

857

CORRESPONDENCE

RELATING TO THE

COLONIES AND STATES OF SOUTH AFRICA.

PART II.
NATAL.

(In continuation of C. 1187 of April 1875.)



Presented to both Houses of Parliament by Command of Her Majesty.
August 6, 1875.

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Natal.

No. 1.

Lieutenant-Governor Sir B. C. Pine, K.C.M.G., to the Earl of Carnarvon.—(Received March 3.)

My Lord, Government House, Natal, January 27, 1875.

IN accordance with the request of the Chairman of a public meeting held in this city on the 25th instant, I have the honour to forward to your Lordship certain resolutions passed at that meeting.

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

Inclosure in No. 1.

Resolutions passed at a Public Meeting held in Pietermaritzburg, on the 25th January, 1875.

1st. That, in the opinion of this meeting, the return of Langelibalele to Natal would lower the prestige of the Government, and would not only be attended with danger to the peace of the Colony, but would make more difficult the good government of the coloured races throughout South Africa, and that, therefore, every lawful means should be used to prevent his return.

2nd. That, in the opinion of this meeting, the thanks of the colonists are due to Sir B. C. C. Pine, for the prompt and vigorous suppression of the late rebellion.

3rd. That a copy of the foregoing resolutions be transmitted by the Chairman to the Lieutenant-Governor for his information, and that his Excellency be requested to send copies to the Right Honourable the Secretary of State for the Colonies, to his Excellency the High Commissioner at Cape Town, and to the Honourable Mr. Molteno, the Premier of the Cape Government; and that the thanks of this meeting, and of the Colonists generally, be expressed to the Cape Government, and to the inhabitants of that Colony generally, for the warm sympathy and invaluable assistance they have given to this Colony in its hour of need.

(Signed) JAMES W. WINTER, Chairman.

No. 2.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir, Downing Street, March 5, 1875.

I HAVE to acknowledge the receipt of Sir Benjamin Pine's despatch of the 27th January,* forwarding copy of resolutions passed at a public meeting held at Pietermaritzburg on the 25th of that month.

I have, &c.
(Signed) CARNARVON.

* No. 1.

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No. 3.

Lieutenant-Governor Sir B. C. Pine, K.C.M.G., to the Earl of Carnarvon.—(Received April 2.)

(No. 36.)

My Lord,

Government House, Natal, February 8, 1875.

REFERRING to paragraph 32 of despatch of the 3rd December last,* in which your Lordship called for a "strict and accurate statement of the moneys which have been paid into the Colonial Exchequer on account of the sale of cattle or other confiscated property" of the Amahlubi and Amangwe tribes, I have the honour to transmit the statement called for.

2. From this document your Lordship will perceive that the gross amount to the credit of the Langalibalele Expedition account up to 31st December last, was 26,612*l.* 15*s.* 1*d.*, of which sum 25,725*l.* 18*s.* 9*d.* was the amount realised by the sale of confiscated property.

3. To avoid misconception, I should mention that the Langalibalele Expedition account, debtor and creditor, contains a full statement of all expenditure and all receipts connected with the operations against Langalibalele and other natives towards the close of 1873. The return now forwarded contains full particulars of all amounts received and credited to the above-mentioned account.

I have, &c.

(Signed) BENJ. C. C. PINE.

BENJ. C. C. PINE

(Signed)

Enclosure in No. 1.

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1st. That in the opinion of the meeting, the return of Langalibalele to Natal would lower the prestige of the Government, and would not only be attended with danger to the peace of the Colony, but would make more difficult the good government of the Colony, and that therefore every lawful means should be adopted to prevent his return.

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JAMES W. WINTER, Chairman.

(Signed)

No. 3.

Lieutenant-Governor Sir B. C. Pine, K.C.M.G., to the Earl of Carnarvon, K.C.B.

Downing Street, March 5, 1875.

I HAVE to acknowledge the receipt of Sir Benjamin Pine's despatch of the 25th January, forwarding copy of resolution passed at a public meeting, held at Pietermaritzburg on the 25th of that month.

CARNARVON.

(Signed)

DETAILED RETURN of Receipts on account of Langalibalele Expedition, from December 1873, to December 1874, inclusive.

Date of Receipt.	From.	Item.	Seizures of Stock.				Value.	Confiscated Property.	Returned Stores.	Refunds.	Receipts, per Auditor's Books.
			Cattle.	Horses.	Sheep and Goats.	Hides.					
1873	Control Department	Refund overcharge, vide query	..	..	..	..	£ s. d.	£ s. d.	£ s. d.	1873. December .
Dec. 15	J. D. Holliday	Account sales at auction	3,152	..	..	..	5,000 0 0	40 0 0	..	5,040 0 0
Dec. 27	Natal Bank	Ditto. Bills receivable, paid	..	..	..	..	229 13 0	..	..	..
Feb. 19	J. D. Holliday	Ditto. Cash	..	..	..	..	200 17 0	..	..	..
Jan. 20	Natal Bank	Ditto. Bills paid	..	..	..	..	2,272 3 7	..	..	..
Mar. 2	Resident Magistrate, Weenen	Sale of grain in location	..	..	..	..	50 17 0	..	..	..
Feb. 21	P. Hellet	Sale at Greytown	623	..	..	..	1,249 3 0	..	..	1874. January ..
Jan. 19	Resident Magistrate, Pietermaritzburg	From rations to prisoners	..	..	..	1	..	0 1 6	2 17 9	5,665 14 2
Jan. 27	H. Walton	Sale at Ladismith	369	..	1,070	..	1,618 7 6	..	..	..
Feb. 23	J. D. Holliday	From rations to prisoners	142	..	..	..	523 0 10	..	..	..
Feb. 30	Resident Magistrate, Pietermaritzburg	From rations to prisoners	482	..	..	6	..	..	5 1 4	..
Feb. 7	H. Walton	Sale at Newcastle	..	..	..	3	572 16 0	..	..	..
Feb. 11	Resident Magistrate, Pietermaritzburg	From rations to prisoners	369	..	..	..	..	..	2 3 4	..
Feb. 14	M. J. Cooke	{ Sale, 12 bags barley meal; 2 salt; 7 sugar; 5 rice; 7 meal	..	..	..	..	..	68 18 0	..	February ..
Mar. 21	H. Walton	Sale at Ladismith	634	146	446	3,119	2,164 12 9	..	..	3,497 16 4
Mar. 7	Overpayment	Refund	..	..	..	..	..	..	0 1 0	..
Mar. 23	Resident Magistrate, Weenen	10 muids grain	..	..	..	..	2 10 0	..	..	..
Mar. 25	Resident Magistrate, Pietermaritzburg	From rations to prisoners	..	..	..	2	..	..	1 9 6	..
Mar. 4	Commander, Volunteers	Advance to Stanley	..	..	..	2	..	..	2 0 0	..
Mar. 7	Resident Magistrate, Pietermaritzburg	From rations to prisoners	..	..	..	..	..	..	1 9 0	..
Mar. 13	Captain Barter	Cost, rations supplied	..	..	..	..	..	13 19 4	..	March ..
Mar. 14	Resident Magistrate, Pietermaritzburg	Rations to prisoners	..	..	..	3	..	..	..	80 8 9
Mar. 21	Resident Magistrate, Pietermaritzburg	From rations to prisoners	..	..	..	..	..	..	..	..
Apr. 4	Resident Magistrate, Weenen	Grain and stores	..	..	..	..	..	..	7 14 5	..
Apr. 8	Lieutenant-Governor	Refund, overpayment	..	..	1,755	..	427 19 10	69 10 0	..	..
Apr. 14	J. D. Holliday	Account former sales (bills)	..	..	..	..	202 0 0	..	..	..
Apr. 17	Ditto	Hides from rations	..	..	..	..	..	..	11 7 7	..
Apr. 17	Resident Magistrate, Pietermaritzburg	From rations to prisoners	..	..	..	..	..	..	..	April ..
Apr. 17	Resident Magistrate, Pietermaritzburg	From rations to prisoners	..	..	..	..	..	..	..	1,163 17 3
May 1	Border Agent	Sale, hides	..	..	..	..	72 0 0	..	..	..
May 6	Resident Magistrate, Weenen	Sale, grain	..	..	..	..	42 10 0	..	..	..
May 1	A. B. Allison	Cash taken from rebels	16 5 0	
May 7	A. C. Gem	Refund overcharge, cartridges	26 5 0	

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Detailed Return of Receipts on account of Langalibalele Expedition—continued.

Date of Receipt.	From.	Item.	Seizures of Stock.				Value.	Confiscated Property.	Returned Stores.	Refunds.	Receipts, per Auditor's Books.
			Cattle.	Horses.	Sheep and Goats.	Hides.					
May 8	H. Walton	Sale, cattle and horses	..	..	..	..	£ 1,397 4 6	£ ..	£ ..	1874. May .. 1,554 11 7
May 9	Resident Magistrate, Pietermaritzburg	Sale, hides	..	..	..	..	..	..	£ ..	£ ..
June 3	Resident Magistrate, Weenen	Sales, grain	..	..	..	..	58 11 11	..	£ ..	£ ..
June 16	T. Shepstone	Refund, ration expenses	..	..	..	..	633 1 3	..	£ ..	£ ..
June 17	J. D. Holliday	Bills matured, account sales	..	..	..	..	508 15 0	..	£ ..	£ ..
June 19	Ditto	..	..	..	..	..	431 1 6	..	£ ..	£ ..
June 24	Ditto	..	..	..	..	..	5,550 14 5	..	£ ..	£ ..
June 12	Ditto	Sale, horses and cattle	..	..	..	..	520 11 7	..	£ ..	£ ..
June 16	Ditto	..	..	..	..	..	..	..	£ ..	£ ..
June 20	W. Shepstone	Refund, overpay	..	..	..	..	..	..	£ ..	£ ..
June 20	Resident Magistrate, Pietermaritzburg	Sale, hides, from rations	..	..	..	..	..	..	£ ..	£ ..
July 30	Resident Magistrate, Klip River	Sale, corn, 11. 19s. 10d.; lead, 111. 3s. 7d.	..	..	..	..	1 19 10	11 3 7	£ ..	£ ..
July 18	A. C. Gem	Refund, overpayment account	..	..	..	..	..	..	£ ..	£ ..
Aug. 3	8 overcharges	Refunded	..	..	..	..	..	..	£ ..	£ ..
Aug. 16	Bills	Account sales, stock	..	..	..	..	229 5 0	..	£ ..	£ ..
Aug. 16	Ditto	Ditto	..	..	..	..	327 16 6	..	£ ..	£ ..
Aug. 21	Ditto	Ditto	..	..	..	..	222 3 6	..	£ ..	£ ..
Aug. 22	Ditto	Ditto	..	..	..	..	256 14 0	..	£ ..	£ ..
Aug. 21	Civil Engineer	Stores purchased	..	..	..	..	..	78 7 6	£ ..	£ ..
Aug. 22	Resident Magistrate, Pietermaritzburg	Sale, hides, from rations	..	..	..	..	..	..	£ ..	£ ..
Sept. 16	Civil Engineer	Stores	..	..	..	..	..	494 0 0	£ ..	£ ..
Sept. 26	Border Agent	Hides	..	..	..	..	166 0 0	..	£ ..	£ ..
Nov. 4	Ditto	Cash, &c., found on rebels	..	..	..	..	72 0 0	..	£ ..	£ ..
Dec. 2	Resident Magistrate, Weenen	Refund, overpayment	..	..	..	..	..	..	£ ..	£ ..
			14,511 10 6	25,725 18 9	735 19 11	150 16 5	1,120 7 9	26,612 15 1			

Compared with the Auditor's book, and found correct.

January 28, 1875.

(Signed) GEO. READ, Auditor.

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No. 4.

Lieutenant-Governor Sir B. C. Pine, K.C.M.G., to the Earl of Carnarvon.—(Received April 2.)

My Lord,

Government House, Natal, February 22, 1875.

THE delay in furnishing the information called for by your Lordship's despatch of the 19th October, 1874,* has not been due to any unwillingness to give the particulars asked for, but to a difficulty in giving them so accurately as was necessary.

2. I inclose a copy of the Rules and Regulations contemplated by Section 3 of Law 18 of 1874, and promulgated on the 10th April, 1874.

3. In the case of the prisoners of the Amahlubi tribe, who were released from prison conditionally in the month of October last, it was desirable that arrangements should be made for settling them, and providing for their support at as early a date as possible, and accordingly certain conditions on which these men and their families were to be assigned, or allowed to settle on the farms of such Europeans as they might select, were drawn up. I inclose a list, giving particulars as to the numbers so disposed of. It is the compilation of this return which has occasioned the delay above referred to.

4. I also inclose a copy of a Proclamation issued on the 18th instant, by which all such assignments have been cancelled, but the Amahlubi will not be allowed again to collect together as a tribe.

5. There are many weighty reasons which have for a long time rendered the enactment of a law of this kind desirable, and I trust it may receive the Royal assent.

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

Inclosure 1 in No. 4.

Government Notice No. 117, 1874.

WHEREAS by Law No. 18, 1874, entitled "To make Special Provision with regard to the Employment of Convicts," it is enacted that the Lieutenant-Governor in Executive Council may from time to time frame rules, orders and regulations for carrying out said Law:

Now, therefore, the Lieutenant-Governor in Executive Council, in pursuance of the powers in the said recited Law contained, and of all other powers enabling in that behalf, doth hereby order and direct as follows:—

1. Every native convict who shall, in terms of the 1st section of the said recited Law, be assigned as a servant to any European employer in this Colony, shall be entitled to liberty from the employer for the residence of his wife or wives and children on the place or farm on which the services of such native convict are to be rendered; and at the termination of such period of assignment, every such convict may be remitted back to prison to undergo the unexpired period of his sentence, or may be again assigned out to service for said period.

2. The employer shall be bound to provide the said convict, together with his wife or wives and children, with good and wholesome food, and to erect on his land the ordinary huts used by the natives for lodging.

3. The employer shall be entitled to the services of the said convict at all reasonable times, and also to the services as domestic servants of any unmarried female belonging to the family of the said convict above the age of ten years, and to the reasonable services of any male belonging to such family above the age of twelve years, at such rate of wages as shall in each case be fixed by the magistrate, taking into account the obligations of the employer.

4. The employer shall not be entitled to the services of any female belonging to the family of the convict after her marriage, nor to the services of any male belonging to such family not residing with such convict on such land or farm.

5. Any male, not being himself a convict, and being over the age of eighteen years, belonging to the family of the convict, and who may be residing with the family of the convict so assigned on the land of the employer, may at any time leave such family and employer, and enter the service of any other person he may prefer;

but he shall not be at liberty to do so until the period has expired for which the convict has been assigned, if the employer is willing and ready to employ and pay him the current rate of wages.

6. The family of any such convict shall not be bound to live on the place or farm of the employer, but may reside on any other place or farm approved of by the magistrate having jurisdiction in each case: Provided, however, that in every such case of non-residence on the employer's land, the employer shall not be bound to find or to provide them either with food or lodging.

7. Every convict assigned under the said recited Law shall, upon such assignment, be registered by the magistrate of the county in which he is to be employed; and the register shall contain the name and description of the convict, his term of service, and the names and apparent ages of his wife or wives and children.

8. The magistrate shall stipulate with the employer the amount of wages per month payable for the services of such convict, and shall insert the same in the register hereinbefore required to be made.

9. The wages to be paid by the employer in respect of the services of any such convict shall be paid monthly to the resident magistrate of the county in which the employer shall reside, or to the visiting magistrate, and shall by such magistrate be accounted for and be paid to the Colonial Treasury, precisely as any other public revenue received by such magistrate: Provided, however, that the Lieutenant-Governor may, by instructions to the magistrate whenever he shall think fit, direct that the wages aforesaid of any convict or class of convicts shall be paid monthly by the magistrate, in whole or in part, to the convict himself, instead of to the Treasury.

10. In the event of the non-payment by the employer of such stipulated wages, then, after the expiration of one month after written demand for such wages in arrear, the magistrate may, without further process, issue the usual writ to levy the amount due by execution and sale of the goods and chattels of the employer.

11. If any employer shall feel himself aggrieved by reason of the magistrate having so seized in execution and sold his goods and chattels, he may, within six days after such execution and sale, note an appeal to the Judicial Assessor, whose decision on appeal shall be final.

12. All moneys in respect of wages for the services of convicts assigned under the said recited Law, except such as are specially excepted at the end of Rule 9, shall be paid into the Colonial Treasury, to the credit of an account to be called "The Convict Relief Fund."

13. The Lieutenant-Governor may from time to time, as he may think fit, by warrant under his hand, draw upon such fund for the purpose of relieving from want or rewarding for good conduct any individual native convict, or for the purpose of enabling any native convict on the expiration of the period of imprisonment to acquire the means of re-establishing himself in the Colony: Provided that in no case shall the amount so granted for relief, reward, or otherwise, exceed the aggregate amount of wages earned by the said convict during his imprisonment.

14. Every native convict assigned under the said recited Law who shall be found at large on lands not belonging to his employer, or on any road, without a ticket-of-leave from his employer, may be arrested by any householder, and forwarded to the nearest resident magistrate, to be dealt with according to law.

15. Every law applicable to convicts confined or employed in any jail in the Colony shall, subject to the provisions of these Regulations, be applicable to convicts assigned under the above-recited Law, anything herein contained notwithstanding.

16. The employer shall be bound to grant any convict a ticket-of-leave for the purpose of lodging any complaint to the magistrate against such employer: Provided that if and when it shall appear that the representation or pretence upon which such ticket shall have been obtained is false or frivolous, such native convict shall be liable to have his term of service extended for such period not exceeding one month for every such offence, as to the magistrate or visiting magistrate shall seem fit.

17. Any employer refusing such ticket for such purpose shall, on conviction, be liable to a fine not exceeding 10*l*.

18. The Lieutenant-Governor may at any time cancel any assignment of the services of any convict under the above-recited Law, or direct any convict to be sent to any jail, there to undergo his sentence, or any unexpired period thereof, instead of remaining assigned under said Law.

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19. Any injury or assault upon the person of any convict by his employer or other person shall be dealt with and punished in the ordinary course of law.

