THE

KAFIR REVOLT IN NATAL

IN THE YEAR 1873,

BEING AN ACCOUNT OF THE

REVOLT OF THE AMAHLUBI TRIBE,

UNDER THE

CHIEF LANGALIBALELE,

AND THE MEASURES TAKEN TO VINDICATE THE AUTHORITY OF THE GOVERNMENT, TOGETHER WITH THE OFFICIAL RECORD OF THE TRIAL OF THE CHIEF, AND SOME OF HIS SONS AND INDUNAS.

PIETERMARITZBURG:
PUBLISHED BY KEITH & CO., CHURCH STREET.
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THERE exists so much misunderstanding as to the causes which led to the open disaffection of the Amahlubi tribe under Langalibalele, and the circumstances resulting from the proceedings which his contumacious conduct obliged the Government to take to uphold their authority, that in publishing the official record of the enquiry into the charges preferred against Langalibalele, and that of the trial of his sons, and otherwise placing before our readers authentic information upon a matter of so much interest and importance to us as colonists, we feel we cannot do better than preface these records by a connected narrative of the whole circumstances of the case. In compiling this narrative, we shall draw our information from various sources, and shall take especial care only to include well authenticated facts. If our facts have the effect of removing misapprehension, of placing in a clear light evidence upon moot or disputed points, and justifying the action of the Government and people of Natal, we shall be satisfied; we shall feel that our labour has not been in vain, and that our object has been gained. It is not our intention to write a controversial pamphlet, or to discuss questions from a political stand-point, but, by our unvarnished tale, to assist, at least, in removing the aspersions and reflections cast upon the action of the Government, and upon our fellow-colonists, in reference to the treatment of the native Chief Langalibalele and his tribe, and to show the offence of which the tribe has been guilty, and the light punishment which has fallen upon its members.

Langalibalele, who was a Chief and rain doctor in the Zulu country under King Panda, was, in 1848, obliged to flee to save his life. It is said that in that case he had incurred the displeasure of the Zulu despot by refusing to obey the summons of his Paramount Chief, alleging fear as his reason for not complying with the summons. Over a small force sent against him, Langalibalele is reported to have gained a temporary success; but, fearing the wrath of the incensed Panda, and the larger force which would be certainly sent to compel his submission, he crossed the Buffalo River, which forms the boundary between the extreme north-east of Natal and Zululand, and entered this Colony with his followers, the Hlubi tribe, and their relatives, the tribe of Putili.

The members of the Amahlubi tribe under Langalibalele, and the Amangwe or Putili tribe, are related to each other by birth, and also by intermarriages. The families of the hereditary chiefs of the tribes are also related; Langalibalele having been, we understand, the uncle of the late Chief of the Amangwe tribe. The tribes

were also connected by political ties; and the members of the weaker tribe, enjoying as they did Langalibalele's patronage, and, to a certain extent, protection, were, in reality, his vassals, in Zululand, if not in Natal.

Langalibalele and his followers found an asylum in Natal, where Panda dared not follow them. The principle upon which the lives of refugees have ever been spared, whilst the claims of the Paramount Chief to the cattle or property of the runaway tribe has been respected, is clearly stated in the evidence of the Secretary for Native Affairs, at page 25. And this was the principle acted upon in the case of the tribes referred to.

In this way, then, were the Amahlubi and Amangwe tribes settled in Natal. They entered it in 1848, few in number, and in distress and poverty; they left it in 1873, rich in stock and other property, accumulated during their residence in this country, under the protection of the local Government.

Langalibalele has ever been troublesome, and has never manifested that constant and ready obedience to the orders of his Supreme Chief that a loyal native in charge of a tribe should have manifested, especially when placed under such great obligations as had been incurred by Langalibalele.

Soon after his arrival in this Colony, Langalibalele, his people, and allies, were moved to the Location which they occupied at the time of the recent operations; but this movement was not effected willingly. The order had to be carried out by force, the Chief being unwilling to leave the land on which he had settled; although it was a great favour to allow him to erect his huts and till the ground in this Colony at all.

Let us now endeavour to explain the duties devolving upon, and the position occupied by, Langalibalele on his taking up his residence in Natal, and the special duties imposed upon him on occupying the Location which is known by his name.

The Drakensberg, or Kahlamba Mountains form the Western boundary of the Colony. Across these mountains is an inhospitable tract of country, but little known, and for many years deemed impassable; this tract intervenes between the boundaries of the Cape Colony and Natal; and to the gallant march of the Natal Column through this district, we shall have occasion to refer hereafter. This district formed a refuge for Bushmen and other marauders, who, in the earlier days of the Colony, made frequent inroads into Natal, sweeping off the cattle and horses of the farmers settled under the Drakensberg. These depredations had a most injurious effect upon farming and stock breeding enterprise in the County of Weenen, and at one time almost led to the depopulation of the County. To check these inroads, therefore, and guard the passes over the mountain, the Amahlubi tribe were settled along the base of the Drakensberg, and the land adjacent thereto, and at the time of their exodus occupied not only the high lands referred to, but a fertile tract of country little less than 200,000 acres in extent. It will be our duty, in a subsequent paragraph, to refer to the position thus occupied.

It must be admitted that the Amahlubi discharged well the special duties imposed upon them by the Government, and that in consequence, the farmers in Weenen County conducted their operations, and guarded their flocks, with comparative ease. Langalibalele performed his part of the compact, and protected the County of Weenen from inroads of Bushmen by the passes he commanded.

The Lieutenant Governor, in his judgment in the case of Langalibalele, has defined the position in which every Chief of a tribe stands affected to the Government of this colony; and to this definition, to be found on p. 33, we would specially direct our readers' attention, for we desire, and it is necessary to supplement that definition by further details, and to refer to the feudal system under which our natives live.

Each individual belongs to some family, which is subject to the headman of the kraal, and through him to the Chief of the tribe. The natives' form of Government is rudimentary, patriarchal, and of the simplest character; and as in England formerly, no man was suffered to abide above forty days, unless he were enrolled in some tything, so in Natal natives must, in the Locations, attach themselves to some family, and acknowledge the control of some headman subservient to the Chief of the tribe. These tribes, under their several Chiefs, are governed by the Magistrates of their respective counties, under the Secretary for Native Affairs, who acts for the Lieutenant Governor of the Colony, who, as such, is Paramount Chief over the Native Population. The native tribes have no individual titles to the land on which they reside; and the power which locates them on any particular spot has authority to remove them, should such a step, from any cause whatever, be deemed advisable. The members of any tribe have no documentary title to the land on which they live, and are subject to ejectment or banishment at the will of the Chiefs. The native population is, in fact, ruled, as much as possible, through the chiefs of the respective tribes; tribal responsibility has been maintained, because that has been deemed the cheapest, and most efficient, nay, the only practical way at present of ruling such a large number of natives. The Chiefs then hold their Locations directly from the Government, and are bound, when called upon, to aid the Government in military operations; the individual members of the tribe occupy their land, and hold it from their Chief on the same condition.

To secure the non-alienation of the land occupied by natives, a Natal Native Trust has been created, and this Trust holds the Title Deeds of all lands transferred and set apart exclusively for native purposes.

It is interesting to note how the feudal system works. The Lieutenant Governor, as Supreme, or Paramount Chief, is Supreme Lord of all the land, and from him, either mediately or immediately, all native subjects hold their lands. To him also, the property of the several tribes belong; and this principle of native law is clearly enunciated by the Chief Teteluku in his address before the Court (p. 4), and by the conduct of the tribe, to which we must refer hereafter.

The Chiefs, who hold large territories directly from the Crown, are bound to appear when called upon, with a proportionate number of followers; and these followers hold their lands from their immediate Chief on the same conditions. Each landholder, in fact, is a soldier; and liable at any time to be called out by his Chief, either for tribal or national purposes. The vassal is not only bound to follow his Chief to war, to contribute to the "civil list," and otherwise help to support the dignity of his Chief, but also to assist him with his counsel, and to attend as an assessor in his courts of justice; for a native Chief holds regular courts for the hearing of cases in reference to intertribal matters; and has certain powers which have never been taken from him by the British Government. The power of the Chiefs has been circumscribed, but not utterly destroyed. The following passage seems so applicable to the case of Natal and its native population, that we make no apology for inserting it here:—

"The aristocratical nature of feudalism will readily be inferred. The great chief, residing in his country seat, which he was commonly allowed to fortify, lost in a great measure his connection or acquaintance with the prince, and added every day new force to his authority over the vassals of his barony. They received from him education in all military enterprises; his hospitality invited them to live and enjoy society in his hall; their leisure, which was great, made them perpetual retainers on his person, and partakers of his country sports and amusements; they had no means of gratifying their ambition but by making a figure in his train; his favour and countenance were their greatest honour; his displeasure exposed them to contempt and ignominy; and they felt every moment the necessity of his protection."

It would be interesting to discuss this subject; but all we desire to do now is briefly to point out the position occupied by native tribes in this Colony, and leave our readers, if they feel so disposed, to investigate the general subject at their leisure. Some knowledge of the position of the native population, and of the circumstances under which they live, is necessary, if any one would judge correctly concerning recent events. Another essential in the consideration of the general questions involved in the late disturbances is, that due allowance be made for all proceedings rendered necessary by the mixed population of this Colony, the numerical superiority of the natives, and the existence of two public opinions, as referred to by His Excellency the Lieutenant Governor, page 36.

Langalibalele and the Hlubi tribe were located in Weenen County, on the slopes of the Drakensberg, and the adjoining lowlands. Their special duty was to protect the county from the inroads of Bushmen. It was their self-interest as stock-owners to perform this stipulated service, and they did perform it to the satisfaction of the Government. A portion of the tribe of Putili—that implicated in the recent proceedings—was located on land adjoining that upon which Langalibalele was allowed to build his huts. As a chief Langalibalele was subject to the Magistrate of Weenen County, but was not interrupted in the discharge of his duties as a chief in minor and intertribal matters.

The Amahlubi thus occupied a large tract of land, in a remote corner of the Colony, where the surrounding circumstances tended to increase the power of the Chief. The tribe, during their lengthened residence there, increased in numbers, wealth, and influence, and at the time when the recent proceedings were commenced, their number has been estimated, from calculations based on the hut tax returns, for no census of the native population has ever been taken, at about 9,400 men, women, and children; of these, say, 1,875 would be adult males, nearly all of whom were fighting men. Langalibalele ever manifested an independent spirit, and his isolation amongst his own people had the effect of increasing this spirit as time rolled on. In fact, the late Chief of the Hlubi tribe was regarded as a *mauvais sujet* some time before his insubordination ripened into open rebellion and resistance to the authority of the Government. This statement is confirmed by Mr. Macfarlane's evidence, printed at p. 29.

In the year 1869 the new Marriage Regulations were promulgated. By this measure it was hoped that additional taxation would be derived from the native population, and polygamy, which it is inexpedient if not impossible to suppress by legal enactments, be discouraged. The maximum number of cows to be given by a young man for his wife was fixed, the consent of the girl to her own marriage was rendered requisite, and a marriage fee was payable to the Government. This law was promulgated throughout the length and breadth of the Colony, and great pains were taken to explain its provisions, for the native population is fully informed of all new legislation, which in any way affects them. These Marriage Regulations were carefully explained by the Secretary for Native Affairs to Langalibalele, and other Chiefs in Weenen County, and they were made fully acquainted with their effect. The operation of the tax was suspended for a short period to enable existing marriage contracts to be completed without coming under the provisions of the new tax, and during this breathing time many marriages of very young girls were hurried on, contrary and in flagrant opposition to the regulations. This attempt to evade the tax led to the punishment of the tribe by the imposition of a fine, which was paid; at the same time Langalibalele and his head men were solemnly warned, by the Secretary for Native Affairs, of the serious consequences which must result if such insubordinate conduct were manifested in future.

