been thus necessary to retake these caves and fastnesses, and to do so would have cost a very large loss of life, especially to the Government, or attacking force. It was therefore a matter of absolute necessity to the saving of bloodshed on both sides that the women should be removed. When they were removed their subsistence became a pressing question, and it was at first thought that the only way of solving this was to place them with farmers or others wishing to take them on such terms as would enable the Government to dispose of them in any other manner at any moment. Another solution was, however, found, and they were placed with friendly tribes, and maintained at the expense of the Government, until the men, most of whom are either in custody or at liberty on their personal recognizance, have been tried. It is intended that such of the men as may be sentenced to imprisonment with hard labour shall be allowed the option of working out their time with farmers or planters, and take their families with them, instead of being separated from them by being confined in the gaols of the Colony. Stringent regulations, under a law empowering me to make them, for the protection of these people will be strictly enforced, and every possible effort will be made to unite the families of the rebels dispersed by the rebellion so far as is consistent with the safety of the Colony, which requires that they shall never again be allowed to live together as a compact tribe under one head.

5. With regard to the seizure of the cattle anyone acquainted with native ideas and customs knows that it is the possession of the cattle which is the only recognized test of victory. A tribe may be completely defeated in action, but if the defeat is not followed up by the capture of the cattle, it is looked upon as partial and profitless—in fact, no real victory at all. Hence it was absolutely necessary for the establishment of the authority of this Government that the cattle should be taken and confiscated.

6. As this is the first, so I hope it will be the last hostile communication which I have received from the Anti-Slavery Society during a pretty long career in which I have had so much to do with coloured and native people.

The Earl of Kimberley,
&c. &c. &c.

I have, &c.,
(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

No. 55.

Lieutenant-Governor Sir B. PINE to The EARL OF KIMBERLEY.

Government House, Natal,
March 17, 1874.

MY LORD,

(Received April 23.)

WITH reference to my Despatches on the subject of the proceedings against the revolted tribes, I have the honour to submit to your Lordship a few additional and, I trust, final remarks.

2. I wish, in the first place, to bring to your Lordship's notice the admirable conduct of Captain Allison, who commanded the large flying column sent in pursuit of Langalibalele and his tribe, and also of Mr. Hawkins, who commanded a smaller force,

which, passing the Drakensberg at a different point, joined the former and took part in the pursuit. I would also bring to your notice the excellent conduct of the forces, both native and European volunteer, under their command.

The march of these large columns through the Double Mountains, hitherto considered impracticable by white forces, has excited the admiration of all who understand the country, and has, I am well informed, produced a very wholesome impression on the Basuto tribes on the other side of the mountains, who by means of this stronghold set at defiance the attacks of the Boers in former times.

3. I wish further to inform your Lordship that the most perfect harmony has prevailed in our councils during this arduous period, and that I have received the most cordial support from all my officers, and more especially from Mr. Shepstone, who was with me in the field, and to whose province the raising and control of the native forces chiefly belonged.

4. I ought to mention the good conduct of these native forces. They may, in some few cases, have acted more harshly than necessary, but upon the whole I will venture to say that they have behaved with a forbearance and humanity which could not have been expected from barbarous men in war. Not a woman nor a child has been intentionally injured, though it used to be a settled maxim with the Zulu tribes that it was just and right to kill the women and offspring of a hostile tribe, so as to get rid of it for ever.

5. I desire also to inform your Lordship that I have received the congratulations of every chief and tribe in the Colony on the result of the late proceedings. Their universal opinion is that the conduct of Langalibalele was singularly bad and very ungrateful towards a Government which had treated him and his tribe with exceptional kindness, by receiving them under its protection when flying for their lives, and allotting to them some of the finest parts of the country. The other chiefs and tribes consider such conduct as calculated to give them a bad name and injure them in the eyes of the Government, and they are anxious that their feelings on this subject should be known.

6. Lastly, I wish to inform your Lordship that there is one small section of the public press which has done everything it could to blacken the conduct of the Government as to the late proceedings, and it is right that your Lordship should know that this is not the exponent of public opinion here, nor of any part of it, save a very few individuals. The effusions are written notoriously to influence public opinion out of the Colony and especially in England. I should mention that the 'Argus,' Cape newspaper referred to by General Cunynghame as an authority, is under the inspiration of the same party, if such it can be called, in this Colony. The only excuse for the unpatriotic conduct of these persons is the very silly letters written by one or two of the volunteers on the expedition, giving, with singularly bad taste, exaggerated accounts of scenes of violence.

In the most regular warfare, and still more in repressing a revolt among savage tribes, things are unavoidably done in hot-blood which no man of good feeling can think of without a shudder, much less write about. I should mention to your Lordship that the people of Langalibalele's tribe never lost, as far as I know, any opportunity of firing upon our forces from inaccessible holes and caves, though always invited to surrender on promise of mercy. The loss sustained by our loyal natives by this reckless resistance was considerable, and I could not but marvel at the temper and forbearance which they showed under such provocation. I question whether white troops would have exhibited as much.

7. It has been stated that in some cases the innocent have suffered with the guilty in loss of property. In such times this is almost unavoidable, but in the course of trying the people of the tribe Mr. Shepstone is investigating such alleged cases with the greatest care, and we shall make full restitution wherever it is possible to do so.

I have, &c.,

(Signed) BENJAMIN C. C. PINE,
Lieutenant-Governor.

The Earl of Kimberley,
&c. &c. &c.

NATAL.

No. 56.

The EARL OF CARNARVON to Lieutenant-Governor Sir B. PINE.

SIR,

Downing Street, April 28, 1874.

I HAVE to acknowledge the receipt of your Despatch of the 17th of March.*

I defer any reply to your remarks on the proceedings of the Natal Government with reference to the suppression of the late outbreak until I shall be in possession of the full information which I have called for in my Despatch of the 7th instant.†

I have already, in my Despatch of the 5th of March,‡ expressed my approval of the conduct of Captain Allison and Mr. Hawkins.

Lieut.-Governor Sir Benjamin Pine,
&c. &c. &c.

I have, &c.,
(Signed) CARNARVON.

* No. 55.

† No. 47.

‡ No. 42.

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The Earl of Carnarvon,
(Signed) BENJAMIN C. PINE,
Lieutenant-Governor