20. In the event of the death of any employer before the expiration of the period of imprisonment imposed upon any such convict, then the Lieutenant-Governor may reassign such convict to some other person, and the provisions of these regulations shall apply to such reassignment.

21. In the event of the death of the convict before the expiration of his period of imprisonment, the employer shall be bound to supply his wife or wives with the necessary food for one month after the death of such convict.

22. No convict assigned under the above-recited Law shall be removed beyond the limits of the Colony.

23. No employer shall have the power to sub-assign the services of any convict under said recited Law, or under these Regulations, to any third person, without the permission in writing of the resident magistrate of the county in which he shall reside.

(Signed) D. ERSKINE, Colonial Secretary.

Colonial Office, Natal, April 10, 1874.

Inclosure 2 in No. 4.

MEMBERS of the late Amahlubi tribe are to be allotted upon the following conditions:—

1. Employers to provide every member of families allotted with sufficient food and clothing, and continue to do so until they are in a condition to support themselves from their crops.

They must locate them in kraals, and provide sufficient land contiguous for cultivation and grazing.

2. In consideration of the time allotted families will require for building huts and planting their crops, whilst being fed at the expense of their employers, working members of such families will not be entitled to receive any pay until the 1st day of March, 1875.

Working members of these families will be paid at the current rate of wages, according to the merits of each individual case.

3. This rate to be decided by the magistrate, or such person appointed by the Lieutenant-Governor, in cases when the master and servant cannot satisfactorily arrange this.

4. The magistrate shall have the power to remove any families who have not been provided with sufficient food or clothing, or have been subject to any other mal-treatment.

5. That this allotment be for a period not less than three years; but at the end of that time no members of any allotted family are to move without first obtaining the permission of the resident magistrate, or such other officer as the Lieutenant-Governor may appoint.

6. Marriages, deaths, or any other important changes to be reported without delay to the Secretary for Native Affairs.

Inclosure 3 in No. 4.

RETURN of the members of the Amahlubi tribe allotted or assigned for three years to farmers and others under the terms set forth in the printed paper annexed, all of which are, however, determined and put an end to by the Lieutenant-Governor's Proclamation of the 18th instant.

	Number of People to whom Allotments were made.	Number of Men and Boys Allotted.	Number of Women and Children Allotted.	Total.
Maritzburg County ..	15	149	204	353
Weenen County ..	9	74	105	179
				532

(Signed) ARTHUR J. SHEPSTONE.

Inclosure 4 in No. 4.

Proclamation.

By 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 Natal, and Vice-Admiral of the same, and Supreme Chief over the native population.

WHEREAS I did on the 15th of October, 1874, authorise the remission of the sentences passed on all the prisoners of the Amahlubi tribe, then in this Colony, except Mboho, *alias* Sibanyana, Nomleti, Tshiyaguqa, and Mzingulu, and their release from imprisonment, on condition that they lived with their families with farmers or others not residing in towns, and who might be able and willing to take and comfortably provide for whole families, on such terms and under such stipulations as appeared to me to be both equitable and necessary, and the remissions were accepted by the prisoners on the terms and conditions laid down :

And whereas Her Majesty's Government have signified their disapproval of the assignment to private persons of these prisoners and of other members of the late Amahlubi or Amangwe tribes :

And whereas I have therefore cancelled the condition upon which the remissions aforesaid were granted :

Now, therefore, I do proclaim and make known that all such assignments of said prisoners, or assignments of any kind of members of the late Amahlubi or Amangwe tribes, which were caused by, or arose out of, the late Langalibalele disturbance, shall cease and determine, and are hereby declared to have ceased and determined ; and I further make known that hereafter the services of these people can be retained only by agreements voluntarily entered into by them, or by the renewal of those already subsisting, and that all restrictions specially placed upon these people, in consequence of their conduct as a tribe, to which other native subjects of this Government are not liable, are hereby removed.

Provided, however, that the members of the late Amahlubi tribe shall not be allowed to collect and form themselves into a separate and distinct tribe in any part of this Colony.

And I hereby require all magistrates and Administrators of native law to guide themselves by the terms of this Proclamation.

God save the Queen !

Given at Durban this 18th day of February, 1875.

By his Excellency's command,

(Signed)

T. SHEPSTONE,
Secretary of Native Affairs.

No. 5.

Lieutenant-Governor Sir B. C. Pine, K.C.M.G., to the Earl of Carnarvon.—(Received April 2.)

My Lord,

Government House, Natal, February 24, 1875.

WITH reference to my despatch of the 31st December last,* on the subject of the charges brought by the Bishop of Natal against Mr. John Shepstone, I have to state that I induced Mr. Shepstone to abandon his action, and leave his case in your Lordship's hands, in the full reliance that the Bishop would retract his charges.

2. I find, however, that, instead of doing this, the Bishop has substantially reiterated the charges in the printed book which your Lordship has sent to me, and by subsequently publishing this book in England, he has, under the protection which Mr. Shepstone's withdrawal seemed to secure to him, given them a greater publicity, and inflicted a still deeper injury on Mr. Shepstone's reputation. I am sure that I need only bring this matter to your Lordship's notice to insure justice being done to Mr. John Shepstone.

3. The case stands thus:—The Bishop of Natal made a very serious charge

* No. 3 of C. 1187 of 1875.

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against Mr. John Shepstone, which, if substantiated, would have ruined his character. Mr. John Shepstone called upon the Bishop to retract his charge. Instead of doing this, or offering to support the charge in a Court of Law, the Bishop applied to the Lieutenant-Governor to have a subject which occurred sixteen years ago investigated before the Executive Council. On the refusal of the Lieutenant-Governor to deal thus with a matter properly referred to a Court of Law, the Bishop invoked, as I understand, the interference of the Secretary of State. At your Lordship's request I induced Mr. John Shepstone to withdraw his action, and leave the decision of the matter in your Lordship's hands.

4. Having thus obtained immunity from legal proceedings, the Bishop, in a book sent to me by your Lordship, and printed in London for your Lordship's information, removed the restriction to publication under which it was printed, and by putting it into circulation in England, reiterates the odious charge in the ears of the whole English public, in a way calculated to cause irretrievable damage to Mr. John Shepstone's character, because so timed as to preclude the possibility of Mr. Shepstone's saying a word in his defence.

5. Mr. John Shepstone does not want damages, but simply that his character may be cleared of a charge which an examination before a Court of Law would prove utterly groundless.

I have, &c.

(Signed) BENJ. C. C. PINE.

No. 6.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, April 5, 1875.

IN the third paragraph of Sir Benjamin Pine's despatch of the 8th February,* reference is made to the "Langalibalele Expedition Debtor and Creditor Account," as containing a full statement of all expenditure and all receipts connected with the operations against Langalibalele and other natives towards the close of 1873.

I request that you will furnish me with a copy of this account.

I am, &c.

(Signed) CARNARVON.

No. 7.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, April 22, 1875.

I HAVE received Sir B. Pine's despatch of the 24th of February,† on the subject of the charges brought by the Bishop of Natal against Mr. John Shepstone, with respect to the Chief Matyana.

Without entering upon the question whether the Bishop, in publishing his book in this country, reiterated his charges against Mr. Shepstone after the withdrawal of the latter from legal proceedings, I think it due to Mr. Shepstone, as he withdrew his action against the Bishop at my request, and left the decision upon the matter in my hands, to act upon the understanding conveyed in my despatch of the 19th of November, by pronouncing my own decision when the whole case shall have been laid before me.

With this view, it becomes necessary that a careful inquiry should be made into the charges preferred by the Bishop against Mr. Shepstone, with reference to his conduct in attempting the arrest of Matyana in 1858; and I think that, under all the circumstances, this inquiry might be best conducted by one or more of the senior officers of your staff who accompanied you on special service to Natal.

I have, &c.

(Signed) CARNARVON.

Colonial Office to W. Shaen, Esq.

Sir,

Downing Street, April 29, 1875.

WITH reference to the letter which was addressed to you from this Department on the 20th October last,* on the subject of the Law of the Legislature of Natal, No. 18 of 1874, relating to the employment of convicts, I am directed by the Earl of Carnarvon to inform you that a despatch has been received from Sir Benjamin Pine in which he furnishes certain information which his Lordship has called for respecting this Law.

After fully considering the question, Lord Carnarvon has come to the conclusion that Her Majesty must be advised to disallow the Law, and has informed Sir Garnet Wolseley of its disallowance.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 9.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, April 29, 1875.

I HAVE received Sir Benjamin Pine's despatch of the 22nd February,† furnishing the information with which I requested to be supplied in my despatches of the 12th June and 19th October last, on the subject of the Law of the Legislature of Natal, No. 18 of 1874, "To make special provision with regard to the employment of Convicts."

2. I am unable to concur with Sir Benjamin Pine in the reasons which he assigns in favour of confirming this Law.

3. On a sudden emergency, such as lately arose, where it was imperatively necessary to make instant provision for feeding a large number of prisoners, and the resources of the Government were inadequate for the purpose of lodging and keeping them, such a course as assigning natives for a short period to those who would provide properly for them, might be defensible as a temporary measure resorted to under pressure; but to take a general power of assigning convicts as private servants, would open a door to many objectionable practices, owing, among many other causes, to the impossibility of properly supervising either the employers or the employed.

4. There is only one mode of which I am aware in which convicts can be properly employed as labourers; that is to say, upon public works, under an efficient system of supervision by Government officers.

5. I have therefore felt it right to advise Her Majesty to disallow this Law. Her Majesty has been pleased to approve the advice which I have tendered to her, and to signify her disallowance of the Law, and it is disallowed accordingly.

6. You will make known Her Majesty's pleasure in the usual manner.

I have, &c.
(Signed) CARNARVON.

No. 10.

*Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received May 7.)*

My Lord,

Government House, Natal, April 3, 1875.

I HAVE the honour to inform your Lordship that, having left Cape Town on the 24th ultimo, in Her Majesty's ship "Raleigh," I arrived off Port Natal on the evening of the 29th ultimo, and landed at Durban on the 30th.

2. After remaining two days at Durban, I left for Pietermaritzburg on the 1st instant, on which day I took the oaths as Administrator of the Government.

3. I yesterday held a meeting of the Executive Council, and laid before them the instructions contained in your Lordship's despatch of the 18th February.‡

* No. 19 of C. 1121 of 1875.

† No. 4.

‡ No. 7 of C. 1187 of 1875.

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These instructions will be published in the Government "Gazette" on the 6th instant, for which day I have summoned the Executive Council to meet for the transaction of business.

4. The Legislative Council stands prorogued by Sir Benjamin Pine till the 15th instant, but was not then to meet for business. In the "Gazette" to be published on Tuesday next, I shall summon them to meet for business on the 5th proximo.

I have, &c.
(Signed) G. J. WOLSELEY.

No. 11.

The Aborigines Protection Society to the Earl of Carnarvon.

*Canada Government Buildings, King Street, Westminster,
May 8, 1875.*

My Lord,

I AM directed by the Committee of the Aborigines Protection Society to address your Lordship on two or three points mainly connected with the instructions which you addressed to Sir Garnet Wolseley, Lieutenant-Governor of Natal, on 18th February last. I need hardly say that, as the Committee includes several gentlemen who have had the honour to serve the Crown in distant parts of the Empire, they have a strong sense of the difficulties which must necessarily attend any considerable change of policy, especially in the case of Natal, where the Kaffirs so largely out-number the Colonists, and where also the system of native administration established by Mr. Shepstone has existed for so long a period as to become interwoven with the habits and feelings of the native population.

The following are the suggestions to which the Committee are anxious respectfully to direct your Lordship's attention:—

1. They venture to think that the Supreme Court of the Colony should, so to speak, be the head of the native law, so that the natives generally may be secured the right of *habeas corpus* and trial by jury. They are anxious that the administration of the law should, as far as possible, be entirely free from political bias or the influence of popular feeling.

2. The Committee also suggest that the Civil and Military Departments should be kept wholly distinct from one another. They regard with apprehension the prospect of the Magistrates and the police being called upon to discharge functions which even in the experience of the civilized States cannot with safety be entrusted to the same persons.

3. It is unnecessary to point out to your Lordship that every well directed effort which has been made to civilize the native inhabitants of South Africa has met with encouraging success. The Fingoes, the Basutos, and other tribes are examples of the capacity of these people for civilization, and of the readiness with which they respond to influences of a moral and educational character. The Committee believe that if, concurrently with the steps for the gradual abolition of the tribal system which your Lordship has wisely decided to take, a sufficient number of elementary and industrial schools are established in the native districts, the result, besides advancing the lasting interests of civilization, will greatly tend to promote the security of the Colony. Their views on this subject have been materially strengthened by what, from time to time, has been told to them by the French Missionaries in Basutoland, who, by systematically instructing their flocks in the arts of civilized life, have converted a barbarous tribe into an industrious and orderly population. We believe that the Kaffirs in Natal contribute directly a sum of 25,000*l.* per annum to the Colonial Exchequer. We are informed that they pay their taxes willingly, and that the amount collected from them represents their full share of the local burthens of taxation. The Committee respectfully suggest that some portion of this money might, in a rational spirit of economy, and with the greatest advantage to the Colony itself, be appropriated to purposes of education; and they venture to ask that your Lordship, with that beneficent regard for the well being of native races which has been a noble characteristic of your administration, will request his Excellency Sir Garnet Wolseley to inquire into this subject.

4. As President Burgers of the Transvaal Republic has now arrived in this country, I am desired to express a hope that your Lordship will impress upon him

the desirability of his Government loyally giving effect to clause 4 of the Convention of 1852:—"It is agreed that no slavery is or shall be permitted or practised in the country north of the Vaal River by the emigrant farmers." A Blue Book published by one of your Lordship's predecessors three or four years ago contains ample and painful evidence not only of the existence of slavery in the Transvaal territory, but also of the prosecution of wars against the natives for the purpose of enslaving the captives, chiefly women and children; and we learn from a recent despatch of Sir Henry Barkly, as well from independent sources, that these practices, although perhaps not indulged in to the same extent as formerly, are still continued. The fact that during the last twelve months large quantities of ammunition have been introduced into the Republic by way of Delagoa Bay has excited a painful impression in various quarters, and we have been repeatedly requested to communicate with your Lordship on this matter. We have, however, abstained from doing so until a favourable opportunity presented itself, but now that President Burgers has reached England, and will shortly, no doubt, be in personal communication with your Lordship, there is no longer cause for silence. I may add that in calling your Lordship's attention to the subject, the Committee are anxious to treat President Burgers, personally, with every courtesy and forbearance.

I have, &c.
(Signed) F. W. CHESSON, *Secretary.*

No. 12.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received May 12.)

My Lord, *Government House, Natal, April 8, 1875.*
SIR BENJAMIN PINE having left the Colony, I have the honour to forward your Lordship, at the request of seventy inhabitants of Pine Town, the inclosed address to him.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure in No. 12.

Extra to the "Natal Mercury."

THE following is the draft of the Address submitted at a public meeting:—

"To his Excellency Sir Benjamin Chilley Campbell Pine, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor in and over the Colony of Natal, Vice-Admiral of the same, and Supreme Chief over the Native Population.

"Your Excellency,

"On the eve of your departure from this Colony, it is our pleasure, and not less our duty, to convey to your Excellency some expression of our appreciation of the important services you have rendered to Natal in her recent troubles, and of our sympathy with you in the position in which you have thereby been placed.

"Shortly after your arrival you were called upon to take measures to check the growing insubordination of a Kafir Chief, which, if longer neglected, would have led to the most serious consequences, he already exercising a dangerous and pernicious influence over adjacent as well as other tribes. In carrying out the necessary measures which were prompted by every feeling of humanity, you sought to spare as much as possible the misguided rebels from the consequences of their disloyalty. They met this by the commencement of hostilities, and having murdered three of our volunteers and two loyal natives, they mutilated their bodies, showing the Kafir character to be in every respect the same as throughout all the Cape wars.

"The country was in great danger, and less vigorous action would have brought ruin and desolation on the towns and villages, surrounded as they are by

locations, in which for years the Kafirs have been allowed indulgence in all their barbarous habits. You fully realized the crisis, and by the pursuit, capture, and subsequent banishment of the Kafir Chief, you were the means, under Providence, of preserving the peace of the Colony, and of averting a general Kafir war. We maintain that the danger was imminent, the position critical both to ourselves and the neighbouring Colonies, and we are prepared to share with you all responsibility.

"We deplore the sacrifice of life, both on our side and that of the rebels, but when the commencement of former Kafir wars is remembered with the loss entailed by them on the mother country in blood and treasure, we cannot but believe that the ultimate verdict will be, that at the smallest possible expenditure of life such a calamity has been averted in this Colony.

"We claim to understand, better than those at a distance, our position here; and although, as Colonists, we do not undervalue the criticisms of our fellow countrymen, we indignantly repel the reckless charges made against us of needless severity and groundless alarm.

"We trust that this expression of feeling and regard may not be unwelcome to your Excellency, and that it may serve to assure you that you have won the gratitude of those who know best what you had to endure, and the difficulties with which you have had to contend.

"We only hope that in your successor we may find one equally devoted to our interests, and that you may long live to enjoy the satisfaction of knowing that in the performance of your duty you successfully maintained the peace of the Colony, and we feel that in you Natal loses a true friend, a fearless and patriotic Governor.

"With every good wish for your Excellency's future welfare and happiness, we remain, &c.

"Natal, January 22, 1875."

No. 13.

The Peace Society to Colonial Office.

*Peace Society, 18, South Street, Finsbury,
May 21, 1875.*

My Lord,

AT the annual meeting of the Peace Society held on the 18th a Resolution was passed, expressing cordial satisfaction with the course pursued by your Lordship in regard to the unhappy events which have recently occurred at Natal.

In accordance with the unanimous wishes of the meeting, I have the honour to transmit to your Lordship the inclosed copy of that Resolution.

I have, &c.

(Signed) HENRY RICHARD.

Inclosure in No. 13.

AT the annual meeting of the Peace Society, held at Finsbury Chapel, Moorfields, on Tuesday, May 18, 1875, the following Resolution was unanimously adopted, viz. :—

"That this meeting desires to express its cordial satisfaction with the course pursued by Lord Carnarvon in regard to the unhappy events in the Colony of Natal, and cannot doubt that this policy of strict justice in dealing with the aboriginal tribes with whom we are so much in contact in all parts of the globe, will be attended with the happiest results, and that Mr. Henry Richard, M.P., be requested to convey to his Lordship a copy of this Resolution."