The discovery of the Diamond Fields, in the territory now known as the Colony of Griqualand West, and the large demand for native labour, for which high wages were paid, induced large numbers of natives to go to the Diamond Fields from Natal; some went with persons going from this Colony to dig for diamonds, others went up on their own account.

In this Colony no native can legally own a gun, or other fire-arm, until he has obtained the written permission of the Lieutenant Governor, and the weapon has been duly registered; and care has been hitherto exercised in granting the permits referred to. As far as possible this law has been carried out, for the Chiefs know their

duties, and each member of the tribe is in reality a policeman, so that the provisions of laws are not largely infringed except by the unanimous consent of the community which is responsible for the acts of its individual members.

The law in this respect is different in the Cape Colony, and as Cape Laws are those in force at the Diamond Fields, the practice there and in Natal is different.

At the Diamond Fields it is only necessary for a native to procure a certificate from a householder, and, with this document in his possession, he can purchase from any dealer the arm he may select. This law offered ready facilities to natives from all parts of South Africa to become possessed of guns, and they were not slow to avail themselves of the opportunity. Thousands of natives in this way procured arms and ammunition at the Fields, and at last it became almost the general practice for natives, before entering upon any engagement, to stipulate with their employers for assistance in procuring fire-arms. This was in fact almost the only condition on which reliable labour was procurable, and thus the facilities for the acquisition of fire-arms were rather increased than diminished by the necessity of procuring native labour to work the diamond mines.

No terms of condemnation are too strong when referring to the conduct of the Government of Griqualand West in allowing the native population to arm themselves as they did at the Fields, and in thus deriving therefrom a large revenue, as the price of this "trade in human blood," as it has been aptly designated.

Natal has been the first to reap the fruits of this indiscriminate arming of the native population of South Africa; Natal, which has been the most careful, has been the first to suffer from the trade by which the Government of a sister colony and dependency of the British Crown has swelled its revenue.

It is not surprising that the natives of Natal, perceiving the ease with which fire-arms could be procured at the Diamond Fields, left Natal with the object of returning with guns, and in this way a large number of the Amahlubi tribe procured arms and ammunition, and the eagerness with which they guarded their prizes is proved by the long night journeys which the vigilance of the adjoining Government of the Free State, and of our own Border officials, rendered necessary if they would smuggle their arms through that territory and into this Colony.

The Government of Natal became aware, as they could not fail to do, that large numbers of the native population were arming themselves at the Diamond Fields, and having regard to the inducements offered for the acquisition of guns, at the fact that the Government of the Fields and the Government of Natal acknowledged the same Head, and at the injurious consequences which must result if the natives were allowed to gratify their eager longing to possess guns by arming themselves secretly, decided that it was wiser, under all the circumstances, to compromise the matter, and come to terms with these natives who could prove that they had lawfully acquired their guns at

the Diamond Fields. In terms of this decision a circular was issued on 14th February, 1872, to the several Resident Magistrates within the Colony, notifying that guns lawfully acquired at the Fields would be registered for applicants if they were at once produced to the Magistrate, and on his report the license of the Lieutenant Governor, as Supreme Chief, to hold such fire-arms would be granted.

The members of Langalibalele's tribe, amongst others, procured large numbers of guns at the Fields; they did so not only to gratify their own eager desire to possess themselves of fire-arms, but also in obedience to express directions from their Chief. It is stated that one native, who returned from the Fields without a gun, and had brought down his earnings in coin, intending to invest them in cattle, was sent for by the Chief and heavily fined for daring to consult his own inclinations in the matter, rather than obey the directions of the Chief, which had for their object the increased independence and power of the tribe. It is also known that in the winter of 1872 Langalibalele visited his neighbours the Amangwe tribe, that he was on that occasion accompanied by a large number of his tribe, and that the main object of his visit was to induce Putili's tribe to arm themselves at the Diamond Fields, and to take the necessary precautions to prevent the seizure of the guns on their return from the Fields. He is said to have urged that the young men of that tribe should follow the example of the young men of his tribe, and instead of idling about the kraals, sleeping and drinking beer, should bestir themselves and seek work at the Diamond Fields with the above object.

But a small proportion of the number of guns thus procured at the Diamond Fields were, notwithstanding the invitation of the Magistrate, brought in for registration, and this neglect on the part of the tribe soon led to complications.

It came to the knowledge of the authorities, from time to time, that certain natives had returned to their homes in Langalibalele's location with guns in their possession; and as these guns were not brought in for purposes of registration, the Magistrate sent, on several occasions, to individual members of the tribe, and to the Chief, with a view to have these arms, in compliance with the law, sent into his office for registration. The guns, when registered, would have been returned in due course to their owners, with the requisite license from the Supreme Chief.

In some cases, the demand for the production of the guns was, after some difficulty, reluctantly complied with. In others, the demand was still unsatisfied when the disturbance broke out.

On one occasion, Mtshitshizelwa, the head Induna of the Weenen Magistracy, was sent to a kraal in the Location, in reference to some guns which the young men were known to have recently brought down from the Fields. He saw the guns, and their possessors; his authority was defied; he was subjected to rough usage, and threatened by one of the young men, who loaded his gun on that occasion. The father

of these young men was summoned to Estcourt; and the matter having been enquired into by the Magistrate, a fine was inflicted, and this fine was duly paid. This incident tends to show the insubordinate spirit which, even at that time, was rife amongst the tribe. These young men, the sons of Sibanda, disappeared after this assault upon the Magistrate's messenger; and although the matter was reported to the Chief, he excused himself from arresting these men, and is reported, on good authority, not only to have connived at their concealment, but also to have assigned them a hiding place until the tribe fled from the Colony.

Mtshitshizelwa, when sent to Langalibalele to complain of the treatment which he, a messenger from the Magistrate, had been subjected to, was very discourteously received. The Chief turned his back upon the messenger, and subsequently encouraged the young men to discuss the matter; which was a signal mark of disrespect, not only to the messenger himself, but the authority he represented.

During this period, the insubordination of the tribe became daily more apparent. No general desire was shown to effect a registration of the fire-arms the tribe were known to possess; and difficulties were raised by the people when the authorities, in any particular instances which came to their knowledge, urged that fire-arms should be brought in, with a view to registration, and the issue of the requisite license.

Matters ultimately came to a crisis; and in answer to a summons from the Magistrate to appear before him at Estcourt, Langalibalele, for the first time, refused to go. This was after repeated warnings from Mr. Macfarlane; warnings which passed unheeded by the Chief. Much stress has been laid on the fact that the Chief paid a visit to the Magistrate on the gun question when Mr. Macfarlane was away from home. This arises from a misunderstanding of the reported evidence. We may admit, for the sake of argument, that Langalibalele obeyed any number of summonses to visit the Magistrate on the subject, but a time came when he refused to attend. In support of this observation, we need not do more than refer to the opening sentence of Mhlaba's statement, recorded on p. 57.

Mr. Macfarlane then felt it to be his duty to report the conduct of Langalibalele to the Secretary for Native Affairs; and sent the Chief a message to the effect that the vessel in which he kept his offences was full to overflowing, and he must refer the matters to the Supreme Chief. Mr. Macfarlane accordingly reported to the Government the various instances of insubordination which, in his opinion, rendered it desirable that the Supreme Chief should take the matter in hand.

In the month of April, therefore, a native messenger was despatched from the seat of Government to summon Langalibalele to appear in Pietermaritzburg with as little delay as possible. This messenger having delivered his message, was, after a few days' delay, dismissed with a promise from the Chief that he would follow him to head-quarters, and overtake him before he reached town.

The Chief did not keep his promise; but sent Mabuhle, with a lie in his mouth, to make his excuses to the Supreme Chief, and report that he had started to come down, and had advanced about twenty miles on his journey, when pains in an old wound in his leg compelled him to return home again.

This excuse was at that time accepted by the Secretary for Native Affairs; but he informed Mabuhle, and the other messengers from Langalibalele, that the business upon which their Chief was summoned was urgent; and that he must manage, in a wagon, or some other way, to obey the summons to appear in Pietermaritzburg.

Shortly after this, Umyembe was again sent to summon Langalibalele to appear at the seat of Government; and, in case he persisted in his obstinacy, was instructed to inform the head men that such conduct would inevitably lead to the dispersal of the tribe. On this occasion, the messenger had some difficulty in obtaining an interview with the Chief, who was said to be too sick to see anyone. After considerable difficulty, and strong representations on the part of the messenger, Langalibalele accorded him an interview; but said he was too ill to obey the summons, and could not come down to Pietermaritzburg. We need scarcely say this alleged sickness was a mere pretence.

Some delay ensued in connection with the Zulu expedition. Cetywayo had sent an invitation to the Secretary for Native Affairs to visit Zululand, and crown, or instal him King of the Zulus. The Secretary for Native Affairs left Pietermaritzburg, on his journey to Zululand, on the 31st July, 1873; the *Government Gazette* of the previous Tuesday having contained a notification that he went as a representative of the British Government. On the 8th August, Mr. Shepstone and his retinue crossed the Tugela, the boundary between Natal and Zululand, and entered the Zulu country. The coronation and installation of Cetywayo, as King of the Zulus, and successor to his father, Panda, took place on the 1st September. The Secretary for Native Affairs and the greater portion of his escort returned to Durban on the 16th September, and shortly afterwards Mr. Shepstone arrived at the seat of Government.

During the absence of the Secretary for Native Affairs in Zululand no messages or explanations were received by the Government from Langalibalele, who thus contumaciously allowed a period of two months and upwards to pass by in silence, though not without making preparations for the inevitable conflict.

It will be our duty, in a subsequent paragraph, to refer to the proceedings of the tribe during this interval.

Whilst the Secretary for Native Affairs was absent in Zululand information was received from the Cape Government that Langalibalele had been in communication with the Basuto Chiefs, and had asked them to receive his cattle whilst he resisted an order of the Natal Government. It was the month of July when Mr. Griffiths, the British Resident in Basutoland, advised the Cape Government of the overture made by

Langalibalele; and our readers will note that this was before the departure of the Secretary for Native Affairs for Zululand, and some four months before the military operations were commenced. The request was probably a precautionary measure, in case the tribe should be compelled to fly from the Colony.

It was fortunate that at this juncture the Colony was governed by Sir Benjamin C. C. Pine, K.C.M.G., who has had considerable experience in native affairs. He at once perceived the gravity of the situation, the necessity of checking this insubordination, and punishing the delinquent; and he further was prepared to take upon himself the responsibilities which always fall upon the head of the Government in such cases, even when supported, as was His Excellency in the present instance, by the unanimous voice of his Executive, the Legislature, and the people. The responsibilities of such action have been rendered greater than ever of late years, owing to the instructions issued after the Jamaica insurrection, and when Lord Carnarvon was Secretary of State for the Colonies.

On the 4th October, therefore, Umyembe was sent for the third time, and accompanied Mahoiza, who, on this occasion was the principal messenger. They had instructions to deliver the ultimatum of the Supreme Chief, and to summon Langalibalele to present himself in Pietermaritzburg on or before the fourteenth day after he should receive the message. The evidence of Mahoiza, which will be found on the 9th and following pages, will show the great difficulty which the Messenger had in fulfilling his mission. This statement was confirmed substantially by Umyembe, and shows further with what great disrespect the messengers of the Supreme Chief were treated.

The evidence of Mahoiza has been called in question, more particularly that part which relates to the manner in which he was made to undress, before appearing before Langalibalele, when, after tedious delays, he was accorded an interview. We shall, therefore, endeavour to place before our readers a summary of the evidence on this point; and be it remembered this confirmatory testimony does not come from friendly, but from hostile witnesses, whose sympathies will induce them to extenuate the circumstances of the case as much as possible. The objections which have been taken have been rather in reference to the degree of the insult offered, and not with a view to contradict the fact.