No. 14.

Colonial Office to the Secretary to the Aborigines Protection Society.

Sir,

Downing Street, May 24, 1875.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 8th instant.*

His Lordship desires me to state that the suggestions of the Aborigines Protection Society appear to be in a great measure in accordance with the views which he has formed and expressed as to the general policy to be observed in dealing with the natives in Natal. The fact must, however, not be lost sight of that there are in many cases difficulties arising out of the constitution and circumstances of the Colony in the way of effecting objects which in themselves are desirable

With respect to the remark contained in the 2nd paragraph of your letter, I am to inform you that Lord Carnarvon fully proposes that the duties to be entrusted to the police shall not exceed such as may legitimately be performed by them.

I am, &c.
(Signed) J. PAUNCEFOTE.

No. 15.

Colonial Office to W. Richard, Esq., M.P.

Sir, *Downing Street, May 31, 1875.*

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of 21st instant,* inclosing a Resolution of the Peace Society, in which they express their approval of the course pursued by his Lordship in regard to recent events in Natal.

Lord Carnarvon desires me to state that he is glad to know that the course pursued commends itself to the Society.

I am, &c.
(Signed) W. R. MALCOLM.

No. 16.

*Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 5.)*

My Lord, *Government House, Natal, April 26, 1875.*

SIR BENJAMIN PINE having left the Colony, I have the honour, at the request of Mr. W. MacFarlane, the Member for Weenen county, to forward to your Lordship the inclosed letter, and an address from the inhabitants of Weenen county which is annexed thereto.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure 1 in No. 16.

My Lord, *Lochsloy, Natal, April 21, 1875.*

I HAVE the honour to transmit, as requested by resolution passed at a meeting of the inhabitants of the county of Weenen, forwarded to me by the Chairman of that meeting, as per letter herewith inclosed, an address signed by the inhabitants to Sir B. C. C. Pine, K.C.M.G., with reference to his recall from the Government of this Colony, and to request that you will cause the same to be presented to our late Governor.

2. The facts therein stated may be of importance to your Lordship as enabling you more clearly to understand the true character of the revolt of Langelibalele and his tribe, and their treasonable communications with other tribes for the purpose of inducing them to join him in resisting this Government.

3. The people of this county embrace this opportunity to express their deep and sincere sympathy with your Lordship on the sad bereavement which has recently befallen you and your house.

I have, &c.
(Signed) WALTER MACFARLANE,
Member for the County of Weenen.

The Right Honourable the Earl of Carnarvon,
Her Majesty's Secretary of State for the Colonies.

Inclosure 2 in No. 16.

My dear Mr. Speaker,

Fernhurst, April 12, 1875.

IN accordance with resolution passed at the public meeting of the inhabitants of this county, held at Estcourt last month, to address Sir B. C. C. Pine on his recall from the Government of this Colony, I now inclose the address, signed by the inhabitants, and request that you will transmit the same to the Right Honourable the Secretary of State for the Colonies, for presentation at home to our late Governor.

2. I have also to bring to your notice, with reference to paragraph marked No. 6, that through some omission one important fact is not set down, viz., that the approaches to the caves, in the fastnesses therein referred to as stored with grain, were also fortified by the erection of strong stone walls in front.

I am, &c.

(Signed) ROBT. MELLERSH,
Chairman.

To the Honourable the Speaker, Walter Mac Farlane, Esq.,
Member for the County of Weenen.

No. 17.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 5.)

My Lord,

Government House, Natal, April 26, 1875.

I HAVE the honour to inform your Lordship that, having received instructions from His Royal Highness the Field Marshal Commanding in Chief, dated 3rd March, to bring Lieutenant Clarke, R.A., to trial by general court martial, I caused him to be suspended from his duties as Resident Magistrate, Umgeni division, on the 14th instant, and directed him to report himself to the Senior Officer, R.A., placing him in open arrest.

2. He is still drawing the full pay of his appointment, the duties of which are being performed by Mr. Bird, Resident Magistrate, city division, whose expenses in connection with collection of hut tax will be drawn from Lieutenant Clarke's salary.

I have, &c.

(Signed) G. J. WOLSELEY.

No. 18.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 5.)

My Lord,

Government House, Natal, May 1, 1875.

I HAVE the honour to transmit to your Lordship copies of the following documents:—

1. Recommendations by the Secretary for Native Affairs for the future management of the location under the Draakenberg lately occupied by the Amahlubi tribe.

2. My own Minute on the above recommendations.

2. These documents will inform your Lordship of the steps which I have taken in reference to the reoccupation of the location formerly inhabited by Langalibalele and a portion of the tribe of Putili.

I have, &c.

(Signed) G. J. WOLSELEY.

Inclosure 1 in No. 18.

Recommendations for the future Management of the Location under the Draakenberg, lately occupied by the Amahlubi Tribe.

A PORTION of this land was, before the late disturbance, occupied by some of Putili's people, the remainder of the tribe having lived on private farms, by

arrangement with the owners; therefore, for all practical purposes, the location may be considered as one.

The location near the Draakenberg range consists of a series of gorges, with narrow alluvial valleys capable of being cultivated; the separating ridges are in almost all cases high, abrupt, and very rugged, but afford good pasturage for six or eight months of the year; lower down, the location is more undulating, and capable of supporting a larger population.

I recommend that no hereditary Chief be allowed to occupy any of the upper portion at least, where he has a comparatively secure retreat in the Draakenberg; that this location be subdivided, and given in charge of Headmen who owe their elevation to the Government, and belong to different tribes by descent, and that they be authorized to allow the settling under them of such of the native population in the Colony as may be personally approved of by the Government, under the usual process necessary for obtaining permission to remove from one part of the Colony to the other; but that as the Amahlubi tribe will be all anxious to occupy their old lands, and it will be difficult to entirely prevent them, care should be taken that they do not form a majority of the inhabitants in any portion of it, but especially in the gorges, which should be held by natives of whose loyalty there can be no question, and which will be secured by the fact that they will be under the control of Headmen naturally jealous of each other, and in daily communication with the white Superintendent.

This functionary should reside at some spot in the location selected with a view to its being readily accessible to all; the Headmen should immediately report to him all that takes place in their respective jurisdictions, as they would to a superior native Chief, so that the Superintendent would always know what is going on in different parts of the location. He should also consider it an important part of his duty to develop industrial occupation among the natives themselves, such as improved dwellings and cultivation, or the production of whatever the speciality of the location may suggest, and to induce unemployed young natives to seek work among the colonists, than which there cannot be a better means of civilization. He should represent the authority of the Government in the location, and might with advantage collect the taxes; he should decide all cases of appeal against the decisions given by the Headmen, and possess original jurisdiction, where the parties prefer appealing to his decision in the first instance; there should, however, be an appeal from his decision to the Magistrate of the county or division, and from him to the Secretary for Native Affairs, as at present. He should also institute and keep up a complete registration of the population under his charge, distinguishing sex and age, tribe in which born, and as many particulars as may be procurable. This is but the mere outline of what must be filled in by degrees, as opportunities arise and necessity demands.

The staff need at first be but small. The Superintendent should, I think, be allowed four native messengers to act as police, but should certainly live within the limits of the location.

He is appointed under Law 2, 1873; but I see nothing in that enactment in conflict with the above recommendations.

(Signed)

T. SHEPSTONE,
Secretary for Native Affairs.

Office of Secretary for Native Affairs,
April 9, 1875.

Inclosure 2 in No. 18.

Minute.

I FULLY concur in the general principles laid down in this Minute, and desire that the white Superintendent, now stationed in the county of Weenen, may be at once moved into a central position in the location.

Every care should be taken to prevent the Langalibalele tribe, or any large portion of them, again settling down as a body in any one locality under an hereditary Chief.

People belonging to other tribes should be, as far as possible, settled in the upper portions of the location, under Headmen or petty Chiefs to be appointed by me, upon the advice of the Secretary for Native Affairs.

This does not of course apply to the portions of the location formerly occupied by the Putini tribe, which are in all cases to be restored to the original proprietors. Constant, say at least weekly, reports should be made by the Resident to Mr. Shepstone regarding the numbers and condition of the Langalibalele their returning to their former homes, and an accurate registry must be kept of them, and all important or interesting information so obtained should be communicated to me from time to time as received by Mr. Shepstone.

The Superintendent is to use his best endeavours to grant farms to individual families, wherever and whenever it is possible to do so; but under all circumstances it is essential to divide the location, especially the Langalibalele portion of it, up into very small allotments, so that no one Headman may have many families under his authority.

(Signed) G. J. WOLSELEY, *Major-General,*
Administrator.

April 10, 1875.

No. 19.

War Office to Colonial Office.

Sir, *War Office, June 10, 1875.*

I AM directed by the Secretary of State for War to transmit to you, to be laid before the Earl of Carnarvon, the proceedings of the Board of Officers appointed to investigate the circumstances connected with the retirement of the volunteers from the Bushman's Pass in November, 1873. Copies of correspondence on the subject accompany the proceedings.

I am to request the return of the inclosures of this letter.

I am, &c.
(Signed) J. C. VIVIAN.

Inclosure 1 in No. 19.

Sir, *Government House, Natal, September 18, 1874.*

YOUR Excellency is aware that a portion of the volunteers of this Colony attached to the two corps noted in the margin,* who served under the immediate command of Lieutenant-Colonel Durnford, R.E., at the Bushman's Pass during the recent rebellion of the late Chief Langalibalele, have expressed a strong desire that the circumstances under which they retired from the Pass should be investigated by a Court of Inquiry, in consequence of certain letters and statements which have from time to time been made public, and as it would be impossible to form any competent Court for the purpose in this Colony, I now do myself the honour to request that the appointment of a Court of Inquiry composed of officers serving in the Cape Colony under your Excellency's command, may be authorized.

2. Should your Excellency consent to the appointment of officers for this purpose, the Government of this Colony will of course make provision for the payment of their expenses on such scale as you may deem proper.

3. In the event of your Excellency feeling at liberty to order the assembly of such a Court as I have requested, I should feel obliged by your intimating to me, both for the satisfaction of the volunteer force and in view to any preliminary arrangements that may be necessary, the approximate date on which the officers who are to compose the Court may be expected to arrive.

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

His Excellency Lieutenant-General Sir A. Cunynghame, K.C.B.,
Commander of the Forces in the Cape Colony and Natal, D'Urban.

Inclosure 2 in No. 19.

Sir, *Natal, September 25, 1874.*

I HAVE the honour to acknowledge your Excellency's letter of the 18th of September, stating that you consider that it would be advisable that inquiry should

* Natal Carbineers and Karkloof Carbineers.

be made into the circumstances under which volunteers retired from the Bushman's Pass under the command of Major Durnford on the recent rebellion of the late Chief Langalibalele.

I beg your Excellency will believe that I am most anxious to render every assistance in my power, so that the measures you have taken in the organization of the defensive forces for the protection of this Colony should meet with every success, and with this view I shall have much pleasure in using my best endeavours to give effect to your wishes.

At this moment it is impossible for me to place before your Excellency the composition of the Court of Inquiry which I shall hope to assemble, or the date on which they can meet.

In consequence of the early relief of a large portion of the force which is placed under my command, it is requisite for me to arrange with circumspection the names of the members whom I should employ on this service.

Immediately on my arrival at the Cape, I will pay attention to your wishes, and believing that it is for the benefit of your Government that no avoidable delay should occur in the assembly of the inquiry, I will give you early information of the arrangements I propose to adopt in furtherance thereof.

I have, &c.

(Signed) A. T. CUNYNGHAME,
Lieutenant-General, Commanding South Africa.

His Excellency the Lieutenant-Governor,
Natal.

Inclosure 3 in No. 19.

The Castle, Cape Town, October 19, 1874.

THE accompanying letter from his Excellency the Lieutenant-Governor of Natal will show his desire that the circumstances attending the defence of Bushman's Pass, in the Draakensberg mountains, on the occasion of the disaffection of Langalibalele and his tribe, should be inquired into.

2. Upon the volunteer forces of Natal depend very much the integrity of the Colony, and it is of material consequence that their character should in all respects stand high in the estimation of their fellow-citizens as well as that of the natives.

3. It is with this view that Sir Benjamin Pine has requested his Excellency the Commander of the forces to take such steps as he should consider advisable to cause inquiry to be made into the circumstance of the retirement of the volunteers from the pass on the occasion alluded to.

4. His Excellency the Lieutenant-General commanding has, in accordance with these wishes, and supported by the opinion of his Excellency Her Majesty's High Commissioner, given directions that a Board, consisting of Lieutenant-Colonel Walker, Assistant Military Secretary, Major Brockman, 86th regiment, and Captain Swiney, 32nd regiment, should proceed by the first opportunity to Natal for this purpose.

5. The President of the Board, on his arrival, after having presented himself to his Excellency the Lieutenant-Governor, will place himself in communication with Colonel Milles, commanding Her Majesty's forces, and with the Colonial Secretary, through whom he will request the attendance of such individuals as the Board may desire to examine.

6. The inquiry will be made as to the orders which were given by superior authority previous to the march of the volunteers; the composition of the force; the arrangement made for their supplies; their general march; the state in which they arrived at the pass, men and horses; the position they held when Major Durnford addressed the Kaffirs through an interpreter; the position of the enemy; the translation, &c., given to Major Durnford by the interpreter; the general bearing of the volunteers at this time; the movements which were then made.

7. Bearing in mind the information which they gain on these several points, and such others as they elicit on their examination, they will carefully weigh the circumstances, and will give their opinion for the information of his Excellency the Lieutenant-General, detailing the reasons and points of evidence upon which they form it.

8. Whether the volunteers retired in a precipitate manner, and if so, what circumstances which were brought before them reconciled such a retirement with

the obligations of their duty, or was it of so precipitate a nature as to cause this force to merit censure.

9. Whether there existed any reasons resulting from the peculiar circumstances in which they found themselves to palliate such a retirement.

(Signed) A. T. CUNYNGHAME,
Lieutenant-General, Commanding South Africa.

Inclosure 4 in No. 19.

BEFORE recording their actual opinion as to whether the retirement of the volunteers from the Bushman's Pass in November 1873 was conducted in a precipitate and unjustifiable manner, the Court have to state as follows:—

The members of the Court have visited the scene of the late affair at the Bushman's River Pass, and have traversed the same country over which the force under Lieutenant-Colonel Durnford, R.E., marched and retired.

The orders previous to the march of the volunteers were given by Colonel Milles, 75th Regiment, and received the approval of his Excellency the Lieutenant-Governor. These orders, together with the detail of the composition of the force, are appended to the proceedings.

The general march was over an exceedingly rough and mountainous country, so rough and steep in some places as to render it unsafe to ride; consequently, the horses had frequently to be led up and down hills and precipices; this, of course, in a long march, would cause great fatigue to the men, and a certain amount of straggling.

The order of march was an advance guard of Basutos, Karkloof, and Natal carbineers combined, and pack-horses each in charge of a trooper.

The order relating to supplies for this force is attached. By the Volunteer Regulations it appears that the volunteers themselves are solely responsible for the arrangement with regard to provisions. The order was that 48 lbs. of cooked rations should be carried and they should have been carried by the men themselves, and not upon the pack-horses.

The state in which the force arrived at the Bushman's Pass was fair, considering the difficulties (during a long march) the men had overcome, and the small amount of food they appear to have obtained.

The horses should have been fairly fresh from their long halt of nearly ten hours in and about the mouth of the Giant's Castle Pass.

The position the force held when Lieutenant-Colonel Durnford addressed the Kaffirs was as follows:—

The troop was drawn up in a line across the mouth of the Pass, looking down it; two men dismounted were sent out on either side as videttes, with orders to prevent the natives from passing up at the sides, also to watch and report proceedings below. A few Kaffirs were at this time on some rising ground to the left, and were those to whom Lieutenant-Colonel Durnford spoke.

Seeing natives pressing up the passes to the right and left of the Bushman's Pass, the troops being unable to keep them back, owing to their orders not to fire or use force, Lieutenant-Colonel Durnford withdrew half the troops, and with them formed a cordon of investment outside the Kaffirs, the other portion of the troops remaining at the mouth of the pass.

Notwithstanding these precautions the natives still pressed up, and were arriving in great numbers; and finding that the troops were becoming unsteady, Lieutenant-Colonel Durnford ordered the movement of retirement to take place.

The translation given by Elijah (the interpreter) to Lieutenant-Colonel Durnford was to the effect that the old men were ready to listen to reason and obey the orders given to them, viz., to return to Colenso, but that the young men were in too excited a state to do so, although at first they said they would, but subsequently refused.

The general bearing of the volunteers at this time was fair, although they were in an unsettled state from exhaustion and inaction.

Opinion.

The Court having most carefully weighed and considered the whole of the evidence brought before it, do now arrive at the following opinion:—

With regard to the retirement of the volunteers from the Bushman's River

Pass in November, 1873, it appears to the Court that, although the volunteers were not wanting in individual bravery, yet as a whole they were greatly deficient in discipline and steadiness. Neither the officer nor the non-commissioned officers seemed to have any control over the men. It was unfortunate that there was a deficiency of volunteer officers, only one being present. There can be no doubt but that men and horses were much fatigued and harassed, but they were quite fit for an emergency. The forced inaction of the volunteers, the attitude and exclamations of the armed natives around them, tended greatly to cause uneasiness in the minds of the volunteers, the younger ones especially, and when ordered to retire, and the first shot was fired by the natives, a panic seized them which did not subside until they had descended the Giant's Castle Pass, nor was there any real attempt made to rally, notwithstanding the efforts made by Lieutenant-Colonel Durnford to recall them to a sense of duty. These efforts seem to have been mainly frustrated by the conduct of the late drill instructor, Sergeant Clarke, whose exclamations and general bearing tended greatly to increase the panic.

He was specially selected to accompany the volunteers on account of his supposed experience arising from his having served in Her Majesty's regular forces, but he totally failed to carry out the object for which he was selected. By the evidence of many of the volunteers and the Basutos, it appears that they had some meat, rum, and biscuits, although not to a very large amount, but still sufficient to prevent great exhaustion from want of food. They were not totally deficient of food as Sergeant Clarke in his evidence wishes to infer.