What does Mahoiza say? "A messenger arrived, saying, I was to be taken to Langalibalele, but I must be stripped. * * * They then came up, took all my things from me, and asked what I had about me. I said they could search for themselves, but I had nothing about me. * * I considered it very bad conduct to strip me, and take me naked into the Chief's presence, but they persisted in doing so. They then said Umyembe, the last witness, must also take off his things. * * When our clothes had been taken off, and they found nothing they expected to find, they did not allow us to put them on again; we were told to leave our clothes where they were,

and go to see the Chief. * * Macaleni, Ngwahla, and Mhlaba accompanied us. Addressing the tribe, they said such conduct as stripping messengers, and using them badly, was never done, and unless they wanted to destroy the tribe they should not do it. * * * I said to him (Langalibalele), I have come to you; though I have been treated as I have, I shall still deliver my message. I am sent by the Government to call you, and although, from my nakedness, you might think I come from outside, yet I come from the Government. * * * I enquired how it was that I, an Induna, under the same power as himself, should have been stripped and treated as I had been by his orders, and in his presence. * * * Prisoner said we had been so treated by his orders. * * * Macaleni asked, whenever had it happened that a messenger sent from one power to another had been treated in this way. * * After entering the hut, I requested that another of my men might be called in, so that there might be more witnesses; he was also stripped before he was allowed to enter the hut. * * * I asked him (the Chief) if he had anything more to say; if so, to tell me to return the next day, but if not, to let me go away altogether, and cover my nakedness. * * After we had dressed, I sent back Umhlolo on leaving, to dilly dally about the place where we had been stripped."

On p. 26 will be found a further statement by Mahoiza as to the stripping: "They came up and took off my clothes. They intended to strip me altogether, but I said I had no other dress to wear, and I was allowed to retain my trowsers and boots. They took off my coat, waistcoat, shirt, and gaiters."

Let us now see to what extent this evidence meets with confirmation.

The prisoner, Langalibalele, "Further admitted that he had treated the messengers of the Supreme Chief with disrespect, in that he had caused them to strip and undress, but he said that this proceeding was a matter of precaution, caused by fear. The other indignities offered to the messengers were so offered outside the hut, he (the prisoner) being at the time inside."

Zatshuke, when referring to the above plea, said: "Then came the further and more fatal mistake of the treatment of the messengers of the Supreme Chief, and the refusal to appear before him. The only satisfactory part of the prisoner's reply was his admission of the way in which he had treated the messengers, a fact which, under the circumstances, he could not deny, seeing that the men were here. When the prisoner undressed, and stripped the messengers, he was on that occasion actually stripping the Supreme Chief, and insulting him in the grossest possible manner. It would have been much better, and he (Zatshuke) would have been better satisfied, and more inclined to believe him, if prisoner had admitted the truth of all the other charges, for it appeared to him that a denial only aggravated the offence."

After Mohoiza had given his evidence on Langalibalele's trial, "the prisoner was asked if he had any questions to ask these two witnesses [Mahoiza and Umyembe]. He replied that the only thing he admitted was the stripping the witnesses of their

clothes. * * * The Supreme Chief asked the prisoner why he had allowed the messengers to remain undressed, when he found they had nothing? The prisoner evaded the question, but said the messengers were in the hut, and they were afterwards allowed to put on their clothes again."

Mhlaba said, in reference to Mahoiza's visit: "Afterwards he was summoned to see Langalibalele, but they said that he must take off his clothes; * * * and further, "I said that messengers of this sort were never badly treated; I said this when Mahoiza was told to strip."

Mhlaba further said, in the statement at his own trial, p. 58: "When Mahoiza stood up to go, the people called out, 'You must leave your clothes here; what is it makes you look so stout?' I said immediately, 'How can you ask him to take off his clothes; is not that equal to killing him?' * * * Mahoiza opened his arms, his clothes fell off, and one of his own people picked them up. They also told Umyembe to take off his clothes. He said he had very little to take off, but they said, 'Never mind, take them off.' But Umyembe did not take off his clothes."

Again, Ngwahla, p. 59, says: "Someone of our people said, 'What makes you so stout, Mahoiza? Put your clothes down, and take off your jacket, that we may see.' He took off his jacket, put it down, and went to talk to Langalibalele."

Malambule, the son of Langalibalele, when making his statement before the Court, before which he was tried, said, in reference to this subject: "I was present when the order was given for Mahoiza to undress; he himself took off his own clothes."

Manaba, on the same occasion, said, "Langalibalele sent an order by Pangele that, as he was alarmed, Mahoiza must take off his clothes. After that I saw Mahoiza enter the hut, with his jacket off."

Mbaimbai, after mentioning the order issued by Langalibalele, said: "Mahoiza then came in without his jacket."

Not only is there, therefore, the admission of the prisoner Langalibalele, but a mass of evidence as to the gross insults offered to the messengers of the Supreme Chief. The following pages abound with references to the light in which this conduct was regarded by the natives. To anyone acquainted with native ideas and feelings, it is needless to remark what importance the Kafirs attach to punctilio, so that the insults become more significant the more they are considered. If proof, as to the observance of punctilio, is considered necessary, let us remember that Langalibalele himself expressed his dissatisfaction that Mabuhle sent him word, as to the action at the Pass, by a young man instead of by a man whose age would have better entitled him to an audience with his chief.

Exception has been taken to a statement that Mahoiza was driven into the Chief's presence, prodded by, or at the point of the assegai. We find no such sensational story

in evidence, and need not refer to the treatment, further than to mention that he was conducted by an armed guard to the door of the Chief's hut.

Another point which has been called in question is the number of cattle furnished the party under Mahoiza. At the meeting with the Chief, Mahoiza complained that he had only received three head of cattle. It must be remembered that his party numbered about twenty, and that he arrived at the chief kraal Pangweni, in the Location, on the 11th October, and was not allowed an interview until the 28th October, at Nobamba, so that the complaint appears, on the face of it, to have some foundation in fact. Ncamane, an old man of the tribe, who took an active part in politics, volunteered the statement, p. 62, that Mahoiza had only been furnished with three head of cattle; and further adds, that only one of these was the private property of the Chief.

Mtshitshizelwa, a messenger from the Magistrate of Weenen County, was also obliged to make the same complaint on a former occasion, but received a far from satisfactory reply.

The treatment received by Mahoiza is so clearly stated in his evidence recorded in the pages which follow that we need do no more than point out that the messengers who left Pietermaritzburg on the 4th October reached Langalibalele's kraal Pangweni on the 11th October, but it was not until the 28th of the same month that he had the interview with the Chief.

Let us endeavour to trace the action of the tribe for some time prior to the disturbance. The people had held several meetings in various parts of the Location to discuss the situation of affairs, and at these meetings the action of Langalibalele in refusing to obey the summons was approved by the tribe. The cattle accustomed to graze on the lowlands had been driven up to the highlands for security; the tribe had manufactured gunpowder, having learned that art from a Basuto; the chief dealt out powder to his men with instructions not to use it in shooting game, and this had occasioned considerable anxiety to his neighbours the Basutos; they had endeavoured to purchase as much lead as possible, and make other arrangements for a campaign; the regiments had been drilled and solemnly strengthened for war (intelezi yempi) by the Inyanga or doctor of the tribe on two different occasions; the members of the tribe who did not possess fire-arms received a comtemptuous nickname; the caves were stored with corn, and blankets and great-coats were purchased to enable the men to brave the inclemency of the weather across the mountain; the members of the tribe whose loyalty to their Chief was suspected were threatened. When Mahoiza arrived in the Locations there was much bustle and commotion, and preparations were being made to place cattle, women, &c., in places of security in anticipation of the coercive measures about which they had received warning. Several plans, some wild, some feasible, appear to have been discussed, but it is difficult to know what particular proposal it was ultimately decided to adopt; things were apparently left much to chance, and whatever happened would be regarded as their fate, which no action or forethought on their part could avert. One thing is known that the cattle were at an early date

sent to the fastnesses at the sources of the Little Tugela, where it was then evidently intended an attempt should be made to defend them, and they were only recalled when the flight over the mountain had been determined upon.

There is another point to which we have referred elsewhere—the overtures to the Basuto Chieftains; there is also the mysterious message sent by Langalibalele to the Chief Hlubi, whose people rendered such loyal service during recent operations, and there is no reasonable doubt that messages, with a view to obtain assistance and secure the co-operation of other native tribes, were sent to Chiefs in this Colony, who were at any rate deemed to be disaffected to the Natal Government. Langalibalele had also been in communication with Cetywayo, Paramount Chief of the Zulu Nation.

Langalibalele's refusal to obey the summons to appear in Pietermaritzburg was known throughout the length and breadth of the Colony. The native population, numbering in the aggregate about 350,000, keenly watched to see what steps the Government would take to vindicate its authority. It was felt that it would never do to allow a small tribe, numbering less than 2,000 fighting men, to defy the orders of the Government, and by their example encourage acts of insubordination on the part of other tribes in the Colony, some of whom were believed to be implicated in their proceedings, and ready at the first favourable moment to do their utmost to put an end to English rule.

The causes which led to this rebellion are not, we think, far to seek. The Amahlubi tribe had increased in numbers, wealth, and influence. Langalibalele found himself almost an absolute monarch in everything but the power to kill his subjects. He was looked up to by a community numbering, with that of the adjoining Putili tribe, upwards of 14,000 souls. He occupied a large extent of country, not only fertile, but abounding in natural fastnesses, where a native force could, for a length of time, support themselves, and conduct a harassing guerilla warfare against regular troops. The Chief thus isolated, and living at a great distance from the central authority in Pietermaritzburg, conceived a great idea of his power and position, and this was fostered by the adulation and flattery of his attendants, and the ambitious designs of his counsellors. He saw the authority of the British Government was represented in Weenen County by a European Magistrate and his clerk; and to this Magistrate, surrounded by none of the emblems of power, he, the almost absolute ruler of about 15,000 natives, was bound to render obedience. True, there were a few European farmers in the County of Weenen, but they would doubtless leave their farms in case he chose to assert his independence; and what power could then control him, or bring him back to his allegiance? The subject of their legal bondage or pupilage would be discussed until it came to be regarded as an unbearable grievance—a yoke which, as lovers of liberty, of freedom, they must cast off, at any price—a yoke which it seemed so easy to cast off for ever, that they began to feel that, as men, they could do nothing less than make the attempt. This spirit of independence was fostered by the delay which an English Government always manifests in punishing those little matters which

are so indicative to an observant mind of a change in the feeling of natives, and of a falling off in that respect for constituted authority, the manifestation of which in the case of two native powers would be checked with promptitude and punished severely. During a peaceful residence of upwards of twenty-five years under this Government, a new race had sprung up. The old men had forgotten the dangers from which they had fled, the asylum they had found in this Colony, and the subjection in which they had been held in the Zulu country, with which the mild rule of the English Government compared so favourably. A new race had sprung up, which knew nothing of all this; which began to despise a power which, by its inherent strength and the righteous principles of its government, had maintained peace within its borders for so many years, and had enforced authority without blows; and they clamoured for the excitement of war, for a declaration of independence. The old men appear to have been little loath; and the counsels of impetuous youths were allowed to have undue sway in the deliberations of the tribe. The young men deliberately set themselves to prove that they were better than their fathers; and these were not unwilling that this should be done, if it led to the independence of the tribe, to its freedom from the payment of taxes, and if it fostered that warlike spirit which had been so long checked and held under control. These opinions, discussed and accepted at last without question, led to the final refusal to obey the summons of the Supreme Chief, and, in case this was not deemed sufficient, to the insults offered to his messengers; insults which were intended to be a direct challenge to war. The possession of a large number of fire-arms led the tribe to think the only thing which made European forces superior to native forces in war had been removed; and that a native army provided with guns was equal to a European army similarly armed, and this opinion greatly influenced their conduct. The possession of these guns by the tribe was the stock argument of those who sought to overturn the existing state of affairs.

The number of guns which the tribe was entitled by permission to hold was forty-eight; the number surrendered by those who went to Molappo's was 111. Large numbers are now, doubtless, concealed in the bushes and caves of and buried in the Location, where also a large number of guns were taken from the men who were made prisoners.

There is another point which must not be lost sight of. Langalibalele undoubtedly expected that, if once a successful blow were struck, other neighbouring tribes would have rushed to his standard, and aided him in resisting the authority of the British Government.

It having been resolved to take steps to vindicate the authority of the Government, no time was lost in giving effect to the resolution. Instructions were issued, on Wednesday, the 29th October, 1873, to the Natal Frontier Guard (Ladysmith), the Weenen Yeomanry Cavalry, the Weenen Burgher Force, the Karkloof Carbineers, the Natal Carbineers, and the Richmond Rifles, all mounted volunteer corps, to turn out to assist in supporting a civil force in capturing the offending Chief, and bringing

him to justice. The Magistrates of Ladysmith (Captain Lucas), Weenen (Mr. Macfarlane), and Richmond (Mr. Hawkins), and the Border Agent (Captain Allison) at Olivier's Hoek, also received instructions to call out a large native force to assist in the operations. Natives were also sent up from Pietermaritzburg County, to aid in carrying out the movements which had been concerted. The natives so called out were provided with suitable fire-arms; and were regarded as the civil force collected to capture the chief offenders, and prevent their escape. The Volunteers were to support the civil power, if necessary; and the military were again the *dernier ressort*, in case the Chief and tribe showed fight.

The plan of operations, which had been resolved upon after careful deliberation, included the investment of Langalibalele's Location; and the instructions issued to the commanding officers of the various divisions provided for the establishment of a complete cordon, which, if occasion required, would have been drawn closer and closer, until the capture of the Chief and his tribe had been effected. The several divisions were expected to be at the respective stations appointed for them not later than eight o'clock on Monday morning, November 3, 1873.

It was hoped that Langalibalele, when he saw the determined attitude which the Government had assumed, would be overawed, and surrender himself to the authorities, but this hope was not fulfilled.

On the evening of Thursday, October 30th, 1873, during the sitting of the Legislative Council, the following Message was received from the Lieutenant Governor:—

The Lieutenant Governor has the honour to inform the Honourable Legislative Council that a Native Chief named Langalibalele and his tribe, situated at or near the source of the Great Bushman's River, have set the authority of Her Majesty's Government in this Colony at defiance, and are charged with committing acts amounting to public violence and treason. He has therefore directed the Commandant, with the aid of Her Majesty's forces, to support such a civil and police force as he has considered necessary to call out to capture the offenders, and to bring them to justice. As this is a matter of great importance to the peace of the Colony, and as very grave responsibilities are thrown on the Governor in such cases, by recent instructions of Her Majesty's Government, His Excellency considers it his bounden duty to be with the troops, to co-operate with the Commandant in giving such directions as may be necessary. The Lieutenant Governor has therefore the honour to inform the Legislative Council that he intends leaving the City on Friday next, to join the troops who have marched out to-day. The Lieutenant Governor is sure that the Honourable Council will, during his absence, go on with the public business in the same zealous manner and good spirit which have marked their proceedings during the session, and so expedite public business. The Lieutenant Governor will give directions that news of the operations shall, as far as possible, be conveyed daily to the City and Durban. The Lieutenant Governor feels confident that the Honourable Legislative Council will, collectively and individually, do all in their power to allay apprehension, and to check needless alarms.

To this Message the Legislative Council unanimously agreed to forward the following Address:—

Mr. Saunders moved, seconded by Mr. Winter, that Respectful Address No. 20 be presented to the Lieutenant Governor, acknowledging the receipt of Message No. 19, of this day, and thanking His Excellency for the same. The Legislative Council desire to assure His Excellency that he may rely on their support in any measures which His Excellency may, under existing circumstances, think necessary for the maintenance of Her Majesty's authority in this Colony. The Legislative Council desire further to express the fullest confidence in His Excellency's ability and judgment to carry the contemplated operations to a successful issue.

His Excellency, therefore, in authorising the steps to be taken to enforce the submission of the Amahlubi tribe, had the cordial support of his Executive, the Legislature, and the people of the Colony. He had, in fact, all the physical and moral sup-

port which the Colonists could give him in executing a duty, than which nothing he could do as Lieutenant Governor of this Colony would be more keenly criticised here and elsewhere.

His Excellency, in addition to the advice of other officers of the Government, had the advantage of the counsels of the Secretary for Native Affairs, who went to the front, and upon whom a large amount of responsibility rested, not only in connection with the raising, but the control and proceedings of the large native force engaged. Mr. Shepstone's services were important, and, perhaps, from the general success which attended the steps taken under his direction, less noticed or appreciated than would otherwise have been the case.

On Thursday, the 30th October, 1873, about 150 men of the 75th Regiment, the Corps of Royal Artillery stationed here, with their two guns, and the mounted Volunteer Corps, the Natal Carbineers, left the City for the front. They reached the rendezvous on the afternoon of the Saturday following. The other divisions of the force which had been called out were also promptly at their respective stations. All way of escape to any other part of the Colony was thus cut off.

His Excellency the Lieutenant Governor left town on Friday, at about noon, to accompany the expedition.

A brief and general description of the Location lately occupied by Langalibalele will be necessary. We have before said that the land had never been conveyed to the Natal Native Trust, and no apparent necessity having therefore existed for its survey, the real extent of country occupied by the rebellious tribe was not known, though it was generally supposed to be about 90,000 acres. A recent survey has, however, shown that the extent is little short of 200,000 acres. The Location included some of the finest arable land in the Colony, and the lowlands are described as very fertile; the grazing land was also superior, and cattle thrived remarkably well. Some parts were wild and mountainous in the extreme, and the magnificent scenery was such as the artist would delight to sketch, and the lover of nature to gaze upon. But the slopes of the Drakensberg, which bounded the Location, were habitable to the very base of the mountain. Many parts of the Location are almost inaccessible, and by Europeans uninhabitable, and abound in caves and natural fastnesses of great strength. The fastnesses at the sources of the Little Tugela would appear to be, in reality, impregnable if properly defended by a band of resolute men, even though armed with inferior weapons. The Table Mountain was cleared on two or three occasions, the caves there being re-occupied by the rebels after they had been taken. The bush in various parts also afforded admirable places for concealment, and the fact that the extent of country to be covered was so large, caused so much of it to be left open at night, that frequently the occupants of a cave, or other place of concealment, on finding it no longer tenable, would leave it soon after dark, and, travelling through the night, be early in the morning in some safer spot, miles distant from the place occu-

pied by them at sunset on the previous evening. There is no doubt that a great deal of travelling took place during the night season, and that no adequate means existed for intercepting the fugitives.

It now becomes our painful duty to refer to the unfortunate action at the head of the Bushman's River Pass, in which three of the Natal Carbineers, a native interpreter, and a friendly Basuto, lost their lives in a vain attempt to prevent the tribe from escaping out of the Colony by that route.

On Sunday afternoon, November 2nd, after the troops and volunteers who had left the City and its neighbourhood had been in camp about 24 hours, news having been received that Langalibalele had retreated to the foot of the Bushman's River Pass over the Drakensberg, and in pursuance of the original plan, the Karkloof Carbineers, and about twenty of the Natal Carbineers from Pietermaritzburg, accompanied by about twenty Basutos, under their Chief Hlubi, were ordered out for active service. They received instructions to leave the camp at Meshlynn, at 8·30 p.m., and to reach the head of the Bushman's River Pass by the same hour on Monday morning, to occupy that position, and prevent the retreat of any members of the tribe or their cattle. Major Durnford, R.E., was placed in command ; the men were each supplied with forty rounds of ammunition ; provisions at the rate of three days per man, and spare ammunition, being carried by pack horses.

The arrangements connected with this march and the unfortunate results are almost the only serious blot upon the management of the expedition. There appears to have been no adequate knowledge of the country to be crossed before the position indicated could be reached by the Volunteers, who, being mounted, were necessarily told off for this arduous duty. There was not only a want of knowledge of the country on the West, or further down the mountain than the Bushman's River Pass, but also of the mountain passes to the North or North-East. For it had been arranged that the force under Major Durnford should be supported by a large native force under Captain Allison, who had received instructions to be at the head of the Pass at the time fixed upon as that at which the Carbineers would be enabled to take up their position there. The absence of any known Pass, by which this union of the forces could be effected, prevented the Carbineers from receiving the support which they expected, and which it was intended they should have.

We shall not go out of our way to blame the Executive Officers of the Government for not possessing the necessary topographical information ; that they did not possess it is a matter of regret to all, but when we observe the manner in which all expenditure connected with the acquisition of necessary information for the efficient government of the natives is enquired into, the persistent manner in which the salaries of Border Agents have been objected to, although the head of the Native Department has urged how necessary the appointments are, it may be questioned whether the Legislature, in the absence of any exciting cause, would have consented to incur the

expense of making such a survey as would have furnished the necessary information had such a survey been proposed.

True, it was subsequently ascertained that a Royal Engineer Officer in Pietermaritzburg possessed information as to the Bushman's River Pass, professional knowledge, of which the Government, had they known of its existence, would gladly have availed themselves.

Much has been said and written in reference to the order not to fire first. This order cannot well be defended, for it needlessly crippled the action of a responsible Officer; nor can the conduct of the Officer altogether escape blame, who could not see that an order, even though right and proper under certain circumstances, may be under others unadvisable or impracticable ; and it is for not exercising his discretion or sound common sense as to this order, and also for not protesting against the restriction thus placed upon his liberty of action, that the Officer in command has been chiefly blamed. The circumstances of the case and the conduct of the natives removed the obligation of the order, as Major Durnford no doubt subsequently learnt. Whilst we express our disapproval of the order, and its literal execution, let us remember that the idea was that the native force would be present, that they would do the work and bear the brunt, and the Volunteers would only be called upon to act in case of open hostilities between the opposing native forces, and when the allies needed support, possibly after shots had been exchanged on both sides. No enquiry into the affair at the Pass has as yet taken place.

We cannot do better than give Captain Barter's spirited account of the Carbineers' march, and of the affair at the Pass, referring our readers to the evidence of Makatise, given on p. 17, and supplementing the account by particulars gleaned from native sources:—

At 1 a.m. we crossed the Mooi River for the second time, within a mile of Meshlyn, when it was discovered that two of the pack-horses were missing, and that these two carried not only a portion of the ammunition, but the whole of our store of provisions. Our Basuto scouts not being able to discover them, we up-saddled at 3 a.m., and proceeded up what is called the "Game Pass," which ascends the lower range of the Kahlamba under Giant's Castle, but a little to the south of it. I must premise that the data upon which the orders were based were founded upon a sketch, which shows a plateau or flat top between the summit of this pass and the head of the Bushman's River Pass. We shall see how this was verified. Travelling through the night, we emerged upon the said plateau, and for some time rode over a fine grass country. Suddenly, however, turning to the right, we found ourselves facing a stupendous mountain, its sides scarred and scoured with water furrows, and discovered that this obstacle lay between us and our destination. All this time our commanding officer pressed on, eager to fulfil his instructions, the men occasionally munching dry biscuit, helped down by a drop of rum. After one or two minor inequalities of ground, we came to the edge of an abrupt descent of slippery grass, very steep and long, so trying to the necessarily dismounted men that a considerable number were thoroughly knocked up before they reached the bottom. Crossing the Umkomaas River close to its source, we commenced the ascent of a precipitous hill, which in any other spot would be a mountain. Here several of the Natal Carbineers succumbed ; of whom three made their way back. How horses and men struggled up, by a succession of springs and rushes, was a miracle ; but the ascent was not accomplished without accident. Major Durnford, pulled back by his horse, rolled many feet down a precipice, dislocating his shoulder, and otherwise injuring him in the head and body.