The Court now feel reluctantly compelled to arrive at the conviction that the volunteers did retire in a disorganized and precipitate manner, the result of a panic caused by a shot fired by the natives; that although attempts were made by Lieutenant-Colonel Durnford to rally them, more especially when they were out of the immediate fire, they failed to respond.

The Court are inclined to allow that there were certain mitigating circumstances connected with this retreat, viz., the entire want of proper discipline, the exhausted state they were in, the necessary forced inaction the men were subjected to, and the extremely bad example shown them by their late drill instructor, whose exclamations and general bearing would probably have unsettled even disciplined troops.

(Signed)

F. W. WALKER, *Lieutenant-Colonel and Captain, Scots Fusilier Guards, President.*

J. D. BROCHAM, *Major, Brevet-Major, 86th Regiment,*

G. C. SWINEY, *Captain, 32nd Light Infantry, Members.*

Dated this 12th day of December, 1874, at D'Urban, Natal.

Inclosure 5 in No. 19.

Sir,

Cape Town, December 31, 1874.

AT the request of your Excellency I directed the assembling of a Board of Officers, of which I appointed Lieutenant-Colonel Walker to be President, to investigate the circumstances connected with the retirement of the volunteers from the Bushman's Pass on the occasion of the rebellion of the tribe of Langalibalele in October and November, 1873. The first duty which these officers executed was that of examining the ground and the general position and theatre upon which the occurrences under investigation took place, and on their return to Pietermaritzburg they held an exhaustive inquiry into the case.

Upon the evidence produced before them they have founded their opinion: "That the volunteers did retire in a disorganized and precipitate manner.

"That, although the volunteers were not wanting in individual courage, yet as a whole they were greatly deficient in discipline and steadiness."

The Board further, however, state "that there were mitigating circumstances connected with the retreat," viz., "the entire want of proper discipline; the exhausted state they were in; the necessary forced inaction they were subjected to."

The evidence adduced causes me to coincide in this opinion, but I consider that there were many more circumstances in extenuation which have not been alluded

to, but which the evidence shows to have existed, and which in justice to the force I deem it essential for me to remark upon.

In the first place it would seem that there was a faulty organization as regards their command. They did not clearly understand whether they were to act directly under their own officer, or under the chief of the staff, and the want of sufficient officers to lead them, an element so essential to success in an expedition of this nature, was conspicuous.

It would appear to me that the wording of the order giving them "the advantages of the Mutiny Act" may be considered as ambiguous, and such as to hold out certain advantages, without the restrictions and penalties which its terms compel, and which do not seem to have been explained to them.

The orders respecting the transport of rations would seem not to have been carefully supervised, and the same remark applies in an equal degree to that of ammunition matters, involving the gravest and most essential conditions in war.

From the Commander downwards every action was, in my opinion, fettered and clogged with the most disadvantageous and unmilitary condition, viz., "not to fire the first shot," thus being restricted from using the weapons with which they were armed until actually assailed—a condition alike dangerous to the morale of the men as to the responsibilities of the Commander, and of itself calculated to invite disaster and which it eventually assisted to secure.

It would appear that under the terms of the orders the party were directed "to support natives acting under orders," whereas when they found themselves as a supporting body, they were themselves not only unsupported but advanced, especially for cavalry, in a position of the utmost peril, placed on the slopes of a mountain, the footmen of the enemy were allowed to obtain an advantageous position, screened by rocks, superior to and commanding the cavalry, and that as, on the one hand, the use of their weapons were denied to them, on the other they were in a position in which it would seem cavalry were unable effectually to act; on both sides of them well armed savages, behind selected rocks, musket or rifle in hand these volunteers were still under the order "not to fire until actually attacked;" a position trying to the utmost to the most disciplined of troops, how much more so then for men who, although recorded by the Board to be "individually brave," yet devoid of the advantages of discipline and exhausted in consequence of the failure of their transport?

It is but fair here to observe upon the steadiness and bravery of Major Durnford, and regarding which the volunteers gave ample testimony, and upon whom they appeared to have had the utmost reliance; shaken, indeed almost paralyzed, by a fall with his horse over a dangerous precipice, he never shrank from his duty, and although severely wounded in two places, he used his utmost exertions to rally the retiring troops. Again, we must bear in mind that the volunteers were well acquainted with the natives, their proverbial duplicity was known to them, and many of them were acquainted with their language and customs. Although, therefore, in condemning their unmilitary conduct, yet I entirely concur in the opinion of the Board that there were mitigating circumstances connected with their retreat.

Comment has been made in regard to the conduct of Sergeant Clarke, and the opinion expressed by the Board would appear to be borne out by the evidence placed before it, but upon this I do not feel myself competent to record an opinion. It would appear that Sergeant Clarke, although apparently entrusted with a most responsible military duty, and one if not of command yet of great influence in action, was, I understand, not even acting under the obligations of a volunteer, but altogether in a civil capacity. How so dangerous a flaw in the organization of this force was sanctioned, I am at a loss to comprehend; but acting as, I am given to understand, he was entirely under civil protection, I refrain from recording any remarks upon his military assumptions or engagements.

I beg your Excellency will believe that I have given to the whole of these proceedings my most careful consideration. I can come to no other conclusion from the evidence, but that the volunteers, although they appear to have retired by order and in a military formation (by fours from their right), that this retirement soon assumed precipitation and an inability in their Commander to rally the body; but in weighing the circumstances alluded to by the Board in mitigation, which, although they may not and do not exonerate the military offence, yet they are of so highly palliative a character that, in my opinion, it would be ungenerous and even contrary to practice unreservedly to condemn the volunteers.

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 I have endeavoured to explain the principles upon which, after a very careful consideration of the evidence, I have formed my opinion, recapitulating many others in addition to those mitigating circumstances alluded to by the Court of Inquiry, the whole of which caused me to advise your Excellency to relieve these volunteers of censure from the most serious imputations under which a soldier can labour.

I have, &c.
 (Signed) A. T. CUNYNGHAME,
Lieutenant-General, Commanding South Africa.

His Excellency the Lieutenant-Governor,
 Natal.

No. 20.

Colonial Office to War Office.

Sir, *Downing Street, June 12, 1875.*
 I AM directed by the Earl of Carnarvon to transmit to you, for the information of Mr. Secretary Hardy, a copy of a despatch from the Administrator of the Government of Natal,* reporting the suspension of Lieutenant Clarke, R.A., from his duties as Magistrate, with a view to his trial by Court-martial.

I am, &c.
 (Signed) W. R. MALCOLM.

No. 21.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir, *Downing Street, June 15, 1875.*
 I HAVE to acknowledge the receipt of your despatch of the 1st of May,† inclosing a paper, prepared by the Secretary for Native Affairs, on the future management of the location under the Draakenberg lately occupied by the Amahlubi tribe, and your Minute upon the subject.

I concur in the measures recommended by Mr. Shepstone, which appear to be consistent with those principles of native policy which the circumstances of the case require, and I approve the steps you have adopted for giving effect to them.

I have, &c.
 (Signed) CARNARVON.

No. 22.

Colonial Office to War Office.

Sir, *Downing Street, June 17, 1875.*
 I HAVE laid before the Earl of Carnarvon your letter of the 10th instant,‡ inclosing a report of the proceedings of the Board of Officers appointed to investigate the circumstances connected with the retirement of the volunteers from Bushman's Pass in November, 1873, and copies of the correspondence relating to the subject.

I am to request that you will express Lord Carnarvon's thanks to Mr. Secretary Hardy for communicating the papers to this Department.

I am, &c.
 (Signed) ROBERT G. W. HERBERT.

* No. 17.

† No. 18.

‡ No. 19.

No. 23.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)

My Lord,

Government House, Natal, May 7, 1875.

I HAVE the honour to inclose, for your Lordship's information, copies of certain Minutes giving information as to the amount realised by the sale of the confiscated property of the people of Putili's tribe, of which no specific account appears to have been kept.

My Minute, upon which the Secretary for Native Affairs has been instructed to act, will show your Lordship the steps which are now being taken to compensate these people for their losses.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure in No. 23.

Minute.

I GATHER from these papers that the amount paid into the Treasury on account of property that belonged to the Putili tribe, that was sold during the late disturbances, may be roundly estimated at 12,000*l.* I desire that, in accordance with the decision of the Secretary of State for the Colonies, money, goods, or cattle, to that same value, may be distributed, with the least possible delay, to the Putili tribe, in such a manner as may seem most right and fitting, by the Secretary for Native Affairs. It is very desirable to make this repayment, as far as possible, in agricultural implements, and in sheep. During the ensuing cold weather blankets will also be required by many families; these and clothing should be issued as part payment whenever it may be considered advisable to issue them. I wish to have monthly statements made to me until this 12,000*l.* has been expended.

I consider it desirable to encourage natives to keep sheep, as when owners of large flocks of sheep they cannot go to war with the same ease to themselves as when their property consists of herds of cattle.

(Signed) G. J. WOLSELEY, Major-General,
Administrator.

April 26, 1875.

Minute Paper.

Treasurer forwards account, amounts realized by sale of confiscated property.
April 12, 1875.

His Excellency

Forwarded for his Excellency's information, as desired.

(Signed) F. N. B.

April 13, 1875.

Colonial Secretary.

His Excellency requires that the affairs of the Putili tribe be separated from the Amahlubi tribe, and a statement in detail given, both of receipts from and expenditure upon the Putili tribe

By command,
(Signed) H. BRACKENBURY, Major.

April 13, 1875.

Treasurer (Mr. Ayliff).

To furnish the statement as desired by his Excellency.

(Signed) F. N. B.

April 13, 1875.

I regret to say that no separate accounts have been kept of the receipt or disposal of the cattle taken from Langalibalele's and Putili's tribes respectively, and hence I am unable to give a return of moneys received from sales of the latter. I have examined every accessible source, official and private, but have failed to ascertain anything beyond the presumption that the number seized from Putili's tribe was about 6,000, and by making an average allowance for deaths, the number sold will have been about 4,000, and the amount realized from the sale of these would be about one-half of the total proceeds of cattle sold, or say, in round numbers, about 12,762*l*.

The same difficulty exists in regard to payments and issues, excepting the cash advances amounting to 550*l*., which were made exclusively to Putili's tribe.

(Signed) JOHN AYLIFF, *Treasurer.*

Treasury, April 14, 1875.

Treasurer (Mr. Ayliff).

How about the "mealies, hides, other property, and cash." Surely some sort of statement must exist, or could be furnished. At any rate, the accounts must be made out separately, as his Excellency desires, for each tribe, and a note added, as above, stating how much is conjecture, and how much positively ascertained.

(Signed) F. N. B.

April 15, 1875.

The information regarding the mealies, &c., is equally incomplete. It is suggested that more information as to the division of the charges could be obtained from the Secretary of Native Affairs.

(Signed) G. POMEROY COLLEY, *Colonel,*
Acting Colonial Treasurer.

April 16, 1875.

Secretary for Native Affairs.

Can you give us any information as to the division of these items?

(Signed) F. N. B.

April 17, 1875.

There can, I think, be no nearer estimate made of the value of the property taken from the Putili tribe and confiscated than Mr. Ayliff suggests. The proportion of expenditure for their relief was, however, much less than that for the Amahlubi, because the families of the latter were brought to the neighbourhood of Maritzburg, whence they were fed and supplied with other necessaries, whereas those of Putili never were taken out of the Weenen County; for all practical purposes, therefore, the value of confiscated property of all kinds may be put down as one-half of the whole from the Putili people, while the relief afforded them did not exceed one-fourth of that to the Amahlubi, exclusive of the advances specially made in money.

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

April 26, 1875.

His Excellency.

Re-submitted, with all the additional information procurable.

(Signed) F. N. B.

April 26, 1875.

Minute.

April 12, 1875.

Treasurer, Natal, to the Hon. Colonial Secretary.

Forwarding returns of amounts realised for the sale of confiscated property of the Amahlubi and Amangwe tribes, and of the sums expended for supplies, &c.

The delay in furnishing these returns has been caused by the difficulty

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experienced in culling the amounts item by item out of the general sums abstracted under the head of "Special Receipts," but the total now submitted certainly covers the entire receipts.

(Signed) JOHN AYLIFF, *Treasurer.*

Colony of Natal.

STATEMENT showing the amounts realized for the Sale of Property confiscated from the Amahlubi and Amangwe Tribes of Natives (to date).

PARTICULARS.		£	s.	d.
Sale of cattle, houses, sheep, and goats	.. ..	24,588	17	9
„ mealies and Kafir corn	.. ..	810	16	0
„ hides	.. ..	72	0	0
„ other property	.. ..	37	1	3
Cash taken from natives	.. ..	16	5	0
Total	.. ..	25,525	0	0

(Signed) JOHN AYLIFF, *Treasurer*

Treasury, Natal, April 12, 1875.

Colony of Natal.

STATEMENT showing the amounts paid out of the Treasury for supplies to the Amahlubi and Amangwe Tribes of Natives (to date).

PARTICULARS.		£	s.	d.
Supplies of meal, mealies, salt, beef, slaughter cattle, pots, firewood, medicines, clothing, &c., and for carriage of same, &c.	.. ..	4,150	3	8
Advances made to natives through the Resident Magistrate, Weenen Country	.. ..	550	0	0
Total	.. ..	4,700	3	8

The pay and expenses of feeding native guards over the prisoners, and expenditure for tents, &c., is not included in the 4,150*l.* 3*s.* 8*d.*

(Signed) JOHN AYLIFF, *Treasurer*

Treasury, Natal, April 12, 1875.

No. 24.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)

My Lord,

Government House, Natal, May 13, 1875.

I HAVE the honour to forward, for your Lordship's information, copy of a letter and accompanying Memorandum, which I have caused to be forwarded to the Lord Bishop of Natal, relative to the agitation caused among the natives by a certain message reported to have been sent by native messenger to members of the Amahlubi tribe resident in the county of Klip River.

I have, &c.

(Signed) G. J. WOLSELEY

Inclosure 1 in No. 24.

My Lord Bishop,

Government House, Natal, May 12, 1875.

I HAVE it in command from Major-General Sir Garnet Wolseley to inclose, for your information, a memorandum relating to the agitation caused among the natives of Klip River County by the delivery of a message by one Umlandule to Umsiti, an Induna of Langalibalele, in the presence of many other natives.

This message, which is given in the Memorandum, is alleged to have been sent by your Lordship.

Although his Excellency is convinced that no such message was ever sent by your Lordship, and that your Lordship's only object in sending messengers to the Amahlubi tribe was to induce them to work, and with part of their wages to buy land for themselves, yet his Excellency considers it unfortunate that your messengers should have been directed to go out of the Colony, without being properly accredited, into the Orange Free State, with which it is the earnest desire of his Excellency to maintain relations of mutual confidence, and that the mission was not reported or explained to the authorities concerned.

Members of the Amahlubi tribe out of Natal are still liable to the condition that, on their return, they will be subjected to the Refugee Regulations; they are not, therefore, on the same footing as those in the Colony, and although it is not his Excellency's intention to enforce rigidly the terms of the amnesty of 2nd May, 1874, on this point, the policy of the Government is not specially to encourage their return.

His Excellency feels sure that it is only necessary to point out to your Lordship the nature of the message imputed to you, and the agitation caused by it, to ensure your Lordship's avoiding in future sending communications to the natives of Langalibalele's tribe independently of the authorities concerned. He hopes that he need scarcely assure your Lordship of his perfect willingness to assist you in any measure which is, in his Excellency's opinion, for the welfare of the Colony, and he relies with confidence upon your Lordship's loyalty that you will do nothing contrary to the policy decided upon by that constituted authority which represents Her Majesty in the Colony of Natal.

I have, &c.

(Signed) H. BRACKENBURY, Major.

The Right Reverend the Lord Bishop of Natal.

Inclosure 2 in No. 24.

Memorandum.

FROM private and confidential papers it appears that, in the middle of April, it was reported through the Klip River County that the Bishop of Natal had sent messengers into that county, stirring up the natives with the hope that the late Chief Langalibalele would return to Natal, and applying to them for money to effect that return.

There is no doubt that much agitation was caused among the natives by these reports.

It has been formally deposed by a native, who was present at an interview between Umlandule, a messenger said to have been sent by the Bishop of Natal, and Umsiti, an Induna of Langalibalele, that the following message was given by Umlandule to Umsiti:—

“I am sent by Sobantu to tell you that all of you who wish to (konza) remain under Langalibalele should send him (Sobantu) money to buy a place, and that he (Sobantu) would set up again Langalibalele as a Chief in Natal, somewhere near Maritzburg, and that all those who wish it should collect under him, and you are to send your children with money to him (Sobantu), and he (Sobantu) will teach them to read.”

Umlandule is asserted to have said at the same time that he was sent by the Bishop to Umkitshimi, over the Berg, with a similar message, and that he had delivered the same message to all Langalibalele's people living in Weenen County.

All the people living round Umsiti are said to have been collected together, and to have heard the above message when it was delivered.

It is in evidence that Umsiti sent a messenger to Umango, a son of Langalibalele, at Estcourt, to know whether he had received a similar message from the Bishop, and that Umango replied that he had, and that he knew all this.

Umlandule and another native, said to have been also sent by the Bishop of Natal, passed through Weenen County without reporting themselves to the Resident Magistrate. Neither did Umlandule report himself to the Resident Magistrate at Ladysmith; it is alleged, however, that he posted a letter from the Bishop to the Resident Magistrate, Klip River County, but this letter was never received by the Resident Magistrate.

Umlandule returned from Overberg with five men of the Amahlubi tribe, but

made no report to the Resident Magistrate when passing through Klip River County on his return.

Umlandule was in possession of a "pass" from Lieutenant-Colonel Durnford, R.E., granting him leave of absence from 14th March to 14th April, and has himself stated that he was sent by the Bishop over the Draakenberg to the Amahlubi people living on the other side.

By command,
(Signed) H. BRACKENBURY, Major,
Government House, Pietermaritzbury, May 11, 1875.

No. 25.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)

My Lord,

Government House, Natal, May 12, 1875.