Full of energy, however, he struggled on to the top, which the greater part of us reached, minus our remaining pack-horses ; one of which was supposed to be seriously hurt, if not killed. A mile of easier travel along a ridge, and we off-saddled on good water and grass, a little after noon. Here we left Lieut. Parkinson and Sergt.-Maj. Otto to bring up stragglers, and to collect the pack-horses ; and, with a force reduced to thirty-two rank and file, proceeded onward at about 2 p.m. A short ride brought us again to the Umkomas, with no very abrupt descent. The scene before us was savage in the extreme. Down the bare side of the mountain hung ribands of water, showing the spot to be the very birthplace and nursery of rivers ; above, huge krantzes frowned, while the masses of unburnt dry grass, hanging like a vast curtain, gave a sombre and malignant aspect to the scene. How we slipped and struggled, fell, to get up and struggle again, or lay panting on the ground, despairing of accomplishing the task, it would be tedious

to tell. Trooper Fannin was the first man out about sunset; myself the last about 8 p.m. I should say that this pass is the one mentioned by the *Witness* as little known, except to Bushmen, &c., and certainly little known to the Government, who represent the country as a plateau. Had Mr. Popham been at home, he could have corrected this mistake; as it was here that his cattle were slaughtered by the Bushmen some years since. The last part of the ascent is terrific, among boulders of immense size, on sloping ground, offering no hold for anything but a naked foot. When some hundred yards from the top, Major Durnford fainted, and lay where he fell through the night, sedulously attended by Trooper Erskine, of the Natal Carbineers, who twice descended with brandy and other available comforts, stayed with him through the night, and, with the assistance of two of the Basutos, brought him out of the pass between 1 and 2 a.m. We had linked horses, and camped out above, at a height, by aneroid, of 9,100 feet above sea level; and, after a few hours of such sleep as the intense cold would permit, were again in saddle a little after 2 a.m.

Proceeding over a stony and rugged surface, we began to near our destination; and at about 6·30 on Tuesday morning (instead of 8·30 on Monday morning) occupied the pass, weary and jaded, but in thoroughly good spirits.

I have hitherto omitted the important fact, that it had been announced to us that Mr. Allison, the late Border Agent, was to be on the spot by the original hour appointed, with a large force of natives, to support us. Why he failed us will be a matter for enquiry.

Our commanding officer formed the men in single line across the mouth of the pass; and we proceeded to make a careful inspection of its depths. All seemed quiet at first; and we congratulated ourselves upon our success. We had seen some natives above, but, as they showed no hostility, we took little notice of them. A large herd of cattle was also feeding above; and, as hunger has no law, Major Durnford gave orders to the Basutos to stab one of them, as it would not, of course, do to fire a shot. This was not effected till four or five had been wounded; as there was, of course, no means at hand for securing them. One was at last slaughtered; and such was the raving hunger of the men, that some ate pieces of the raw meat, while others devoured the paunch, after the manner of Kafirs.

By this time, a lot of natives had gathered in our rear, and might be seen approaching in a body. We at first supposed them to be part of Allison's contingent, but we were soon undeceived. Major Durnford, after some conversation with Elijah, whose behaviour throughout was excellent, rode off to parley with them, refusing my offer to accompany them. I afterwards rode up with a trooper, seeing their excited gestures, and knowing well that mischief was brewing. It appeared that the elders and head men had no wish to commence hostilities, but were unable to control the younger. This was shortly seen; for, when a number of them ran up the rocks on either side, and taking position, deliberately covered our little troop with their muskets, they were deaf to every order or remonstrance of their elders, though in one case enforced by a blow.

We had set look-outs along the ledge of rocks on both sides, and were soon apprised that the men from above were calling those from below to come up. This we had orders to resist, but not to fire the first shot; the consequence of which was that the men forced through us; and soon both sides of the opening were lined with enemies. Some were mocking and jeering at us, some sharpening their assegais upon the rock, and calling to us to bring up the real army.

The plot thickened. For a long time the men had stood quietly, seeing themselves caught in a trap, commanded by the pointed guns of their foes, and compelled to remain inactive. At length, several of the oldest and steadiest of the Karkloof Carbineers, came to me, and said that it was plain we were surrounded, and caught in a trap; that there was neither support nor open country behind them; and that, as they could not accomplish the work they were set to do, they ought to retire before the numbers were increased, or the excitement reached a climax. These feelings were not calmed by Sergt. Clark, who loudly shouted that we were going to be murdered, &c., and whose experience in Kafir war gave his words authority.

I decidedly thought, and think still, that to match thirty-two men, jaded and sick with hunger, even with the very efficient aid of the Basutos, would have been madness. In defence of home and country, men will encounter fearful odds; but I hold that the arrest of the rebels would not have compensated for the loss we have already sustained. Had we arrived before any portion of the tribe, there is no doubt we could have held the pass as long as our ammunition lasted; though the injunction to await their fire involved the certain sacrifice of one life. But our ammunition gone, and night upon us, what must have occurred? In our actual position, I am perfectly certain that, had we not retired, few, if any, would have lived to tell the tale. The first volley would have struck many down; and though the men would have fought well, with the ball once opened, they would have served principally for targets; the enemy having the advantage of position, knowledge of the ground, and the feeling that they were fighting for their chief and their home. They were surprised at first, and a bold dash might have struck a panic; but, as they drew together and saw their strength and our weakness, their insolence increased, while the confidence of our men diminished. Our commanding officer, as gallant and determined a man as ever breathed, would have cheerfully sacrificed, not only us but himself in the execution of his orders. He is doubtless right from his point of view; and had he insisted, I am sure that the bulk of the men would have obeyed his orders. He yielded very reluctantly to my remonstrance, though not before making an effort to provoke hostilities. An attempt was made to commence, by forcing the natives who were above the pass back into it. This necessitated a division of the little force. The natives, moreover, determined to run no unnecessary risk, simply gave way slowly, while on the other side they were gathering. This was the side that commanded our retreat, which they meant to intercept. My own impression was, that if they gained their object of keeping the pass open, they would not care to molest us. The result showed I was mistaken. When the word was given to retreat, the men formed fours, and retired at a walk, as steadily as on parade. They were then extended into half sections; and, as they were forming files from either side, the fire began. As we turned and entered the gorge, with a stony hill close, the bullets fell like hail. I drew pistol, and looked at the hill, but could see nothing but little jets of smoke; and feeling sure that it was all over with us, cantered on. Just as we rounded the corner nearest to the hill, I saw poor Erskine struck; and am certain that he was dead before he reached the ground. He had supported the Major in his wish to continue the occupation of the pass, and had behaved with that gallantry which distinguishes all his family. Sergt. Varty's horse falling dead, he seized the grey which had carried poor Erskine, to be again unhorsed by a chance shot. This time he must have been lost but for the assistance of Troopers Fannin and Spiers, one of whom caught a led horse, and the other helped to shift the saddle from the dead steed to the living one. This was all that I saw of that fearful ride.

Poor Elijah, whom the editor of the *Witness* will, I am sure, regret, fell by the side of Major Durnford. The Major, leaping a gulley, was beset by two Kafirs, one of whom seized his bridle. The ready

pistol disposed of one, and a parting shot rolled over another. We rode up a hill with the idea of taking up a position; but some still pressed on, and our retreat became more and more straggling.

In the throat of the big pass we met our comrades whom we had left behind, and continued our route. Trooper Taynton had a narrow escape here. He had stayed behind to look for a missing haversack, when three of our Basutos warned him that two of the enemy were coming down. They took shelter behind a rock, and, after exchanging a few shots, one of the enemy fell, and the other ran back up the pass.

Arrived at the bottom, we took a path suggested by Trooper Fannin; and, plunging into the recesses of the Umkomas, followed the valley for miles, and reached camp without further molestation; having been out fifty-two hours and a half, of which forty and a half hours were spent in the saddle, or climbing hills, having crossed a country such as no cavalry corps has probably ever before attempted, and doing even this on dry biscuit, sparingly administered.

The news that three of the Volunteers, who a short time before had gone to the front with such cheerful alacrity, had lost their lives, caused intense excitement throughout the length and breadth of the Colony; but the news was received with very different feelings by the white and black population; the former were sad at the tidings, the latter scarcely concealed their joy.

We will not dwell further upon the painful incident; the colonists have marked their appreciation of the valour shown by those whose names will ever be affectionately remembered by the people in whose behalf they shed their blood, by arranging for the erection of a suitable monument in a conspicuous place at the Seat of Government.

Although the cordon was complete, no hasty measures were taken against the tribe. During Tuesday and Wednesday, the 4th and 5th November, heralds were engaged in proclaiming throughout the length and breadth of the Location, calling upon Langalibalele to come in and deliver himself up, and advising those who did not wish to be implicated, to take steps at once to declare themselves to the Government forces, and to re-occupy their kraals.

The kraals were nearly all deserted; but no wild destruction of huts took place in consequence. The women and children had concealed themselves in the caves; and with them were such members of the tribe as had not escaped over the mountain by the Bushman's River Pass. There is ample evidence to show that the terms of the Proclamation were widely circulated; not only by the heralds employed for that purpose, but also by those who heard the heralds to those who had concealed themselves in out-of-the-way parts of the Location, where it was unsafe and impossible for the heralds to penetrate. The heralds performed their duty well; and that it was a dangerous one is shown by the evidence of Mahoiza, on p. 14, Adam, on pp. 55, 56, Hlaba, on pp. 53, 54, and Nomyaca, on pp. 54, 55.

On Thursday the attack commenced; and thereafter the forces on all sides swept the country before them. The character of the country to be searched made the duty a difficult one; and to perform the work well, a long time was required. It was found that the women and children of the tribe, who had been deterred by the action at the Pass from leaving the Colony for Basutoland, had concealed themselves in caves, behind rocks, in the bushes, and in other places of concealment, and in the natural fastnesses with which the country abounded. In many cases, these women refused to surrender when called upon to do so; and their capture was not effected

until the few men who had remained behind when their companions went over the mountain had been either killed, or, seeing their utter inability to defend their charge, had fled. The Government forces and native allies were repeatedly fired upon from caves and rocks; and the work of "drawing" all these hiding-places was difficult and dangerous. Lives were lost; rebels who showed fight and resistance were slain with arms in their hands; and native allies died in the discharge of their duty. Acts of cruelty and revenge are inseparable from war of any kind; but without taking into consideration that in suppressing this rebellion barbarians were necessarily opposed to barbarians, Natalians may feel thankful that the horrors of our little war were not unnecessarily prolonged; and that they were only such as are inevitably connected with the unsheathing of the sword—a proceeding for which Langalibalele and not the Natal Government is responsible. The native allies, as a general rule, practised those lessons of mercy which had been impressed upon them (see Adam's evidence, p. 56); and we question whether, even in a war between civilized races, a large number of defenceless women and children would have received such gentle treatment, and enjoyed such immunity from insult and wrong at a time when, more than any other, the worst passions are aroused, and might is the only right which is respected. The conduct is the more noticeable, when we remember what a low social position is occupied by women among the native races of South Africa. The British Government, conscious of its strength, and of the necessity for, nay, justice of, the measures taken against the Chief Langalibalele throughout the whole of the operations, called upon the people to surrender and save their lives; and only when this offer of mercy, so frequently repeated, was refused, were active measures, sometimes attended with loss of life, taken to compel submission to rightful authority.

We will not weary our readers by recounting the various incidents connected with the resistance offered by separate or independent bands of rebels to the Government forces, when engaged in the work of clearing the Location. The Volunteers and native allies were for some time successfully engaged in this work; and a large number of prisoners, principally women and children, were taken. Every effort was made to spare the lives of the enemy, and to take prisoners, rather than kill those engaged in resisting the authority of the Government. It is a matter for congratulation that the three Carbineers who were killed at the Pass were the only Europeans who lost their lives during the expedition.

So much has been said and written about the case of the rebel who was shot at the cave, that we shall be accused of shirking any reference to an incident which has been invested with considerable importance, unless we mention the circumstances.