I HAVE the honour to inclose a copy of a despatch that I have this day addressed to the Governor of the Cape Colony.

2. Having now had good opportunities afforded me, not only for gauging public opinion here, but for arriving at a fair conclusion as to what would and what would not tend to good government, to the future security of life and property amongst the white settlers, and to the maintenance of law, order, and justice, among the Kafir population, I would deprecate in the strongest terms the return of Langelibalele to this Colony.

3. I do not believe that his return here would lead to any immediate disturbance amongst the Kafirs, but it would unsettle their minds and re-arouse the intensely angry feelings occasioned by recent events, and lately existing between the two races, which feelings it has been my earnest endeavour to allay.

4. Langelibalele, as I am informed by all classes here, official and non-official (a very small knot of men of extreme views excepted), is regarded by the native population at large as a Chief who, having defied the authorities, and in doing so occasioned the murder of some white men, is now suffering for that conduct. In their opinion, his attempts to brave the Government have been checkmated, and his banishment from the Colony (regarded as a lenient punishment by the native population at large) cannot fail to be a serious warning to all other Kafir Chiefs, not only in Natal, but in South Africa, to avoid imitating his example.

5. If he was now allowed to come back here his influence would be intensified many fold, as the natives would naturally be led to believe either that his supernatural powers are so great as to have secured his release, or that we are afraid of him, and nothing can, in my opinion, be more injurious to our interests in dealing with barbarous races than the creation in their minds of any doubt as to our strength.

6. I have no wish to sit in judgment upon past events. Your Lordship has already given a clear decision upon the subject in your Lordship's despatch of 3rd December, 1874. I merely take the condition of affairs as I find it now, and I give my opinion as to what I conceive would be best for the future safety of the Colony and most conducive to the true interests of the people, both white and black. To secure these objects it is essential that a good feeling should exist between the two races, and I am bound to say that, in my opinion, those who, by the line of conduct they adopt, keep alive the recollection of past events, serve to estrange the two races, and to widen that gulf between them which it has long been the object of this Government to narrow as much as possible, so as ultimately to bridge it over altogether.

7. I have no wish to attribute to those who adopt this policy any interested motives; I am sure that they are actuated by feelings of high philanthropy, and nothing is further from my mind than a wish to cast any slur upon them. Yet I must say that, from the manner in which they refuse to believe all evidence that does not coincide with their own peculiar views, and from the fact of their regarding the condition of affairs in Natal from one standpoint alone, I am forced to consider them impractical, and not to be relied on as advisers by those who are responsible for the good government of all classes.

8. It is scarcely necessary for me to remind your Lordship how easy it is to get up sensational accounts of events in countries like Natal, where a small white

community is planted in the midst of barbarous tribes twenty times its number. In a new Colony like this there will always be found some rough cruel men who, previous to emigrating, have never had servants of their own, nor the direction of labourers, and are apt to oppress and to act unfairly towards the natives; but that these men are exceptions is clearly proved by the constant flow of natives into Natal from the neighbouring independent provinces, and by the wealth and prosperity of those long settled in the Colony.

9. The natives of Natal are well off in every sense, and although many circumstances combine to prevent the spread of Christianity or of civilization amongst them, there can be no doubt that, as a people, they are to-day far in advance of those not living under British rule.

10. Such sensational narratives, oftentimes based upon unsifted evidence, find credence too easily by the people of England, where, in our intense anxiety to protect the weaker race, our minds are liable to believe that the strongest must always be in the wrong.

11. In reading highly coloured accounts of this nature regarding events in Natal, it behoves us, I submit, to remember that the white community is not actually the stronger party here. It has, of course, many elements of strength not possessed by the natives, in the way of superior courage, intelligence, arms, and discipline; but, even this superiority being fairly admitted, when we consider the manner in which the colonists are scattered over the face of this wide Province, I believe that if, from any well-founded belief in our weakness, the Kafir population of between 300,000 and 400,000 souls were to combine together, the temporary destruction of this Colony would certainly follow.

12. I do not believe it to be possible for the two races to live together on perfect terms of equality; one or other must be the predominant power in the State, and if the very small minority of white men is to be that power, the great native majority must be taught, not only to confide in its justice, but to realise and acknowledge its superiority.

13. I have thought it advisable to enter into this subject at length, because I consider it essential to correct opinions that have been formed in England upon the one-sided, highly-coloured, and, in some instances, incorrect statements that have been made public in a sensational manner, and to show—

(1.) That the Government of the Kafirs here has been successful, and that under it—whilst all their customs most repulsive to humanity have been abolished, and whilst to a limited extent they have acquired the first elements of civilization—they have become a happy, wealthy, and prosperous community.

(2.) That in reality the Kafirs are in numbers not only vastly superior to the white settlers, and that they are capable of becoming a very dangerous element in the Colony.

(3.) That to retain Natal as a European Colony it is essential to rule the Kafirs, not only with justice, but with the utmost firmness, and to make them believe in our strength.

14. Taking these things into my consideration, and having carefully weighed in my mind all that can be said for and against the return of Langelibalele to Natal, in the event of its being found impossible to locate him in the Cape Colony, I would urge upon your Lordship the advisability of providing him with a home in St. Helena, or in some other healthy place, at a distance from this part of Southern Africa.

15. Although I have not consulted any member of the Legislative Council on the subject, I think I may say with confidence that any law required to give effect to whatever decision your Lordship may come to with reference to securing this Colony against Langelibalele's return to it, would be gladly consented to by that legislative body.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure in No. 25.

Sir,

Government House, Natal, May 12, 1875.

FROM the published reports of the proceedings in the Cape Parliament, I perceive there is a possibility of the rejection of the Bill introduced by your present Ministry for the transfer of Langelibalele from Robben Island to a location on the

mainland, I therefore think it right to inform your Excellency that, in my opinion, his return to this Colony would be very injurious to its interests, and might hereafter lead to serious complications.

2. In the event of this Bill being unfortunately lost I have, therefore, to request that your Excellency will be good enough to allow that Kafir Chief to remain on Robben Island until the orders of the Secretary of State for the Colonies as to his future disposal can be obtained. I am advised that the Cape Act No. 3 of 1874, never having been disallowed, will enable your Excellency's Government to give effect to my request in this matter.

I have, &c.

(Signed) G. J. WOLSELEY,
Major-General, Administrator.

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
Governor of the Cape Colony.

No. 26.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)

My Lord,

Government House, Natal, May 17, 1875.

IN your Lordship's despatch of 3rd December, 1874,* addressed to Sir B. Pine, was inclosed a translation of a proclamation intended by your Lordship for publication to the natives. Although this translation was published with the despatch in the Natal Government "Gazette," for general information, the Proclamation itself has never been formally issued to the natives; and your Lordship will observe that it is impossible for me to issue the Proclamation as it stands, until the arrangements are complete for Langelibalele's removal from Robben Island, as I assume that the publication, in the name of Her Majesty, of the words, "Langelibalele, We release from imprisonment on the island on the sea," amounts to an actual order for his release from that island.

2. In the meantime I take the liberty of informing your Lordship that the words, "the Amahlubi may, if they choose, when that is prepared which is to be prepared, go to him," are interpreted, by those who have taken an active part in favour of the tribe, as binding this Government to convey all members of the Amahlubi Tribe who may wish to join Langelibalele, to whatever place may be finally selected for his location. I do not conceive that any such meaning is intended, and should not recommend that such an interpretation should be recognized. I think, however, it may fairly be matter for consideration whether Langelibalele's wives and children, who have lost all their property, might not be assisted with passages by sea to join Langelibalele, in the event of his desiring that they should join him, and their expressing a wish to that effect. I have the honour to request your Lordship's instructions upon this point.

3. As regards any supposed necessity for conveying others of the tribe out of the Colony, on the alleged ground of their destitute condition here, I would remind your Lordship that any able-bodied native in this Colony can, in two or three months, earn means enough to support himself for the remainder of the year, and that the more wives and children a man has, the better off he is, as they are a source of wealth, rather than an incumbrance, in consequence of the value of their labour.

I have, &c.

(Signed) G. J. WOLSELEY.

No. 27.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)

My Lord,

Government House, Natal, May 17, 1875.

HAVING given much consideration to the native question, and having had the advantage of hearing opinions upon it from men of all phases of thought, I am

* No. 26 of C. 1121 of 1875.

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 decidedly of opinion that the system of having immensely large tracts of country within the Colony occupied solely by natives, is injurious to the public interests. It cuts off the Kafirs settled there from contact with the white settlers, creates a distrust in the minds of the latter, who are apt to exaggerate the power of black communities regarding whom nothing is apparently known, and by this isolation tends to retain the natives in a state of barbarism. It serves to continue the power of the hereditary Chiefs, and to prevent native families from becoming the individual proprietors of land.

2. These views are not new; I find them clearly stated in a despatch from Earl Grey to Sir Harry Smith, dated 30th November, 1849, and they are in a great measure embodied in the draft Bill for Native Affairs drawn up, at your Lordship's desire, by Mr. Shepstone when he was in England.

3. The location formerly allotted to the Langalibalele tribe still remains unoccupied to any great extent. It has been carefully surveyed and found to contain 145,000 acres, being 55,000 acres in excess of the 90,000 acres originally allotted as a location for that tribe. This excess has been occasioned by the gradual encroachment of the tribe on Crown Lands, which, not having been surveyed, it was never easy to define.

4. Under these circumstances, I would propose establishing a narrow belt of farms, to be occupied by white men on the Langalibalele Location, where it marched with that of the Putini Tribe. This belt would consist of about 33,000 acres, and would consequently reduce the size of the Location to about 112,000 acres, a quantity still in excess of the amount originally intended. I would propose selling these farms, but upon the condition that they should be occupied by resident white men.

5. I have to request your Lordship's sanction to this proposal being carried into execution. It will have the effect of separating the Putini tribe from the natives who may hereafter be settled in the Langalibalele Location, and by establishing white farmers amongst them, it will, I think, tend materially towards their civilization.

6. I inclose Mr. Shepstone's views upon this subject.

I have, &c.

(Signed) G. J. WOLSELEY.

Inclosure in No. 27.

Minute Paper.

May 8, 1875.

DIVISION of the Amahlubi and Putili Locations by introduction of white settlements.

Minute by his Excellency the Administrator.

Secretary for Native Affairs.

Please furnish the reports desired by his Excellency.

By command,

(Signed) H. BRACKENBURY, Major.

May 8, 1875.

I want to establish a belt of white settlers between the Putini and Langalibalele Locations; I wish, therefore, that Mr. Wheelwright would at once report upon the best means of doing this, and describe the locality he would recommend for this white occupation.

I also want to divide the Langalibalele Location into two or more lots, by running a similar belt of white settlements through it, the belt to rest at one end on the Berg, and at the other on land already occupied by white people.

If necessary, an allotment of land, similar in extent to that occupied by these belts, could be made elsewhere, from the Crown Lands, and handed over to the native trust.

Mr. Shepstone will please report upon this:—

1. As to the feasibility of the proposition; and—
2. As to the advisability of carrying it out.

(Signed) G. J. W.

May 8, 1875.

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I have had the advantage of consulting Mr. Wheelwright, who, at present, is in charge of the Location, and Mr. Fannin, who surveyed it in blocks of 3,000 acres each.

A set of these blocks was suggested by this latter gentleman to form the proposed belt, one end of which rests as near to the Draakenberg as Mr. Fannin considers inhabitable, the other on lands already occupied by white people, forming a line perpendicular to the mountain range.

The blocks suggested are represented by the following numbers on Mr. Fannin's Survey:—33, 34, 30, 32, 29, 31, 26, 21, 20, 18, 19, with a reserve between 26 and 21, which is suitable for, and may hereafter become, a village or township, and will at once be the seat of the Magistrate or Superintendent.

I do not see the necessity for making the farms larger than 1,500 acres; this size would give 22 farms.

The conditions have yet to be considered; I need not, therefore, now enter upon any discussion of them.

As far as I can judge, the plan is quite feasible. The land is at the disposal of the Government, because not yet alienated, and the rights of the natives hitherto occupying it have been declared forfeited by their conduct.

As to the advisability of carrying it out, I think the experiment could not be made under more favourable circumstances; the land is free of claimants, so that occupiers, both white and black, will be able to adapt themselves to the state of things by which they find themselves surrounded. It is not like thrusting a new population into an old and settled location.

The belt above described runs along the boundary, but does not otherwise touch the Putuli Location, as far as I can judge.

The principle of placing belts of white farms in native locations has before been discussed, and recommended by authorities whose opinions command respect, and I should be glad to see the first experiment made where the consequences of failure would be comparatively of small account.

I must say, however, that I have never felt anxious to see individual white farmers settled among masses of natives; it seems to me like courting collision. Differences and disputes are sure to arise, and what was in reality a mere personal quarrel might, in consequence of the position of the parties to it, precipitate serious disaster.

This objection does not apply so much to the present trial, for reasons already given above, and should it succeed, there will be no difficulty in opening up another belt in the same location, on the basis of land of equal extent being given elsewhere, as mentioned in his Excellency's Minute.

(Signed)

T. SHEPSTONE,

Secretary for Native Affairs.

May 16, 1875.

No. 28.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, June 28, 1875.

I HAVE received your despatch of the 13th May,* on the subject of a message reported to have been sent by the Bishop of Natal to members of the Amahlubi tribe residing in the county of Klip River.

I cannot hesitate to share your conviction that there must have been some great mistake in supposing that the Bishop can have authorised the communication referred to, or anything resembling it, because I received from the Bishop spontaneous and most earnest assurances, on which I implicitly rely, that he would co-operate to the best of his ability in carrying out the policy on which Her Majesty's Government have decided.

It is needless to say that nothing could offer graver impediments to the success of that policy than for any person in a position of actual or supposed authority, not directly commissioned by the Government, to send independent communications to the natives.

I have, &c.

(Signed)

CARNARVON.

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The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir, *Downing Street, June 28, 1875.*

I HAVE to acknowledge the receipt of your despatch of the 17th of May,* stating the reasons (in which I concur) which induced you not to issue formally the Proclamation to the natives inclosed in my despatch of the 3rd December.

Your view of the clause in the Proclamation as to the Amahlubi joining Langa-libalele is correct; there was no intention that the members of the tribe generally should be conveyed at the cost of the Government to his location; but whenever he is placed on such a location it would seem reasonable that his wives and children, and any individuals of his tribe whom for special reasons you may approve, should, if they desire to join him, receive assistance in doing so from public funds.

It will, of course, be necessary to wait for the completion of the arrangements which may be made by the Cape Government for the disposal of Langalibalele before taking any steps in this matter.

I have, &c.
(Signed) CARNARVON.

No. 30.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received July 3.)

My Lord, *Government House, Cape Town, June 4, 1875.*

ALTHOUGH in my despatch of the 23rd March,† when forwarding copy of a Ministerial Minute intimating that a Bill would be introduced at the then approaching session of the Cape Parliament to repeal Act No. 3 of last session, and provide for the transfer of Langalibalele and his son from Robben Island to a suitable location on the mainland, I promised to transmit a copy of such Bill so soon as it had been prepared by the Attorney-General, I afterwards thought it better to abstain from doing so because, whilst it would have been most imprudent to delay its introduction until I could receive any comments your Lordship might desire to make, so strong an opposition to the course proposed manifested itself shortly afterwards in Parliament that it became quite impossible to foresee in what shape the measure would ultimately pass.

2. I am glad, however, at length to be in a position to announce officially to your Lordship that, thanks to the firm yet conciliatory attitude of Mr. Moltano and his colleagues, the Bill, after long and stirring debates in the Assembly, has been carried with but slight modifications through both Houses by large majorities, and that it now only awaits the Royal assent and my subsequent Proclamation of the date at which it is to take effect to become law.

3. It has not, indeed, yet reached my hands, as the third reading in the Legislative Council only took place last night; but so soon as it does I shall, if my Responsible Advisers approve, take steps for notifying my assent to it in Her Majesty's name, without waiting as usual till the end of the session, and I hope, therefore, to be able by next mail to submit it formally, for your Lordship's directions, with a view to its ready promulgation.

4. Meanwhile I inclose copy as finally adopted, as well as the draft laid before both Houses of the Regulations for giving it effect, which I propose, with the advice of my Executive Council, to make under authority of Clause 3. It will be seen thereby that it is intended to locate the ex-Chief and his son on a farm of 1,650 acres, situated 5 or 6 miles from Cape Town, which offers peculiar advantages in respect to surveillance, the Government plantations which surround it being under the charge of rangers, who can easily and unobtrusively perform this additional duty.

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

Inclosure 1 in No. 30.

Bill to Repeal the Act No. 3 of 1874, and to make other provisions in lieu thereof.

[Transmitted to the House of Assembly by his Excellency the Governor.—Passed the Legislative Council, June 3, 1875.]

WHEREAS the Native Chief Langalibalele, and one of his sons, named Malambuli, having been tried and sentenced in the Colony of Natal to banishment and imprisonment, the former for life, and the latter for a period of five years, and the Lieutenant-Governor of the said Colony having applied to the Government of this Colony to permit the said persons to be sent to Robben Island to undergo their said sentence, it was considered expedient, as well in the interests of this Colony as of the said Colony of Natal, that the said application should be complied with, and the Act No. 3 of 1874 was therefore passed, authorizing the imprisonment at Robben Island of the said persons, who are now there imprisoned accordingly; and whereas, since the passing of the said Act, in consequence of representations made to Her Majesty the Queen, Her said Majesty has been pleased to notify her intention to exercise her clemency towards the said Langalibalele and the said Malambuli, and her desire that they should be released from their said imprisonment at Robben Island, and located on the mainland of this Colony, but under such restrictions and provisions as shall prevent their return to the said Colony of Natal, during the period for which they were so sentenced as aforesaid; and whereas Her said Majesty's Government has applied to this Colony to aid in carrying out Her Majesty's said desire, and it is expedient to make provision accordingly, so far as is consistent with the interests of this Colony; and whereas it is highly desirable for the peace and security of South Africa that, notwithstanding the release of the said Langalibalele and the said Malambuli from Robben Island, all due precautions should be taken to keep them during the said periods within certain limits, so as to prevent them from proceeding to the said Colony of Natal, or to the frontier of this Colony, and from coming in contact with the native tribes on the said frontier: Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly thereof, as follows:—

I. It shall be lawful for the Governor to provide and set apart a suitable and sufficient location in the Cape division on the mainland of this Colony, for the residence of the said Langalibalele and the said Malambuli during the said periods for which they respectively have been prohibited from returning to the said Colony of Natal; and, upon such location being provided, the said Langalibalele and the said Malambuli shall be removed thereto.

II. The said location shall be defined and fixed by proclamation, to be published in the Government Gazette; but may, from time to time, by like proclamation, be changed and altered as may be found expedient.

III. It shall be lawful for the Governor, with the advice of the Executive Council, from time to time to make such regulations as may be considered necessary in order to restrict the said Langalibalele and the said Malambuli during the said periods to the said location, and to prevent them from proceeding beyond the limits thereof.

IV. In case the said Langalibalele and the said Malambuli, or either of them, shall, during the said respective periods, proceed beyond the said location without the permission in writing of the Secretary for Native Affairs, or shall contravene any regulation which may be made as aforesaid, it shall be lawful for any person, with or without warrant, to apprehend them or him; and thereupon it shall be lawful for the Governor, with the advice of the Executive Council, to take such steps as may be considered necessary for the safe custody of the said offenders or offender during the remainder of the said periods.

V. Every person who shall aid or incite the said Langalibalele and the said Malambuli, or either of them, to escape, or attempt to escape, beyond the limits of the said location, or shall knowingly harbour the said Langalibalele and the said Malambuli, or either of them, when they have so escaped, shall, on conviction before any competent court, be liable to a fine of not exceeding 50*l.*, or to imprisonment, with or without hard labour, for not exceeding twelve months, or to both such fine and such imprisonment.

VI. Notwithstanding anything in this Act contained, it shall be lawful for the Governor, with the advice of the Executive Council, at any time to relieve the said Langalibalele and the said Malambuli, or either of them, from the operation of this Act, under such terms and condition as may seem fit.

VII. This Act shall commence and take effect from and after such date as shall be fixed by the Governor by Proclamation in the Government Gazette, and thereupon the said Act No. 3 of 1874 shall be and is hereby repealed.

Inclosure 2 in No. 30.

*Draft of proposed Rules and Regulations to be observed in connection with the Location of Langalibalele and Malambule at Uitvlugt, on the Cape Downs, about four miles from Cape Town.**

1. LANGALIBALELE and Malambule will be located at the farm residence and neighbouring Government grounds at Uitvlugt, under surveillance and supervision of the Superintendent of the plantations, and constables serving under his orders, who will be held responsible for their detention. One or two of Langalibalele's wives and a few followers (the number to be determined by this Government, in concert with that of Natal) will be permitted, if they desire it, to reside on the location.

2. The limits of the land allotted for their use and benefit may be thus described:—On the north by the Wellington Railway, following the line from the fourth mile to the sand hills at the eighth. On the south by the farms "Fygge Kraal" and "Jackalls Vley" in a direct line to the highest point on sand hills shown on plan. On the east by the sand hills from the Wellington Railway at the eighth mile to the high ground near "Jackalls Vley." On the west by the farms "Nieuwe Molen," "Oude Molen," and "Rapen Berg," comprising altogether (independently of the plantations which are under conservation) an area of upwards of 1,650 acres.

3. No strangers will be permitted to trespass or graze their stock within these limits, except under the written order of the Honourable the Secretary for Native Affairs, to be delivered through the Superintendent.

4. Langalibalele and Malambule will not be permitted to be absent from their residence between sunset and sunrise; but they will have free liberty to move about during the daytime over the land and premises allotted for their use as previously defined. Should they be found beyond such limits they will be ordered back by the Superintendent or any of his constables; and should they not immediately return, they will be liable to be arrested, and, if necessary, to be placed under stricter surveillance.

5. To prevent any doubt as to boundaries, they will be well defined by white posts having notices placed upon them warning strangers not to trespass.

6. No presents will be allowed to be given, except by permission of the Superintendent. Langalibalele and his wives and Malambule will be supplied by the Government with everything essential to their health and comfort. An ample supply of good food, clothing, bedding, and all other necessaries will be provided for them.

7. A medical officer will visit Langalibalele and Malambule when required to do so by themselves or by the Superintendent in charge.

8. The Superintendent will make a weekly report to the Government as to the observance of these regulations by Langalibalele and Malambule, with any suggestions that may occur to him conducive to their comfort and absolute security.

9. Either the Superintendent or Chief Ranger will certify each day, in a book kept for that purpose, that Langalibalele and Malambule are in safe keeping.

10. Subject to the aforesaid Regulations required for the safe detention of Langalibalele and Malambule, all reasonable indulgence and freedom of action will be permitted.

No. 31.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, July 3, 1875.

I HAVE received your despatch of 17th of May,† stating that you propose to establish a belt of farms on the Langalibalele location, comprising in all about

* With plan, deposited with the Clerk of the House of Assembly.

† No. 27.

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33,000 acres, and to sell these farms on the condition that they shall be occupied by resident white men.

I think it very desirable that the experiment of mingling the white inhabitants with the Kafirs should be tried, under conditions involving the least possible amount of risk, and I am therefore prepared to sanction this particular scheme on your recommendation.

I gather that while Mr. Shepstone, whose Minute you inclose, would apprehend danger from the settlement of European farmers in isolated positions among large numbers of Kafirs, he does not consider this particular scheme open to that objection, and concurs in the expediency of adopting it.

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

No. 32.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received July 5.)

My Lord,

Government House, Cape Town, June 10, 1875.

REFERRING to my despatch of the 4th instant,* I have now the honour to submit, for your Lordship's directions thereon, an Act passed by the Parliament of this Colony, intituled an Act to repeal the Act No. 3 of 1874, and to make other provisions in lieu thereof.

2. I forward also the usual certificate and Report from the Attorney-General with regard to the provisions of this enactment, and recommending it to your Lordship's favourable consideration.

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

Inclosure 1 in No. 32.

Act to Repeal the Act No. 3, of 1874, and to make other Provisions in lieu thereof.

WHEREAS the native Chief, Langalibalele, and one of his sons, named Malambuli, having been tried and sentenced in the Colony of Natal to banishment and imprisonment, the former for life and the latter for a period of five years, and the Lieutenant-Governor of the said Colony having applied to the Government of this Colony to permit the said persons to be sent to Robben Island to undergo their said sentence, it was considered expedient, as well in the interests of this Colony as of the said Colony of Natal, that the said application should be complied with, and the Act No. 3 of 1874 was therefore passed, authorizing the imprisonment at Robben Island of the said persons, who are now there imprisoned accordingly; and whereas since the passing of the said Act, in consequence of representations made to Her Majesty the Queen, Her said Majesty has been pleased to notify her intention to exercise her clemency towards the said Langalibalele and the said Malambuli, and her desire that they should be released from their said imprisonment at Robben Island and located on the mainland of this Colony, but under such restrictions and provisions as shall prevent their return to the said Colony of Natal during the period for which they were so sentenced as aforesaid; and whereas Her said Majesty's Government has applied to this Colony to aid in carrying out Her Majesty's said desire, and it is expedient to make provision accordingly, so far as is consistent with the interests of this Colony; and whereas it is highly desirable for the peace and security of South Africa that, notwithstanding the release of the said Langalibalele and the said Malambuli from Robben Island, all due precautions should be taken to keep them during the said periods within certain limits, so as to prevent them from proceeding to the said Colony of Natal or to the frontier of this Colony, and from coming in contact with the native tribes on the said frontier. Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly thereof, as follows;—

I. It shall be lawful for the Governor to provide and set apart a suitable and sufficient location in the Cape division on the mainland of this Colony, for the residence of the said Langalibalele and the said Malambuli during the said periods for which they respectively have been prohibited from returning to the said Colony of

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 Natal; and, upon such location being provided, the said Langalibalele and the said Malambuli shall be removed thereto.

II. The said location shall be defined and fixed by proclamation to be published in the "Government Gazette"; but may from time to time, by like proclamation, be changed and altered as may be found expedient.

III. It shall be lawful for the Governor, with the advice of the Executive Council, from time to time to make such regulations as may be considered necessary, in order to restrict the said Langalibalele and the said Malambuli during the said periods to the said location, and to prevent them from proceeding beyond the limits thereof.

IV. In case the said Langalibalele and the said Malambuli, or either of them, shall, during the said respective periods, proceed beyond the said location without the permission in writing of the Secretary for Native Affairs, or shall contravene any regulation which may be made as aforesaid, it shall be lawful for any person, with or without warrant, to apprehend them or him; and thereupon it shall be lawful for the Governor, with the advice of the Executive Council, to take such steps as may be considered necessary for the safe custody of the said offenders or offender during the remainder of the said periods.

V. Every person who shall aid or incite the said Langalibalele and the said Malambuli, or either of them, to escape or attempt to escape beyond the limits of the said location, or shall knowingly harbour the said Langalibalele and the said Malambuli, or either of them, when they have so escaped, shall, on conviction before any competent court, be liable to a fine of not exceeding 50*l.*, or to imprisonment with or without hard labour for not exceeding twelve months, or to both such fine and such imprisonment.

VI. Notwithstanding anything in this Act contained, it shall be lawful for the Governor, with the advice of the Executive Council, at any time to relieve the said Langalibalele and the said Malambuli, or either of them, from the operation of this Act, under such terms and condition as may seem fit.

VII. This Act shall commence and take effect from and after such date as shall be fixed by the Governor by Proclamation in the "Government Gazette," and thereupon the said Act No. 3 of 1874 shall be and is hereby repealed.

Certified correct as passed by the Legislative Council, 10th June, 1875.

(Signed) J. A. FAIRBAIRN,
Clerk of the Council.

Certified correct as passed by the House of Assembly, 10th June, 1875.

(Signed) JNO. NOBLE,
Clerk of House of Assembly.

Inclosure 2 in No. 32.

Attorney-General's Office, Cape Town, June 9, 1875.

IN my opinion, the Bill "to repeal the Act No. 3 of 1874, and to make other provisions in lieu thereof," contains nothing repugnant to the law of England or the Royal Instructions to the Governor of this Colony.

(Signed) S. JACOBS, *Attorney-General.*

Report on Act No. 1 of 1875.

By an Act of the last Session of Parliament (No. 3 of 1874), provision was made for the imprisonment of the Kaffir Chiefs Langalibalele and Malambuli, who had been sentenced to imprisonment in Natal, at Robben Island; but some objections having been raised by Her Majesty's Government to this Act, the Act under report was passed to carry out the suggestions of the Right Honourable the Secretary of State for the Colonies. The circumstances under which it was introduced are fully set forth in the Preamble.

(Signed) S. JACOBS, *Attorney-General.*

Attorney-General's Office, Cape Town, June 9, 1875.

No. 33.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, July 5, 1875.

I HAVE received your despatch of the 7th of May,* inclosing copies of your Minute and those of other public officers, as showing the amount realized by the sale of the confiscated property of the people of Putili's tribe, and the steps taken to compensate them for their losses.

I desire to signify my cordial approval of the measures which have been adopted with this object; I have every hope that they may be productive of all good, and I do not doubt that, in selecting agricultural implements and sheep rather than oxen as the form in which repayment should be made, you have exercised a sound judgment. I am, however, bound to notice the loose and inaccurate manner in which the accounts called for in my despatch of the 3rd December have been kept. I should be glad to know in whose department these documents were prepared, who were the Officers concerned in the framing of them, and how far they are fairly responsible for the state in which they have been produced.

I have, &c.
(Signed) CARNARVON.

No. 34.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, July 15, 1875.

I HAVE to acknowledge the receipt of your despatch of the 4th of June,† inclosing a copy of a Bill which was passed by the Legislature of the Cape of Good Hope for the location of Langalibalele on the mainland, with a copy of the regulations made for giving effect to it.

2. I have since received your despatch of the 10th of June, forwarding a copy of an Act passed by the Parliament of the Cape, intituled "An Act to repeal the Act No. 3 of 1874, and to make other provisions in lieu thereof."

3. Her Majesty's Government concur very heartily in the objects in view, and I have, therefore, to inform you, in pursuance of the course usually, under these circumstances, followed, that Her Majesty will not be advised to exercise her power of disallowance with respect to this Act.

4. The regulations which accompany the Act seem to be fair and reasonable; and, in conveying to you my approval of them, I have to express my thanks to the Legislature of the Colony for the assistance they have rendered to Her Majesty's Government in the settlement of the difficult question how to make such arrangements for the location of the Kafir Chief as should be consistent with the requirements of justice, and the interests of the Colonies of South Africa.

I have, &c.
(Signed) CARNARVON.

No. 35.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received July 21.)

My Lord,

Government House, Natal, June 10, 1875.

I HAVE the honour to forward the following financial statements,‡ called for in your Lordship's despatch of 5th April last:§—

1. Statement of expenditure by Government of Natal on account of expedition against Langalibalele, as compiled from the Treasury accounts up to 31st May, 1875.

2. Statement of Receipts by Government of Natal on account of expedition against Langalibalele, as compiled from Treasury accounts up to 31st May, 1875.

3. Return of Receipts and Payments on account of Langalibalele expedition, as per Treasury accounts to 31st May, 1875.

4. The refunds to the people of Putili's tribe, as referred to in the inclosures to my despatch of 7th May, 1875, will be an addition to the expenditure which, on the 31st ultimo, amounted to 36,014 13s. 5d.

I have, &c.
(Signed) G. J. WOLSELEY.

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Inclosure in No. 35.

RETURN of Receipts and Payments on account of Langalibalele Expedition, as per Treasury Accounts to 31st May, 1875.

May 31, 1875	BY RECEIPTS UP TO DATE:		MAY 31, 1875		TO EXPENDITURE UP TO DATE.		£	s.	d.	
Sales of captured stock..	..	£	s.	d.	Purchase of stores	..	£	s.	d.	
.. other confiscations	..	24,588	17	9	cattle	..	1,459	14	11	
.. returned stores	..	936	2	3	horses.	..	615	0	0	
Refunds and sums recovered	..	735	19	11	Field service rations and supplies	..	941	5	0	
	..	150	16	5	Ammunition, tents, arms, and clothing	..	615	0	11	
					Wagons	..	3,143	3	0	
					400	0	0	
					Pay to volunteers and natives	..	10,055	2	5	
					Transport expenses of staff	..	1,504	0	9	
					Extra allowance to Her Majesty's forces	..	432	14	7	
					Transport, materials and stores	..	4,447	13	9	
					Medical, hospital supplies	..	126	7	6	
					Expenses of troops from Cape	..	120	12	11	
					Compensations, losses, and seizures	..	2,892	13	1	
					Mail service, native messengers	..	180	7	3	
					Charge captured cattle and stores	..	226	12	0	
					Auctioneer's charges on sales	..	1,608	0	8	
					Charge of and rations to prisoners of both tribes, including conveyance of Langalibalele to Robben Island	..	5,748	18	5	
					Expenses of trial, witnesses' expenses, and travelling expenses of Court	..	1,342	0	3	
					Board of Audit and clerical assistance	..	63	11	8	
					Miscellaneous petty expenses	..	91	14	4	
Excess of expenditure up to date	9,602	17	1		36,014	13	5	
Total	36,014	13	5	Total	..	36,014	13	5

(Signed) JOHN P. SYMONS, Auditor.

Audit Office, Natal, June 2, 1875.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received July 21.)

My Lord,

Government House, Natal, June 16, 1875.

I HAVE the honour to transmit, for your Lordship's information, a copy of a message recently received from Cetywayo, the King of the Zulus, and of my reply thereto.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure 1 in No. 36.

Message from Cetywayo, King of the Zulus, to the Governor of Natal; sent by Sintwangu, Sidindi, Komeswepu, Umfunzi, and Gisimana; delivered June 7, 1875.

CETYWAYO has been informed that the Boers, the Amaswazi, and the Amatonga are arming against him, and that they have received the sanction of the Government of Natal for their so doing.

Cetywayo says, who has turned me out of my home? I belong to the British Government, and when I became King of the Zulus, it was the British Government that made me so.

During last year, Cetywayo says, he sent Komeswepu to this Government to propose that he should be allowed to attack the Amaswazi for certain acts of which they had been guilty. The Government declined to sanction the step, and he refrained. He has lately assembled his army, as is customary for a new Sovereign of Zulu-Land to do, but his intention was to harm no one, and he regrets to hear that it has been thought that he intended to act against the wishes of the Government of Natal, and that, in consequence, a message hostile to the Zulus has been sent to the Powers by which he is surrounded.

The Boers, he says, have their own wishes and intentions regarding his lands, and he does not yet understand what those intentions are.

Cetywayo wishes also to report that he has found it necessary to put Umkokwana to death. He did so in full remembrance of the words spoken by Mr. Shepstone at his coronation. Many people have been since then accused of wrong doing, but he has heard them in appeal, and protected many. Umkokwana he could not protect, his sins began before Panda died, and he has persisted in them ever since, and Cetywayo wishes it to be understood that he sanctioned his death with reluctance, and because he could not avoid doing so.

Cetywayo also wishes the Governor of Natal to consent to his brothers Umkungo and Sikota, now residents of Natal, going to see him, that now, since all dispute between him and them is settled, they might shake hands and wash in one stream.

Cetywayo says that although the father that begat him is dead, the father that guides and takes care of him is still living, and he objects to be turned out of his own home without full and sufficient cause.

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

Inclosure 2 in No. 36.

Reply.

THE Governor of Natal thanks Cetywayo for his message; it is always well to make inquiries before believing all that is reported of the actions of others.

The Government of Natal has had no communication with either the Boers, or the Amaswazi, or the Amatonga, on the subject of arming against anyone, or on the subject of arming at all.

It was believed and hoped that the whole country to our north was in perfect peace, until intelligence reached Natal that the Zulus were arming; and when that intelligence reached no answer could be found to the question as to what the object

of such a procedure was ; no word of explanation was sent to this Government by Cetywayo.

To-day we hear that the Boers are arming because they suspect the intentions of the Zulus, and that they have marched a large force towards the Zulu frontier, but they have given us no more information than the Zulus did, and we learn, as others learn, by accident or common report what is going on.