A native rebel had concealed himself in a cave, and behind a large stone therein. He was called upon to surrender, but did not give himself up; and with his gun and assegais offered a determined resistance to the Government forces. He was ultimately brought out of his hiding place, and, by the order of the officer in command, shot. It has been urged that the man was so wounded that it was a mercy to put him out of his misery.

Such an argument in the present day is untenable. We regret, on many accounts, that the act was committed—aan ct so contrary, we understand, to warlike precedent. We must, however, not forget that if mercy had been extended to this man, the act might have been misconstrued by a barbarian race; and that the results of every act must be weighed, as they undoubtedly were in this case, by the officer in charge of the attacking party. This incident is the only one in which the action of the European forces appears to have attracted or to deserve adverse comment. Acts of mercy would, however, as a rule, be regarded as signs of fear; and severity and stern measures at the outset of a native disturbance frequently prove in the end the greatest mercy.

One or two natives who did not actively participate in the rebellion are reported to have lost their lives by the unwarranted attack of some of the native forces, when fired with excitement and revenge, and flushed with success. The charge, we believe, is unfortunately true; and though the dead cannot be brought to life again, the matter has been investigated, and the Government will doubtless do all that can now be done in the matter. The innocent ever suffer with the guilty. It is so in small matters; and is it surprising that, in a serious matter like the present, barbarians should not draw distinctions as to the guilt or innocence, the complicity or otherwise, of members of the same tribe?—a lesson which civilized nations have been so slow to learn.

On the 11th November, the two proclamations which follow were issued by His Excellency the Lieutenant Governor; by these Martial Law was established, and the Amahlubi tribe disbanded:—

PROCLAMATION.

By His Excellency Sir Benjamin Chilley Campbell Pine, Knight Commander of the Order of St. Michael and St. George, Lieutenant-Governor of the Colony of Natal, and Supreme Chief of the Natives thereof.

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

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

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

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

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

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

God save the Queen!

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

(Signed) Benj. C. C. Pine.

By His Excellency's command,

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

PROCLAMATION.

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

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

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

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

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

God save the Queen!

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

(Signed) BENJ. C. C. PINE,

By His Excellency's command,

(Signed) T. SHEPSTONE,

Secretary for Native Affairs.

It was not until the 13th November that it was known by the authorities, with anything like certainty, that Langalibalele had fled from the Colony, and had accompanied the bulk of his tribe, with all the cattle which could travel across the Drakensberg mountain by the Bushman's River Pass.

The character of the country, the unfavourable state of the weather, and other circumstances are urged as an excuse for the delay, which otherwise appears unaccountable, in sending a force to occupy the Bushman's River Pass after the retreat therefrom of the Volunteers who had left three of their number dead on the field. This retreat took place on the morning of the 4th November, and it was not until the 17th of the same month that Major Durnford was despatched with 60 men of the 75th Regiment under Lieutenants Beaumont and Trower, about 30 Basutos, and a force of 400 Kafirs to the Pass to reconnoitre and bury the dead. The Rev. G. Smith accompanied the force to perform the Burial Service. On the 18th November the force ascended the Pass, meeting with no opposition; on the following morning the bodies, which had been recognised on the previous evening, were interred with military honours. Scouts were sent out, and proceeded about nine miles on the spoor of the cattle, but could see no signs of Langalibalele's people.

The military having performed this special duty, were on their return to Head Quarters Camp when they received instructions to re-occupy the Pass, and hold it until the flying column in pursuit of Langalibalele then being organised should start and cross the mountain.

Of the incidents which occurred in the Location after this date little can be said; they were comparatively of little importance. All the prisoners who had been taken from time to time were sent down to Pietermaritzburg, and distributed among the several Kafir kraals in the neighbourhood.

When the Government had captured the women left behind in the Location, the question arose as to the best way in which to dispose of them. They must be removed from the Location and dispersed; they must be placed in some part of the Colony remote from their late Location. If they had been allowed to remain in the Location the war would never have been over; the caves, which had been stored with grain, would, from time to time, have been occupied by the men on their return from Basutoland, after they had placed the cattle in safety, and nothing but a war of extermination would have restored peace to Weenen County. The disposition of these women was, therefore, a difficult question. They had been accustomed to hard manual labour, and the Government rightly took this into consideration when coming to a decision. The following paragraph in reference to the North American Indians is so applicable to the case of the native women of this Colony, and describes their position so accurately, that we make no apology for inserting it here:

"It is well known that corn-planting and corn-gathering, at least among all the still *uncolonised* tribes, are left entirely to the females and children, and a few superannuated old men. It is not generally known, perhaps, that this labour is not compulsory, and that it is assumed by the females as a just equivalent in their view for the onerous and continuous labour of the other sex in providing meats and skins for clothing by the chase, and in defending their villages against their enemies, and keeping intruders off their territories. A good Indian housewife deems this a part of her prerogative, and prides herself to have a store of corn to exercise her hospitality, or duly honour her husband's hospitality in the entertainment of the lodge guests."

In disposing of these women, the object the Government had in view was to settle them, if possible, permanently on private farms, where they and their families would, for certain services performed, be fed and clothed, and where they would ultimately be joined by their husbands and male relatives, whose labour would then procure, not only a permanent home for them all, but also those comforts which natives esteem. The regulations under which these prisoners would have been located would have been strictly enforced, and the welfare of the natives looked after. They would have been thus maintained without cost to the Government; and no one who has seen the hard field labour performed by European women in some of the agricultural counties of England, but would, if the choice were offered, prefer the lot of the native women, apprenticed or located as proposed by the Government, to that of the European. As coffee or cotton pickers, these women's services would have been gladly secured, and their labour would have been comparatively light; they would also have had the satisfaction of knowing that they were establishing a home for their male relatives. As domestic servants, also, the women might have been of great use to many a hard working farmer's wife, and have learned much valuable information which, otherwise, a native woman would not have the opportunity of acquiring. A revolution in the labour market might have been commenced, and, thereafter, work which has hitherto been performed by kitchen Kafirs, be performed by women, who, in other countries, are considered more suited than men for the performance of such

household duties. The more the subject is considered, and the way in which these women would have been treated under the strict surveillance of a paternal Government, the fewer do the objections which a mistaken philanthropist can urge, become.

The proposal, however, was not carried into effect; a protest was made; and it was ultimately decided to lodge the women with friendly tribes, and maintain them there in idleness pending the final decision as to the disposition of the men—their male relatives—who had been captured. Sentiment in this case prevailed over economy, expediency, and common sense.

On the 16th November the Carbineers, who had been ordered home, returned to town, and received a hearty and appreciative welcome from their fellow-citizens. The other Volunteer corps were, about the same time, sent to their homes.

The main operations in this Colony were now at an end, and Volunteers were invited to join the parties which were being organised to go in pursuit.

It was thought probable that Langalibalele would endeavour to escape to a relative of his on the St. John's River, and there find shelter. Mr. Hawkins, accompanied by about fifty Europeans, members of the Richmond Mounted Rifles, Karkloof and Natal Carbineers, &c., and nearly 300 natives, crossed the Umzimkulu on the 23rd November, *en route* for St. John's River, which they reached on the 26th November. Mr. Hawkins went on to Adam Kok's, and found the Griqua Chief had from 600 to 1000 mounted men ready to turn out at any time, that the country had been scoured for miles, and no signs of Langalibalele or the flying tribe could be found. Mr. Orpen was also there, ready on behalf of the Cape Government to assist in the capture of the Chief should he come that way, and Mr. Grant was also in the neighbourhood, with 200 of the Cape Frontier Armed and Mounted Police.

Mr. Hawkins saw that he had undertaken the journey to St. John's in vain; that his small force could be of no use, and was not required, when so much larger and more efficient a force could be called out at the shortest possible notice; and as, from the information received, there appeared little doubt that Langalibalele was at the sources of the Orange River, and the only way to ascertain this fact was to follow up the spoor of the cattle, he decided to return to Natal, and, ascending the Drakensberg, to effect a junction with Capt. Allison's force. Mr. Hawkins, therefore, re-crossed the Umzimkulu on the 1st December, and on the 5th ascended the Drakensberg by the Manzinyama Pass, and on the 7th of the same month effected a junction with Capt. Allison's force, on the East branch of the Orange River. Mr. Hawkins at that date had 46 Europeans, and 350 natives; the former went on to Basutoland, but of the latter, only about 70 were retained, the others being sent to their homes.

During the time Mr. Hawkins and party were journeying to and from St. John's, Capt. Allison organised and started with a flying column in pursuit of Langalibalele. But, before we report his proceedings, let us refer to some of the more well known incidents connected with the flight of the tribe.

On the day the expedition started, two messengers, who represented themselves as having come from Langalibalele, arrived at the seat of Government, and had an interview with the Secretary for Native Affairs. They were fully informed of the magnitude of the preparations which were being made, and of the plan of operations, which left no loophole for Langalibalele to hope to escape capture; they were advised that their Chief had better surrender himself, and trust to the clemency of the Government, for it was useless for him to think of contending against the forces which were to be brought against him from all directions.

These messengers, on their return, found Langalibalele at the Ntabatabeni kraal; they told him the particulars of the plan of operations; that the forces would be there on Sunday; that not only Europeans, but a large native force had been called out to enforce his submission, and ensure his capture. This news created great consternation, and resulted in the precipitate flight of nearly the whole fighting strength of the tribe, with the cattle, across the mountain.

Before his departure Langalibalele is reported to have given instructions that in no case were the forces of the Government to be resisted or fired upon, not even if the men got in amongst the cattle of the tribe. The date of this instruction, whether correctly or not, has been fixed as before that on which Langalibalele's interview with Mahoiza took place.

And in connection with this instruction, we may refer our readers to the etiquette said to be observed in native warfare, viz., that the force or army of the superior power should commence the war, and that whatever happened afterwards, the forces of the vassal, or inferior power, would, in the first instance, only fight in self-defence; and no doubt the knowledge of this custom had something to do with the orders given to the English force not to fire first, an order which, being obeyed to the letter, and not in the spirit in which it was given, led to the disaster at the Bushman's River Pass.

It must have been about this time that some attempt was made by augury to pry into the secrets of the future—to learn the probable results of the operations. In Coomassie recently, a white and a black goat were encouraged to engage in deadly conflict; and also here, it is said, though it has been found impossible to obtain any evidence confirmatory of the rumour, that a white and a black ox were each skinned alive to see which of them would survive this torture longest. The animals were regarded as representing the whites and blacks.

On Sunday, the day after hearing that the forces had left Pietermaritzburg, Langalibalele, with his sons, started on his flight from the Colony. That night he slept at the foot of the Bushman's River Pass, and on Monday morning ascended the mountain; and the concurrent testimony of members of his tribe is to the effect that he pushed on and slept at a spot about twelve miles on the other side of the mountain on Monday night, that on Tuesday he advanced another long day's journey, and that it

was not until Wednesday evening that he heard of the action at the head of the Bushman's River Pass. There are grounds, however, for believing that he remained on the top of the mountain watching the ascent of the cattle, and was really not far off, and in fact was communicated with, and his instructions received, when the Volunteers and Basutos under Major Durnford appeared. We must ever remember, when weighing the evidence in this case, the duty which every member of the Hlubi tribe felt to be laid upon him of saying nothing to implicate his Chief, and of toning down every circumstance which could possibly tell against him.

It is doubtful whether any cattle ascended the pass before Langalibalele and his immediate followers did, though it is stated that those belonging to one kraal did. The cattle were driven up the pass during the whole of Monday, and even at night the anxiety of the people to place their cattle in places of security induced them to turn the cool hours to account, and drive their stock up the mountain by moonlight.