It was but natural that the Boers should make preparations when they heard that their neighbours the Zulus were assembling their army. No one can play with fire without making the owner of a house close by uneasy, and this is what seems to have happened ; the Zulus have been playing with fire and the Boers have seen that their house might be burnt.

The Governor of Natal regrets that Cetywayo has found it necessary to put Umkokwana to death ; he can offer no opinion as to whether he was justified in so doing or not, the responsibility must rest upon Cetywayo. The Governor is glad, however, to hear that Cetywayo decided upon this execution with a full remembrance of the words spoken by Mr. Shepstone at his installation as King of the Zulus.

By the last ship from England Her Majesty the Queen of England has sent for presentation to Cetywayo a copy of the report of his installation. This contains the laws issued and the words spoken by Mr. Shepstone on that occasion, and there and then agreed to by Cetywayo and the heads of the Zulu nation.

The Queen has sent this book handsomely ornamented to be kept by Cetywayo to remind him of the promises he made, and Her Majesty's Government have directed that, on presenting it to him, he be told that they will expect him to keep those promises.

The book has been shown to the messengers, but, as they fear the responsibility of carrying it, Bishop Schreuder (Mankanana) has been requested to take charge of it and deliver it safely to the King.

Cetywayo's request to be visited by his brothers Umkungo and Sikoto, now living in this Colony, will be conveyed to them, and no objection will be offered to their complying should they so desire.

No. 37.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B. to the Earl of Carnarvon.—
(Received July 21.)

My Lord, Government House, Natal, June 16, 1875.

I HAVE the honour to transmit, for your Lordship's information, and for submission to Her Most Gracious Majesty, should your Lordship think fit, the inclosed address to the Queen, covering an address to Sir Benjamin Pine, relative to the proceedings of Government during the late operations against Langalibalele and his tribe.

2. The address to Sir B. Pine was transmitted to your Lordship in my despatch No. 91 of 26th April last.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure 1 in No. 37.

Most gracious Sovereign, Pietermaritzburg, June 15, 1875.

UNDER date 11th June current, by direction of the Honourable the Legislative Council of your Colony of Natal, of which I am Speaker, I had the honour to forward to your Majesty an address from that body, with certain inclosures, relative to the proceedings adopted by the Natal Government in suppressing the revolt of Langalibalele and his adherents.

In addition to these documents, as member for the county of Weenen, I am requested by my constituents to inclose, for your Majesty's information, copy of an address forwarded in April last to the Right Honourable the Secretary of State, for transmission to Sir B. C. C. Pine, on his recall as Governor of this Colony.

My constituents are anxious that it should be brought to personal cognizance

of your most gracious Majesty that various important features in the conduct of Langalibalele and others were unfortunately not sifted, not even alluded to, in the trial or inquiry made by this Government, important among which are those referred to in the clauses of this address now inclosed, numbered respectively 14, 15, 16, and 17, and other clauses marked.

I am to state it is matter of regret to the inhabitants of Weenen county, who have become aware of the deep personal interest taken by your Majesty in your Colony of Natal, that our local Government should have so dealt with this case.

This may have been from an impression that it was at that time inexpedient to attempt to prove the complicity of other tribes in this Colony and beyond it in the contumacy of Langalibalele and his people, seeing that, with the exception of Putili, there was no overt act on the part of these tribes to complain of, but only their guilty concealment from this Government of the treasonable proposals made to them—a concealment which, by their own law, because it deceives the Supreme Chief and endangers the peace of the country, is punishable by death.

They pray me to represent to your most gracious Majesty that the result of this omission by those officers of this Government who carried on the trial or inquiry above referred to, has been that your Majesty and your Majesty's Principal Secretary of State have been under the necessity of deciding on this matter on incomplete imperfect data as to the meaning and intentions of Langalibalele and his adherents, and that your Majesty has not been informed of the narrow escape your Colony of Natal has had from serious disaster.

The facts set forth in the address herewith inclosed can, if your Majesty should still deem it expedient, be verified by the evidence both of the black and the white races in this Colony.

My constituents pray me to convey to your Majesty a heartfelt expression of their loyalty and affection to your Majesty's person and Government, and the assurance that, in all matters connected with the native races, their conduct collectively and individually has been, and will be, in accordance with those great principles of justice and humanity which your Majesty and your Majesty's Government have always advocated and upheld.

The above assurances of affection and loyalty to your Majesty's person and Government are shared in by your Majesty's humble and loyal subject,

(Signed) WALTER MAC FARLANE,
Member for the County of Weenen.

To Her Most Gracious Majesty Queen Victoria.

Inclosure 2 in No. 37.

My dear Mr. Speaker,

Fernhurst, April 12, 1875.

IN accordance with Resolution passed at the public meeting of the inhabitants of this county, held at Estcourt last month, to address Sir B. C. C. Pine, on his recall from the Government of this Colony, I now inclose the address, signed by the inhabitants, and request that you will transmit the same to the Right Honourable the Secretary of State for the Colonies, for presentation at home to our late Governor.

2. I have also to bring to your notice, with reference to paragraph marked No. 6, that, through some omission, one important fact is not set down, viz., that the approaches to the caves in the fastnesses therein referred to as stored with grain, were also fortified by the erection of strong stone walls in front.

I am, &c.

(Signed) ROBT. MELLERSH, *Chairman.*

To the Hon. the Speaker, Walter Mac Farlane, Esq.,
Member for the County of Weenen.

Inclosure 3 in No. 37.

Address to his Excellency Sir Benjamin C. C. Pine, K.C.M.G., Lieutenant-Governor of Natal, &c., &c.

Sir,

Estcourt, Weenen County, February 1875.

WE, the Undersigned, inhabitants of the County of Weenen, Natal, have learned with deep regret that you have been re-called from your Government, as believed

by the native and European races, on account of the prompt measures which you used in preventing the spread and punishing the insurrection of Langalibalele and his tribe.

It must be matter of satisfaction to your Excellency to find that your conduct in these difficult circumstances meets with the warm and all but universal approval of the inhabitants of Natal, the Cape Colony, the Free State, and the Transvaal, who, from their intimate knowledge of Kafir character and Kafir affairs, are the best qualified to form correct opinions on the true nature of such insurrectionary movements, on the necessity of immediate action to prevent loss of life and property, and on the danger of dallying with such proceedings.

Believing this, we, the Undersigned, inhabitants of the County of Weenen, the scene of this revolt against lawful authority, feel specially called upon to come forward to assure your Excellency of our sincere gratitude for the responsibility you took upon yourself, and for the successful manner in which you met and put down this revolt, with the assistance of the Cape authorities, before it had time to become general.

We look upon your successful settlement of this long-intended outbreak as having secured the peace of this Colony. From our knowledge of Kafir character, we can say that delay or vacillation on the part of your Excellency would have been fraught with disaster, have led to other tribes becoming involved, and so increased the difficulty of putting down the rebellion, as to have rendered large assistance from Her Majesty's Government absolutely essential.

Where your conduct of affairs deserved on all hands the highest commendation, it is to us matter of profound regret to find that the responsibility you undertook, alike in the interest of the crown, and of both races in this Colony, and the successful issue, without cost to the Imperial Treasury, to which you brought these necessary operations, have been so little understood and appreciated by the Home Authorities. We feel assured that many, who, in ignorance of our position and the facts of the case, have been even induced to believe in our enslaving women and children, and in the infliction of a cruelty and injustice which never took place, will at some future time admit their own misconceptions, and do justice to your Excellency and ourselves.

Error may have been committed by your Excellency's Government in not putting on evidence at the trial of these rebels many important facts which would have shown more completely to Her Majesty's Ministers the true character of the circumstances and the population you had to deal with in this Colony on your arrival here, a state of things which we have long been aware of, and which we saw must, sooner or later, result in anarchy and confusion.

With a native policy, said to have been dictated by the Imperial Government, possessed of deficient information, and carried out against the remonstrances and better knowledge of the Legislative Council and the people, native revolt was but a question of time.

Probably your Excellency was so clearly convinced of the nature and meaning of Langalibalele and Putili's conduct, and of the extent of their criminality, that you took it for granted that a long continuance of criminal action, which could only have one meaning, and lead only to one result, would be apparent to people at a distance, as it was to those on the spot, and that your Report that you found things so would be accepted as correct. The result shows that it was not so, and that the absence of such evidence has given room to challenge the fairness of your decision, and to create the opinion among those ignorant of all the circumstances that the punishment of the rebels has been greater than they deserved.

We allude to such facts, for example, as the following, showing the real character and conduct of these Chiefs and their tribes:—

1. That on the flight of Langalibalele and his tribe, accompanied by his relative, Putili, into this Colony in 1849, he arbitrarily settled himself in a location which, by its proximity to the Power he fled from, was an invitation to invasion; and on being remonstrated with by the Government, refused to remove, and did not, in fact, remove, until compelled to do so by an armed force sent against him by this Government.

2. The warning given to Government by the magistrate of this county several years ago, that the conduct of Langalibalele and his people caused him increasing uneasiness and anxiety, and that if disturbance to the public peace occurred in Weenen County, he had reason to believe that these people would be deeply concerned in it.

3. This Chief's conduct at the meeting at Estcourt in 1869, with reference to his wholesale evasion of the Marriage Law, and defrauding Government of the fees due under it—a law which he pretended not to understand, although he was one of those who had asked for it, in preference to an increase of the annual hut-tax—conduct which compelled the Secretary for Native Affairs, in the hearing of the whole meeting, including messengers from other tribes who attended to see how the matter would end, to warn him and his counsellors that the contumacy he habitually displayed was such that, if persisted in, would infallibly draw upon himself and his tribe severe censure and condign punishment from the British Government.

4. The meetings of Langalibalele and his people in their location, where the propriety of obeying the orders of Government was discussed, at which the old men counselled obedience to Government, while Langalibalele and the young men resolved to disobey.

5. The training and armed drills of the men of the tribe, and their practising in their location with fire-arms, of which they were illegally possessed.

6. The storing of the fastnesses in the mountains behind their location with grain, indicative of preparation for war.

7. The sprinkling or anointing of the men preparatory to warlike or predatory operations some weeks after the feast, and sprinkling for the First-fruits, which took place at the usual time.

8. The threats of some of the tribe to settlers in this county, and such statements as that they need no longer cultivate the soil, because before long Langalibalele would expel the white people, and take possession of their property.

9. The finding of large numbers of stolen horses and cattle in their location, in many cases even marked with white men's brands.

10. The stoppage by the Free State Authorities of large parties of Langalibalele's people marching armed through the Free State, to assist their tribe in Natal.

11. The large meeting with Putili in his location in the winter of 1873, to advise him to arm his tribe, "to be prepared for the time that was coming," and to send his young men to the Diamond Fields as labourers, to buy guns there, which they could introduce into their location under cloud of night; that he (Langalibalele) was doing so with his young men.

12. The withdrawal of members of Langalibalele's tribe who had refused to join in the revolt into places of concealment, and the warnings some of the old men gave to the white inhabitants to be on their guard, and to remove from their homesteads with their live stock, because now that Langalibalele was safe himself over the mountain with most of his cattle and horses, he would send back commandos of his young men to slay, steal, and burn, as he had done in former days on his flight from the Zulu Country into this Colony.

13. Thefts of horses and cattle at the time of the flight over the mountain from settlers in the neighbourhood of the location, and thereafter the forcing open and robbing of homesteads.

14. In addition to a message sent to loyal members of his tribe, the messages sent to some small tribes threatening them also with destruction if they refused to assist him.

15. The messages sent to larger tribes, asking them to join in defying the white man's Government, such, for example, as to that of Kukulele, who at one time agreed to assist, but, on the advice of his uncle and some of the old men, afterwards refused to do so.

16. The messages and intrigues with the different tribes beyond the boundary to the south and west, some of which were discovered and communicated to your Government by the authorities of the Cape Colony months previous to the commencement of hostilities here. The treasonable proceedings referred to also in the Report of Mr. Orpen, the Chief Magistrate, Tsitsa, dated March, 1874.

17. The messages and intrigues with Cetywayo, the King of the Zulus, on our northern and eastern boundaries.

18. The refusal of Putili and his tribe to assist Government with commissariat cattle, although bound by law to do so.

19. Their harbouring of Langalibalele's cattle and people in large numbers.

20. Their deceiving their magistrate by sending to complain that their conduct was misrepresented to Government, and stating that they neither had any of Langalibalele's cattle nor people in their location, nor had had any friendly communications with them.

21. The finding some of Langalibalele's people, and some of his family, large

numbers of his cattle, and upwards of 200 stand of arms illegally in their possession, in their location, when surrounded and the tribe disarmed.

22. That many of the young men of Putili's tribe on this occasion were absent from the location; that their absence was not accounted for by the old men when enquired into; that some were afterwards seen herding Langalibalele's cattle, and some were found in the ranks of his forces when they surrendered in the Basuto country.

23. That when, as a last attempt to bring these people back to their duty, proclamation was made desiring all who were loyal to Government to come out and separate themselves from the rebels, few or none did so, but, determined to resist the Government, they deserted the women and children of the tribe, so as not to be encumbered with their presence, and left them in the hands of the local Government, to be protected and fed at the expense of the Colony.

We are well aware of the persistent and successful action of these people in concealing all such matters from their magistrate and the Government at the time of their occurrence, and of the absence of a system of detective police in this Colony. We are also aware that in similar circumstances a course of concealment was often successfully practised in former years against the Government of the Cape Colony. But still, after the revolt was put down, and before the trial of the prisoners, most, if not all, of these facts became gradually known to the public, and began to be talked of.

We are of opinion that if such facts as the above, now well known, had upon the trial been carefully sifted, patiently inquired into, and put on record, the difficulties and dangers your Excellency found existing in this Colony on your arrival would have been apparent. It would have been seen that these were not the result of a sudden, unpremeditated impulse, but of a long-contemplated attempt to set the authority of Government at defiance, with the assistance of other tribes. Your position, and the necessity of your action, would have been better understood by the Home Government, and we should have been spared the humiliation of seeing a portion of the press and the people of our mother country condemning unheard their fellow subjects in this Colony, on the superficial and distorted evidence presented to them from various extraneous and partially informed sources.

With scarcely one exception, it has been assumed by the English press that the Kafir population of Natal is a native one, possessed of birthrights to the soil and British protection; whereas the fact and the truth is that the vast bulk of the Kafirs inhabiting the Colony, and universally, with but one exception, those who have hitherto been a source of trouble to the local authorities, are refugees from neighbouring tribes who have settled in Natal, induced thereto by the justice and general kindness of the colonists to the native.

We call attention to the remarkable fact that in a country where, as is well known, religious differences have prevailed with more than ordinary violence, Ministers of the Gospel of all denominations, Episcopalian, Presbyterian, Wesleyan, Independent, Baptist, and Lutheran, and of different nationalities, have combined to place solemnly upon record their approval of the necessity, moderation, justice, and humanity of your proceedings.

Among these reverend gentlemen will be found the names of upwards of twenty men who have for many years conducted large missionary undertakings in the midst of the natives, speaking their language, consulted by them, thoroughly understanding their every act and symbol, and who have on all occasions hitherto shown themselves to be the friends and protectors of the natives.

When we consider the professional and social position, and the number of these gentlemen, it is a matter of some surprise to us that testimony of such apparent and real value should not have been accepted in preference to the questionable evidence produced at home, and which it was impossible for the colonists at that time to reject or deny.

It is scarcely possible within the limits of this address to expose in minute detail calumnies circulated against yourself and the Colony; but we trust we have said enough to justify ourselves, not only in our expressions of confidence and gratitude towards your Excellency, and in our resolve to share, so far as that is possible, the responsibilities you have undertaken on behalf of this Colony and of the British Empire, of which it forms a portion, but also to induce those who may hitherto have been led by *ex parte* statements to form crude and hasty conclusions, to re-consider the grounds of their verdict against colonists who are as true to the instincts and traditions of Englishmen as are the men who remain in England.

We deeply regret that your Excellency's term of office in Natal, to which we all looked forward with such bright anticipations, should have proved a season fraught with so much of anxiety, trouble, and disappointment, and that your actions have met in the mother country with no other return than misrepresentation and misconstruction.

Bearing in mind the many appropriate and valuable measures your Excellency introduced during your former administration of this country, and likewise since you resumed its Government, we look upon your Excellency's recall as singularly inopportune; we consider it most unfortunate in the interests of both races inhabiting this Colony, as occurring immediately after the release of Langalibalele, universally regarded by the natives as an evidence of weakness, and an encouragement to armed resistance to the Local Government, and by the European population as a total disregard of the interests of the Colony, and a condemnation of acts essentially necessary for their preservation.

We sincerely trust that you will find at home that complete restoration to perfect health, and that rest, which have been denied you in this country.

Your Excellency cannot have failed to observe that in all the neighbouring States possessing the right of self-government, no such complications with natives as have here arisen have occurred, or are likely ever to occur; and this is simply because they are governed on rational principles by those who live amongst and thoroughly understand them. The way in which they are governed has lately been lauded by the greatest living historian of the day. It would appear that the simplest solution of the difficulties alleged to be caused by us to the Imperial Government, and the best guarantee against future ones, would be an independence far greater than we now possess, an independence to which we feel we have every right, and which we must possess before we can confederate with neighbouring States.

We have, &c.

(Signed) WALTER MACFARLANE, *Member for Weenen County.*
(And by 224 landowners and other inhabitants
of the county.)

To his Excellency Sir Benjamin Chilley Campbell Pine, K.C.M.G.,
Lieutenant-Governor of Natal.

No. 38.

The Earl of Carnarvon to the Officer administering the Government, Natal.

Sir, *Downing Street, July 27, 1875.*

I HAVE received your despatch of the 16th of June,* forwarding an address to Her Majesty from the Legislative Council of Natal on the subject of Langalibalele and his tribe.

This Address, and the Report of the Committee of the Council to which it refers, have been laid before Her Majesty.