On Tuesday morning early the Volunteer force came upon the scene, and found a few well-armed natives, probably 100, in sight, and some cattle standing about. They also perceived that the pass was crowded with the ascending cattle. The Volunteers took up their position at the head of the Pass. The natives there held a long parley with Major Durnford, who was in command, and in the meantime the armed force, which had gone forward with some of the foremost droves of cattle, rallied at their commander's call; the alarm was given, and the men who had not yet ascended were summoned up, and while the parley was being continued the men took up their position on the rocks, covered the Government force with their guns, and insulted them in every possible way by speech and gesture.

We need not dwell further upon the incidents of this occupation of the pass. Mr. Barter's interesting letter, the evidence of Makatise, p. 17, and Mahlatini, pp. 69-70, will supply full particulars.

From the statement of the latter it will be seen that four of Langalibalele's men followed the Volunteers as far as the Giant's Castle Pass, where one of them paid the penalty of his rashness.

The main army pursued the retreating Government Force a distance of about two miles, and then, singing a triumphant war song, returned to the head of the pass, where an animated scene ensued. The doctor of the tribe, who had strengthened the forces for war, was present, and, though so short a time had elapsed, the bodies had been stripped, and the personal effects of the slain removed. These were all brought back on the requisition of the doctor, the force formed a ring around one of the bodies, and there, dancing with savage exultation, a fierce contest arose as to whose shots had killed the Europeans. The dispute was long and bitter, many contending for the credit and honour of shooting the first Europeans, whose repulse at the first brush with the native force was regarded as so auspicious an omen. We may presume that the claims of all pretenders were disposed of, for we find a striking unanimity in all the testimony as

to the names of the men who killed members of the Government force on this occasion. We shall not dwell upon the barbarous ceremonies which followed, nor on the mutilation of the bodies of our fellow-countrymen. The circumstances of their murder and of the treatment their corpses subsequently received, is too painful a subject for us to dwell upon.

The chorus of that savage war chant, whose strains were sung around the bodies of the dead, found a responsive echo in the hearts of natives hundreds of miles away from the scene of action, and subsequent events alone have checked the manifestation of those feelings to which this repulse gave rise.

The force had barely returned from the pursuit when a strong party was despatched to the northward, along the ridge of the mountain, to prevent, if possible, the ascent of the native force under Captain Allison, for the rebels divined or had heard that such a force was to have advanced to the support of the Carbineers, to whom was entrusted the duty of stopping the pass. Our readers will know that as Captain Allison could not find a pass the precaution of the rebels was nugatory; still this movement gives evidence of a plan of operations, although the statements of the prisoners would convey the impression that nothing definite had been arranged.

There is little more to record. The Pass being clear, nothing hindered the departure of the people and their stock. The incidents of the tribe's journey through the Double Mountains were not numerons, and will be found fully detailed in the pages which follow. They appear, shortly after leaving the Colony, to have discontinued the practice of appointing scouts to watch their rear, and the earliest information of the departure of the Natal column in pursuit was communicated to them by the party under Jonathan, the son of Molappo. Fuller details of the circumstances will be found throughout the evidence.

It is said that one of the rebels, and one only, lost his life in consequence of the severe cold in the country they had to pass through before reaching Basutoland. Three men are reported to have lost their lives in the pass, on the occasion of its occupation by the Volunteers on the 4th November, and sixteen others, who refused to lay down their arms and surrender when called upon to do so by the Mounted Police at Molappo's, were killed in the engagement which ensued with that corps. So that of those who crossed the mountain only twenty men lost their lives. About 200 men are supposed to have lost their lives in the Location.

As supplementing to some extent the information as to Langalibalele's surrender, we insert here a letter published in the *Times of Natal* of December 20th, which gives several interesting particulars:—

Leribe, British Basutoland, December 13th, 1873.

Thinking it may interest you, I just give a brief account of Langalibalele's surrender to Mr. Griffiths, at Molappo's village, on the afternoon of the 11th inst.. the main facts of which the Natal Government have, I suppose, been informed by express messenger. Two troops of F.A.M. Police, 115, or thereabouts, in number, altogether have arrived here lately, the last arriving last Sunday morning, and was a week after the other. When the first arrived, Molappo also sent out his army to assist at the capture of

Langalibalele. This, I believe, was in obedience to the wish of Mr. Griffiths, at least, if not to his express order; which of the two I am not certain. Up to this nothing definite appears to have been known with regard to Langalibalele's whereabouts. Molappo's people, I understand, were in two separate bodies, the one under Jonathan, the other under Joel, both Molappo's sons. Jonathan discovered him in the Drakensberg, wandering about, with no definite intention of going to any particular spot, (this was either on the 7th or 8th inst.,) and immediately sent off an express to Major Bell, who next day went up to the Police, who were about 20 miles from this, when they all moved up towards where Langalibalele was said to be. They did not, so far as I can learn, even see Langalibalele or any of his people. Nor do I understand how Langalibalele was induced to give himself up. We now come to that part of it I saw. On the 11th instant, about sixty of the Police came from the place where they are encamped to this place. I was rather surprised to see Mr. Griffiths with them; it appears he had been informed of Langalibalele's whereabouts, and had met the Police. When I got up to Molappo's Mr. Griffiths, Major Bell, Inspectors Surmon and Bailie, of the F.A.M. Police, were sitting under the verandah; Molappo was standing up and talking to Mr. Griffiths, of course, through an interpreter, (Langalibalele had not then arrived, we were told he was close to and coming on); some little conversation must have occurred before I arrived. Molappo had evidently commenced his subject; he was saying: "My orders were to capture Langalibalele (if found) by force, to attack him and shoot him and his people, but when Jonathan found him Jonathan was not sufficiently strong to do this, so he adopted other means of bringing him on." (What those other means were I do not know, Mr. Griffiths seemed to understand it,) and Molappo continued: "Nor do I blame Joel for taking those cattle (Joel had, it appeared, cut off some three herds of cattle which were at the rear of Langalibalele's army), as he did not then know that Jonathan was bringing on Langalibalele; therefore Joel was only obeying his orders to attack or capture Langalibalele or any part of his army or cattle he might meet; the cattle are still with Joel, and will be procured when required. And I must not omit to say, and Mr. Griffiths will easily recollect, that it was promised that whoever brought in Langalibalele alive should receive one hundred and fifty head of cattle, and whoever should bring in his dead body should receive one hundred."

Mr. Griffiths then thanked Molappo for the part he had done, saying it was a very good thing, and would be favorably considered, that it was a proof of his loyalty so often professed, and he hoped Molappo would convey his thanks to those who had been sent by him (Molappo) after Langalibalele, that he (Mr. Griffiths) did not intend to say much, but the Governor would write him a letter at a future time; a few more compliments passed and the subject dropped, the conversation became general. About thirty of the Police were now drawn up at the gate, a row on each side, just outside the yard, which you no doubt remember; the Police were mounted. We waited another half hour or so, and Langalibalele arrived with seventy-seven followers, armed with assegais, not a gun amongst them that I saw. They were accompanied by a few Basutos, I should think not more than thirty, who appeared to be acting rather as guides than men in charge of prisoners; some of the Basutos were armed with guns. Both Basutos and rebels were mounted. Langalibalele, with about twenty of his men, now entered at the gate, passing between the files of Mounted Police already mentioned, the Kafirs still retaining possession of their assegais. I hear they had been demanded by one of Molappo's head men, but refused by Langalibalele. Molappo advanced and shook hands with Langalibalele. Mr. Griffiths said that before he could listen to anything they had to say, they must lay down their arms. A chair was brought for Langalibalele, who sat down, his followers on the ground, fresh ones arriving every half-minute, every one of whom was armed; the Police made no objection to this, but allowed them to pass through. Mr. Griffiths said, "Why do you persist in retaining your assegais; you very well know you need fear no treachery from us?" Langalibalele replied, that they had only just got off their horses, and had not had time to off-saddle, or lay aside their arms. Mr. Griffiths said, in that case he would wait a little while, allowing them time to do what was necessary. Molappo stood up and said that when a man was sick it was necessary sometimes to take medicines not very palatable; that Langalibalele's people were not assisting the recovery of their chief, but retarding it. A few of the rebels now stepped back a few paces, taking with them the assegais of some of the others. Molappo said all the assegais were to be laid down at the gate; this was not obeyed. Two or three Basutos now spoke, the interpreter remarking, as if in soliloquy (he spoke in Zulu), it seemed as if Langalibalele wished the arms to be retained. Langalibalele then turned round to his people and said disarm; the two he touched with his hand obeyed; jualla was now brought for Langalibalele, and Molappo ordered all his (Molappo's) men to leave the yard, himself also going outside. Langalibalele and his people were thus left alone; we too went outside. Returning in about a quarter of an hour I found Langalibalele sitting in the shade with some of his people, but without their assegais. In the meantime the rebels had been shown where to off-saddle, and told where to leave their arms with their saddles, which was slowly done. I think an hour and a half had elapsed since the arrival of Langalibalele, when Mr. Griffiths again approached him, and said due time had been allowed, and means provided for him to refresh himself and prepare; that the sun was going down, and he (Mr. Griffiths) now had something to say to Langalibalele. First of all he wanted to know what Langalibalele had come there for? Langalibalele replied that he was hunted ('qotshua), that he had come to give himself up; that the faults he had committed might be examined; that he had brought his bones to die there. Mr. Griffiths then said Langalibalele was doubtless aware that Moshesh, before dying, called to his aid the English Government, giving over to them the country, himself, and people, therefore he was still in the country of the Queen, and surrounded by her subjects; that he (Mr. Griffiths), as representing the Government, claimed Langalibalele and his followers as his prisoners. Mr. Griffiths then commenced the rather tedious operation of taking down the seventy-eight names of the rebels; when this was done he said he wanted to speak to Langalibalele, his two sons, his brother, and his two head men, who at once stepped out, and Mr. Griffiths gave them over to the Police; they were then marched off to the tronk, and next day (yesterday) were taken on with the Police to the place where they are at present encamped. I must say that Mr. Griffiths only took down seventy-six names; two of the rebels just waited long enough to see what was going on and then made off, I believe on foot; they could easily have been shot down; but I think Mr. Griffiths wished to avoid even the semblance of treachery. The seventy were told by Mr. Griffiths they would be required to answer to their names in the morning. They were not, I believe, placed under restraint. Just at this time 12 more rebels came up, their arms were demanded by Inspector Surmon, and were at once given up. The whole lot left in the night, leaving their horses and arms. I do not think they could have taken them had they wished, as they were secured. This is all that I saw. I am told, however, that Langalibalele was brought by about two or three hundred Basutos, that this body remained behind while Langalibalele came up to the house. There are reports that Langalibalele was deceived by the Basutos, that he did not come to give himself up. I do not know anything for certain.

You can now judge for yourself. The Magistrate's Office here is closed, Major Bell and son having accompanied the Police yesterday. I hear they have gone to demand the surrender of Langalibalele's army. If I hear anything particular before post closes, will add a line. I also hear that Jonathan or some of his people saw, though at some distance, the pursuing column from Natal. However, on this subject you will know more than me. I believe you hear from the pursuers whenever anything particular occurs. I have just dotted down the above incidents, thinking they may interest you. A white man just down from the Camp, reports about fifty guns taken from the rebels; most of them laid down their arms without firing. At one kloof, however, the rebels thought they were safe, and refused to give up their arms, firing on the Police. The Police fired back, and killed twelve of the rebels, the rest then fled, leaving their guns on the ground, some of them loaded and capped. These are the first angry shots that were fired. The Police attacked alone. No Police hurt. Langalibalele and suite were sitting under a wagon handcuffed to a reim-chain. A large body of Natal people were in sight. Mr. Griffiths had sent a messenger to them.

The official information as to the capture of the Chief was contained in a despatch from Major Bell, written from Leribe on the 14th December, and read in the Legislative Council on the evening of Thursday, the 18th of the same month. This despatch must find a place in this article:—

Despatch from Major C. H. Bell, Magistrate of the Chief Molappo's Territory (Leribe District), Basutoland, to the Hon. the Colonial Secretary, Maritzburg, Natal.