The Address and the Report proceed on the assumption that, in forming an opinion on this case, Her Majesty's Government had not adequate information before them. Whilst I do not think it necessary or desirable to enter upon a re-discussion of a question which I trust is now closed, I may state that I did not form my opinion until I had received and considered the fullest explanations which the Government whose acts are questioned desired to place before me, and in considering the case I had the advantage of personal communication with an officer who was specially deputed to represent the Government of Natal before me, and who, from his knowledge, ability, and experience, was perhaps better qualified than any other to discharge the duty which was confided to him. I fail to find in the present documents the explanations which are promised in the Address to Her Majesty, or indeed any evidence so specific or conclusive as to affect the opinion which, after the most anxious consideration, Her Majesty's Government formed upon this case.

I have, &c.

(Signed) CARNARVON.

No. 39.

The Earl of Carnarvon to Lieutenant-Governor Sir H. Bulwer, K.C.M.G.

Sir,

Downing Street, July 27, 1875.

I HAVE received Sir Garnet Wolseley's despatch of the 10th June,* forwarding the financial returns connected with the operations against Langalibalele, which I requested him to furnish in my despatch of the 15th April.

As the refunds proposed to be made to the Putini tribe, in addition to the expenditure now reported, seems likely to raise the charge against Natal funds to nearly 50,000*l.*, besides the heavy expenses the Colony will have to meet in respect of native policy, I purposely abstain from giving you any instructions at present on the question of making any compensation to the Amahlubi; but I shall be glad if you will report to me before long what course it is proposed to adopt with respect to this tribe.

I have, &c.

(Signed) CARNARVON.

No. 40.

The Earl of Carnarvon to the Officer administering the Government, Natal.

Sir,

Downing Street, July 27, 1875.

I HAVE received your despatch of the 16th of June,† forwarding an Address to the Queen from Mr. Walter MacFarlane, bringing to Her Majesty's notice one from his constituents in Weenan County addressed to Sir B. Pine.

You will inform Mr. MacFarlane that his Address, and also that of his constituents, to Sir B. Pine, have been laid before Her Majesty.

In my previous despatch of this date,‡ replying to the Address from the Legislative Council, I have explained that I do not see any reason to share the views which are adopted by certain persons in Natal respecting the acts of Langalibalele and the Putili tribe; and as there is apparently no prospect of arriving at an agreement of opinion on several points, there is, perhaps, no advantage in continuing the discussion of them.

I have, &c.

(Signed) CARNARVON.

No. 41.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received July 28.)

My Lord,

Government House, Natal, June 16, 1875.

DURING the recent Session, an address to Her Most Gracious Majesty the Queen was adopted by the Legislative Council, and has been forwarded to me with a view to its transmission to your Lordship.

2. I therefore have the honour to inclose the Address above mentioned, with its annexures, viz., resolutions adopted on the 2nd instant relative to the proceedings adopted by Government in suppressing the rebellion of Langalibalele and his tribe, and the Report of a Select Committee of the Council on the same subject.

3. If your Lordship should think fit to do so, the Council are desirous that the Address should be laid before Her Majesty.

I have, &c.

(Signed) G. J. WOLSELEY.

Inclosure 1 in No. 41.

To Her Most Gracious Majesty Queen Victoria.

Most Gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Speaker and members of the Legislative Council of Natal, in Council assembled, beg to approach your Majesty with the assurance of our loyal attachment to your person and Crown.

* No. 35.

† No. 37.

‡ No. 38.

Prizing as we do most highly, in common with all your Majesty's loyal subjects, the good opinion of our most gracious Sovereign, we humbly pray to lay before your Majesty certain resolutions unanimously passed by the elective Members of the House, together with a Report of the Select Committee upon which these resolutions are founded. Our object in thus transmitting these documents to your Majesty is to explain certain circumstances connected with the late rebellion of the Chief Langalibalele, which have been misunderstood in England, and which there is reason to fear may have prejudiced the loyal colonists of Natal in the mind of their beloved Sovereign.

We beg further to express our thorough appreciation of your Majesty's solicitude for the interests of the people of this Colony, as shown in the appointment of so distinguished a servant of your Majesty as his Excellency Sir Garnet Joseph Wolseley to administer for a period the Government of this Colony, with a view of examining into its circumstances and into the condition of its native population. We cannot refrain from expressing our conviction that the result of his Excellency's observations and inquiries will be substantially in accordance with the statements set forth in the documents we now venture in all loyalty to submit to your Majesty's gracious consideration.

By Resolution of the Legislative Council this 3rd day of June, 1875.

(Signed) WALTER MAC FARLANE, *Speaker*.

Inclosure 2 in No. 41.

Resolutions passed by the Legislative Council of Natal, on June 2nd, 1875, relative to the Proceedings adopted by Government in Suppressing the Rebellion of Langalibalele and his Tribe.

1. THIS Council is of opinion, for the reasons set forth in the Report of the Select Committee appointed to consider the Resolution marked No. 2 on the Notice Paper of May 31, 1875, that the thanks of this House are due to Sir B. C. C. Pine, for the steps he took in suppressing the rebellion of Langalibalele and his tribe:—

- (a.) Because well grounded doubts and suspicions had been long entertained respecting that Chief and his tribe.
- (b.) Because that Chief did intentionally defy the Government, and contumaciously refuse to attend its summonses, and only yielded to fear, in leaving the Colony, when he found how serious were likely to be the consequences of his actions.
- (c.) That the disturbances in question did grow up to the dimensions of rebellion, and at the time of Sir Benjamin Pine's arrival in the Colony could no longer be dealt with as a mere police case.
- (d.) That, notwithstanding the technical peculiarities of the trial, inseparable from his position as a native Chief, and from the conditions of native law under which he held his powers, and had to be tried, substantial justice was done to the Chief, and a lenient sentence inflicted upon him and upon his tribe.
- (e.) That any measure short of transportation to some place far removed from the frontiers of the Colony would have been fraught with danger to the peace of the Colony and the future good government of the native population.

2. That this Council is of opinion that the interference of any private individual, holding no civil or legal right or position qualifying him so to do, is calculated, as experience has proved in this case, to cause serious misunderstanding as to the real facts, to weaken the authority of Government over the natives, and indirectly to endanger the peace of the country, as well as to prejudice harmonious relations between the white and black races.

3. That the thanks of this House are due to the Government of the Cape Colony for the strong and persistent support they have afforded throughout these events to the Government of this Colony, and for the earnest desire they have shown to provide a place of safe-keeping for the rebel Chief and his son, and to the nobl

Lords who so ably vindicated the cause of this Government and Colony in the House of Lords.

(Signed) WALTER MAC FARLANE, *Speaker*.

Inclosure 3 in No. 41.

Third Session, Seventh Council.—1875.

L. C.—No. 6.

THE following Report of the Select Committee appointed to consider certain resolutions on the subject of the proceedings of the Government of this Colony during the rebellion of Langalibalele is published for general information.

By order of the Legislative Council,
(Signed) THOMAS FOSTER, *Clerk*.

Legislative Council Office, Natal, June 2, 1875.

Report of the Select Committee appointed to consider certain Resolutions, standing as No. 2 on the Notice Paper of May 31, 1875.

The questions connected with the rebellion of Langalibalele, and the action of the Government in dealing therewith, are so varied and complicated, that your Committee have found it impossible, during the time at their disposal, to do more than place on record statements of fact and expressions of opinions which are borne out by the knowledge and experience of the colonists at large.

Your Committee regret that the despatches written by Lord Carnarvon upon this subject, and especially his speech in the House of Lords on April 12th, indicate a very inadequate comprehension on his Lordship's part of the real circumstances of the case, whether as regards the offences of Langalibalele and his tribe or of the measures taken to punish the delinquents. They, therefore, consider it due to the late Lieutenant-Governor, Sir Benjamin Pine, to his Government, and to the Colony, to give a concise statement of facts as known to and accepted by the Council and the people of the Colony.

1. It is well known that the Chief Langalibalele, by his refractory conduct and repeated acts of disobedience to the Resident Magistrate, who had jurisdiction over him and his tribe, had given such great offence that the then Lieutenant-Governor, Sir B. C. C. Pine, was in duty bound to summon him to appear before him, as the Supreme Chief over the native population, to give an account of himself and of his conduct.

2. It is known also that, on being repeatedly summoned, the said Chief did not obey, but excused himself under the false pretences of illness.

3. Such conduct is in the eyes of the natives, and by their laws and customs, one of the gravest nature, amounting in fact to mutiny or revolt, and is by native law punishable with death.

4. The Lieutenant-Governor had, therefore, no alternative open to him but to take action in the matter, and had he failed to do so, such neglect would have jeopardized all respect for and authority of the Government, as well as the prestige enjoyed by the Government amongst the natives of the Colony and of the surrounding territories.

5. It was known that Langalibalele had prepared for hostilities, having called in and armed his numerous tribe, and stimulated them to stand by and defend him; that he had threatened with vengeance those members of his own tribe who had shown or might show any inclination to side with the Government; and that he had also solicited support and co-operation from other Chiefs, both within and beyond the Colony.

6. That, under such circumstances, an attempt to apprehend such a powerful Chief—regarded by natives generally as a magician or witch doctor, possessing a superhuman power of controlling events—by means of a few policemen, or any other small party of armed men, would have been, except in the earliest stages of the difficult, an act of inexcusable folly, and would only have provoked resistance, as was clearly proved by what took place at Bushman's Pass. But, even supposing it were not so, the affair had ceased to be a police case before Sir Benjamin Pine came to the Colony, and had before the troops left Pietermaritzburg grown into a

treasonable conspiracy, a fact clearly proved by documents published by the Cape Government.

7. Had such an attempt been made in the present case and failed, as it might have done, the defeat of the arresting party would have intoxicated the tribe with a sense of victory, and led to the most deplorable consequences throughout a large portion of the Colony, at that time wholly unprepared for action.

8. Under these circumstances, therefore, the Lieutenant-Governor, having regard for the safety of the colonists—surrounded on all sides as they were by numerous and warlike native tribes—acted wisely and with due caution in ordering out a force sufficiently strong to overawe and subdue the refractory tribes before they had time to execute any plan, or complete any combination which might and would have endangered the peace of the whole Colony.

9. Finding himself forestalled, and seeing that resistance would not avail him, the Chief withdrew, as has since been ascertained, with a few followers and members of his own family, and, having thus put his own person in safety, he left the tribe under the charge of his Chief Indunas, who passed on the cattle in detachments attended by armed parties of the tribe, leaving the women and children and old men behind them in the location, intending, as subsequent evidence has proved, to take up his position in the rugged and inaccessible part of the mountains, as a base of operations, whence he might, from time to time, send out bands of marauders into the Colony, and communicate with the wives and aged people left behind.

10. An attempt made by a small armed party of volunteers under Major Durnford—whose strict orders, humanely conceived, were not to fire until fired upon, and who met the last detachment of men and cattle, in command of the Chief Military Induna Mabuhle, at the top of the Pass—to persuade the latter to return and desist from hostilities, signally failed. On finding themselves surrounded by the natives, who had taken possession of the rocks commanding the position, and whose gestures, taunts, and threats were full of menace, giving every demonstration of fight, this party of volunteers were ordered to retreat, and were in the act of doing so, when they were most unprovokedly fired upon and pursued, five of their number being shot, and stabbed with assegais, and their bodies barbarously mutilated.

11. After this outrage had occurred, it became the bounden duty of the Lieutenant-Governor to uphold the authority of the Crown by causing the Chief and his men to be pursued, so as either to scatter or apprehend them. A pursuing expedition, composed of white volunteers and loyal natives, was therefore organized, and led over the mountains, through a wild and desolate country never before explored by a white man. This operation, combined with the strong and ready assistance of the Cape Government, succeeded so well that the Chief and some of his followers were driven into Basutoland, where they were apprehended by the Cape authorities, handed over to the Natal party, and brought to Maritzburg, where they were tried and sentenced to imprisonment.

12. The conduct of the Chief and his tribe, thus briefly described, according to native customs and rule, amounted to rebellion, and amongst the natives themselves was always punished by death, confiscation of property, and expulsion of the guilty tribe.

13. The sentences, therefore, passed upon the Chief and some of his followers were as lenient as was compatible with the re-establishment of peace and quietness throughout the Colony. Less severe treatment would have lessened the fear and respect in which the Government ought to be held by the natives, and the result has proved the wisdom and true humanity of the course taken by the local authorities.

14. The removal of the families, deserted and left to themselves by the tribe, being an act of political necessity, the only humane course open to the Government at the time was to place them among approved white settlers and loyal tribes, where they could be fed and sheltered. This was merely done, after the Government had been at the cost of maintaining them for a considerable period, in order to make the necessary provision for their maintenance and support until the permanent disposition of them could be decided.

15. The tribe of Putini had been mixed up with the tribe of Langalibalele in their acts of hostility; they had armed themselves with guns in contravention of the law; and they were known to have sympathised with, and assisted their neighbours.

16. Had these locations not been cleared of the remaining natives, it would have been necessary to keep a strong force permanently on the spot to maintain order and to protect the country from the raids of robbers and murderers lurking amidst the fastnesses and caves of the Kahlamba mountains. This necessity has subsequently been fully proved by such acts as the plundering of homesteads, the murderous outrage on the Messrs. Gray, and the daring attempt to stab the Acting Resident Magistrate of Weenen County at his own door. Hence arose the necessity to punish and disarm them, and to remove them also from the location.

17. For these reasons your Committee are of opinion that Sir Benjamin Pine and his Government deserved the thanks of the Council and of the Colony at large for the promptness of their action in suppressing a rebellion which otherwise might and, in the opinion of your Committee, would have rapidly spread, and brought upon the Colony most deplorable losses and difficulties, and have subjected the Lieutenant-Governor to the common blame and condemnation of the suffering Colonists, the loyal natives, and of the Government and people of England, all of whom would have charged him with having caused such disasters by his want of firmness, promptitude, and foresight.

18. Your Committee, therefore, as deputed by those whose local knowledge and residence best qualify them to judge of the true state of things, have seen with deep regret how greatly the acts of the Government, on the one hand, and of the refractory tribes on the other, have been misrepresented in Great Britain, and how seriously the Lieutenant-Governor, who deserves the gratitude and thanks of the whole Colony, has been visited with the displeasure of the Imperial Government, and with the opprobrium of a considerable portion of the British nation.

19. Your Committee believe that these untoward and uncalled-for results, caused by the premature action of the Home Government, must have lamentably lowered the local Government, and the Lieutenant-Governor in particular, in the estimation of the natives, and they fear that, when opportunities occur, acts of disobedience and open resistance may be more frequent. Nor can it be denied that the white colonists and the loyal natives have been so disheartened, and that their confidence in Government has been so much shaken, that in future times of danger they may only partially respond to the call of their Governor, and that many may seek safety as best they can. The disastrous consequences of such a state of things cannot be over-estimated.

20. It must not be lost sight of that the measures taken by the Lieutenant-Governor were carried out by means only of such scanty military and other resources as the Colony at the time afforded, and that their cost was borne exclusively by the Colonial revenue. When the vast sums expended by the Imperial Government in times past in putting down insurrections, disturbances, and risings on the Cape frontier and in other parts of this continent are remembered, this fact is surely well deserving of some consideration.

21. The trial of Langelibalele and his people according to native law was a necessity of the case, and the technical peculiarities upon which stress has been laid we are satisfied, from a sincere desire to reconcile the asperities of that system with English notions of moderation and justice. Your Committee submit, however, that the Lieutenant-Governor, as Supreme Chief, had unlimited power to order the trial as to him might seem fit, and they share the opinion which is, with few exceptions, held throughout South Africa, alike by Europeans and natives, that the sentence as carried out was essentially lenient and just.

22. Your Committee regret that throughout both the despatches and the speech of Lord Carnarvon, there are many evidences of erroneous information which prove that his Lordship has based his opinion upon a general misconception of the real facts of the case. This unfortunate fact shows how difficult it is for a distant observer to form a sound and accurate judgment upon events involving so many complex considerations, and regarding which the experience and local knowledge of Colonists is too often set aside as unworthy of weight. Your Committee, however, gladly recognize the earnestness of Lord Carnarvon's desire to do justice to the Colonists, as well as to the natives, a desire which he has now indicated in an emphatic manner by sending out on a mission of enquiry and observation so eminent an Administrator as Major-General Sir Garnet Wolseley. They regret that such an inquiry was not instituted before the condemnation of the Government and the Colony was pronounced, and that the privately circulated documents which have been permitted to guide the Home Government and public opinion to the

harsh conclusions that have been formed, have not been placed within the reach of either the Council or the Colony.

(Signed) JAMES R. SAUNDERS, *Chairman.*

No. 42.

Colonial Office to President Burgers.

Sir,

Downing Street, July 28, 1875.

I AM directed by the Earl of Carnarvon to transmit to you, for your information, a copy of a despatch from the Administrator of the Government of Natal,* inclosing a copy of a message from Cetywayo, the King of the Zulus, with a copy of the reply which Sir G. Wolseley returned to it.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

No. 43.

The Earl of Carnarvon to Lieutenant-Governor Sir H. Bulwer, K.C.M.G.

Sir,

Downing Street, July 31, 1875.

I HAVE to acknowledge the receipt of Sir Garnet Wolseley's despatch of the 16th June,* inclosing a copy of a message which he had received from Cetywayo, the King of the Zulus, and a copy of his reply.

I have to express my approval of the terms of the reply.

I have, &c.

(Signed) CARNARVON.

No. 44.

Mr. Burgers to Colonial Office.

Sir,

Brodick, Arran, August 4, 1875.

I BEG to acknowledge receipt of your letter of the 28th ultimo,† with copy of a despatch received by the Earl of Carnarvon from the Government of Natal, inclosing a message from Cetywayo, the Zulu King, with Sir Garnet Wolseley's reply.

You will oblige me if you will convey to the Earl of Carnarvon my best thanks for his Lordship's attention.

It will interest his Lordship to know the facts of the case, as regards the reported arming in the South African Republic.

The Government, on hearing that Cetywayo, in conjunction with Secucune, was preparing to attack the Amazwasis, judged it advisable to despatch a small force to the frontier, in order to protect the Amazwasis.

I am glad to add that by my late letters from Pretoria, it would appear that this timely action on our part has been successful.

I have, &c.

(Signed) THOS. BURGERS.

Correspondence relating to the Colonies and States of South Africa.

PART II.
N A T I O N A L.

(In continuation of C. 1187 of April 1875.)

Presented to both Houses of Parliament by Command of Her Majesty. August 6, 1875.