Leribe, Basutoland, Dec. 14, 1873.

Sir,—I have the honor, at the request of the Governor's Agent, and for the information of His Excellency the Lieutenant Governor of Natal, to acquaint you that information was sent me by the Chief Molappo, at 12·30 a.m. of the 9th inst., to the effect that a party of Basuto, under his son Jonathan, which, with other parties, were patrolling the Maluti or Drakensberg range of mountains, in search of the rebel tribe of Langalibalele, had fallen in with it on the Natal side of the Singu (Orange River). Jonathan finding himself, with but little more than 200 men, unable to cope with Langalibalele's people, informed them that he was sent by his father, Molappo, to see where they were going. He was then told they were on the way to Molappo, but had lost themselves. Jonathan adopted a friendly tone towards them, and pointed them out the path. He was subsequently joined by Langalibalele himself. I was also informed that the rebel tribe would appear in a few hours on this side of the Drakensberg (here called the Malutis) at a point about eighteen miles from this. I immediately despatched an express to Mr. Griffith, the Governor's Agent, at Maseru, conveying this intelligence. At the same time I directed Inspector Surmon, commanding a detachment of about 120 of the Frontier Armed and Mounted Police, to march from 'Kalu, on the Caledon River, to a position on the south-east of the Leribe Mountain, near the base of the ridge or spur on which the rebel tribe would appear; and I desired the Chief Molappo to order out his people, and to send word to Langalibalele (through Jonathan) that his people must, in the first place, lay down their arms. When they had done so, they might, with their cattle, descend the mountain to the Pitsing Valley; where they could remain until I received the orders of the Government respecting them. Further, that I advised Langalibalele himself to come in and trust to the mercy of the Government. I also desired Molappo, in case the rebels refused to give up their arms, to attack them, telling him that his people should be supported by the police. Molappo did as he was desired; and in a few hours, I was informed the rebel tribe were coming down. They stopped, however, when they received the message conveyed by Molappo. Jonathan and his party remained with Langalibalele. On the morning of the 10th, the police having arrived on the previous evening at the position indicated, I received a message from Langalibalele, through Molappo, that he would surrender himself to me, and would do the best he could with his people to induce them to give up their arms, but that, at the moment, he had scarcely any people with him; they having for the most part gone back, on hearing that four troops of cattle had been captured in their rear. (These were taken by a party of Molappo's Basuto, under his son Joel).

Shortly after, he sent me his own gun, and those of two of his sons and two or three others about him,—an earnest, as he said, of his intention to submit. I waited that day at the Police Camp to receive him; but in the evening, Jonathan, who had remained with him hitherto, came with a party to say Langalibalele desired to say he was ashamed and afraid to come directly before the Magistrate, but that he would go next day to Molappo to surrender. I returned to Leribe; and next morning had a message from Molappo that Langalibalele was on his way in to surrender, through him, to the Magistrate. Meantime, the Governor's Agent, who, on getting my express, had ridden day and night, arrived, and was in time to receive the rebel Chief at Molappo's village, with upwards of seventy followers, among whom were some of his sons. His followers, after some hesitation, gave up their arms (assegais); and Langalibalele was given in charge of a party of Frontier Armed and Mounted Police, and placed in the lock-up here. Next morning he was taken to the Police Camp; while all the disposable police, with a force of perhaps 500 of Molappo's men, all mounted, proceeded up the valley into which the cattle of the rebel tribe had been driven. The Governor's Agent directed the operations. Some 4,000 or 5,000 head of cattle fell into our hands, without any resistance. Sundry parties of rebels were met, and their arms received; but on getting near the head of the valley, others were seen who refused to surrender, and were retiring, when the police were directed to pursue. A slight skirmish on the mountain side ensued, in which eight rebels fell, fifty of their horses remaining in the hands of the police. There were no casualties on our side.

Yesterday morning (13th) the police returned to their former position; and in the afternoon, information was received of the arrival of the Natal Force, under Captain Allison. When I left camp, shortly before sundown yesterday evening, it was not known whether any European party was with the force, nor had any communication been received from Captain Allison.

I have the honour, &c.

(Signed) C. H. BELL.

Captain Allison had some knowledge of the country to be traversed, for he had on two or three former occasions crossed the mountain after the inroads of Bushmen, and he was, therefore, well fitted to command the expedition fitted out for the purpose of pursuing and capturing Langalibalele. Some time was necessarily occupied in collecting the force, and making commissariat arrangements, but on the 29th November the force started; it consisted of about fifty Europeans, members of the Natal Frontier Guard and Weenen Yeomanry Cavalry, and a body of about 1600 natives. This force was provisioned for one month. After Captain Allison's party had ascended the Bushman's River Pass, the detachment of the 75th Regiment under Major Durnford returned to the Head Quarters Camp, and the head of the pass was occupied by 100 Kafirs under Mr. Lloyd. After Captain Allison's departure, the Olivier's Hoek Pass was efficiently guarded by a native force under the command of Mr. A. J. Shepstone.

Shortly after Capt. Allison's departure, the main body of the troops returned to town, and marched into Fort Napier, on the 9th December. About 25 men were, however, left in Weenen County, and will for some time be stationed at Estcourt.

The flying column, under Capt. Allison, passed through a comparatively unknown and uninhabited country, mountainous and bare, where the weather is uniformly severe. Through this barren country the force proceeded as fast as it possibly could, trammelled as it was with provisions (for in this inhospitable region it was impossible to procure any food) and the other impedimenta of so large a force. The force struggled on, bearing bravely, and without a murmur, the hardships and discomforts of the march, and buoyed up by the hope of accomplishing the object of their journey—the capture of Langalibalele, and his cattle, and tribe. As we have before stated, Capt. Allison was joined by Mr. Hawkins at the Orange River, on the 7th December, and the combined forces pushed on for Basutoland, and reached Molappo's on the evening of the 13th December, and on the 14th commenced those negotiations with Mr. C. D. Griffith, the Govérnor's agent, which are fully recorded in the following report by Capt. Allison as to the result of the expedition despatched under his command to capture Langalibalele, who had surrendered himself at Molappo's on the 11th December:—

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

The Hon. the Secretary for Native Affairs, Natal.

Sir,—I have the honor to acquaint you, for the information of His Excellency the Lieutenant Governor, of the further progress of the pursuing column since I addressed you from the Orange River, and of the final result of the expedition.

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

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

Leaving a strong rearguard, a pursuit as rapid as the country would admit of was commenced at daylight on the morning of the 12th inst. By noon of that day, many exhausted cattle and horses had been passed, and at 4 p.m. a large herd of cattle was seen in a valley about 25 miles N.E. of Leribe. A body of men was sent down the slopes of the head of the Maluti Range, which dispersed the rebels, killing one, and capturing all the cattle. The main body of the pursuing column meanwhile kept upon the spoor, which by a circuitous route entered another valley, to the northward of the one already mentioned. At the halt of that night, a small party of mounted men were seen travelling on the back spoor. These men halted upon seeing our column, and when challenged retired the way they had come. A force marched to the support of those who had captured the cattle, at 3 a.m. on the 13th instant, and at daylight the column moved on and entered the valley.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I have, &c.,

ALBERT B. ALLISON,

Commanding Pursuing Column.

On Sunday, the 21st December, the Natal column started from Molappo's on their return journey for Natal, and, crossing the Olivier's Hoek Pass, entered Natal on Christmas Day. On the last day of the old year Langalibalele and his sons were lodged in the Pietermaritzburg Gaol; a large number of prisoners arrived in town on the same day, and were also confined.

The cattle which have been captured will only, to a small extent, indemnify this Government for the outlay which this rebellion has occasioned; and their confiscation is not only justified by all the practices of war, of which we could cite many instances in proof from the Franco-German war; but also because of the views entertained by the natives as to the conqueror not being he who scatters an army, or disperses a force, but he who secures the cattle of the tribe.

The successful march of the Natal column through a country hitherto deemed inaccessible by European forces has had a marked and most beneficial effect upon the native mind. Not only was the march itself a surprise, but a still greater surprise was that the Colonial Government should have sent a force across its border. We speak under correction, but we believe it is the first time any organised force has crossed the boundaries of Natal in pursuit of a body of men flying from justice, and resisting the authority of the Government. The natives know how jealously boundaries are respected by the European powers in South Africa, and, remembering the Basuto raid of 1865, the Cetywayo excitement in 1861, and other events, Langalibalele might well enquire with astonishment why it was he was being pursued, when he had left the country of taxes. The Basuto chiefs are said to have heard with surprise of the march of the pursuing column, and to entertain a high opinion as to the success of the enterprise. Capt. Allison's conduct of this expedition reflects great credit upon him.

We have in a former part of this article referred to the social and political ties which bound the Amangwe, or Putili's tribe, to the Amahlubi, or Langalibalele's tribe. The tribe of Putili do not appear to have committed any overt act, or offered active resistance to the Government forces; but they harboured members of the rebel tribe, who were constantly passing to and fro, and received large numbers of their cattle. They also manifested great reluctance to supply Captain Lucas and Mr. Macfarlane with the cattle which they required to feed their native force, and for which they would have been paid, as they had been on former occasions, when they had furnished cattle for Government purposes. Putili's people were also known to have a large number of guns, which, in common with the people of Langalibalele, they had neglected or refused to get

registered. There were other indications of the sympathy which the Amangwe felt for the Amahlubi; and on Tuesday, the 18th November, the tribe was surrounded; and some delay having occurred in paying a fine, imposed as a punishment for their alleged complicity in the rebellion, the whole of the cattle in the Location were seized, and the tribe disarmed. Mr. Macfarlane has been much praised for the manner in which he planned the operations by which Putili's people were surrounded and disarmed. About 200 stand of arms were taken on this occasion. A large proportion of the cattle seized, when sold at Pietermaritzburg, Estcourt, Greytown, and Richmond, found purchasers at fair prices. When Putili's tribe was disbanded, the men were sent down to Pietermaritzburg as prisoners, but were allowed to be out on parole, and the women were taken charge of by the Government, and located at Kafir kraals, pending the ultimate decision as to their disposal. The proceeding by which the Amangwe tribe was disarmed and scattered has been blamed; although it is probable that the action so taken alone prevented the tribe from joining the rebellion, and engaging in the attacks upon, and resistance offered to, the Government Forces. Still we cannot hold that these people should be punished for the intentions which it is suspected they entertained. The tribe has been hardly dealt with; its dispersal was a grave blunder, and the event forms a historical parallel to the treatment by the British Government of the "simple minded Acadians, who, rightly or wrongly, were accused of having assisted, early in the 18th century, the French from whom they were descended and connected by many ties of friendship. * * * The British Government ordered them to be removed from their homes, and dispersed throughout the other colonies, at a distance from their much loved land. This resolution was not communicated to the inhabitants till measures had been matured to carry it into immediate effect; when the Governor of the Colony, having issued a summons calling the whole people to a meeting, informed them that their lands, tenements, and cattle of all kinds, were forfeited to the British Crown, that he had orders to remove them in vessels to different Colonies, and they must remain in custody till their embarkation." Longfellow's poem "Evangeline" is discriptive of the fate of some of the persons involved in these "calamitous proceedings." The historian says, "Whether the accusation" preferred against the Acadians "was founded on fact or not, has not been satisfactorily ascertained," and so may we write in reference to Putili's tribe. Meantime the tribe has been dispersed, and for a time families have been separated, though no member of the tribe has been removed out of the Colony; and their cattle and property of every description has been confiscated by the Crown. There is one circumstance which can be regarded with satisfaction—no blood was shed during the proceedings against the tribe, and, with the opportunities of enquiry which will doubtless be afforded, we may hope the Government will be brave enough to retrace a step, apparently unwarranted, which has occasioned great loss and hardship to innocent members of the tribe, and, as restitution is possible, do what it can to remedy a State blunder, which could only have been committed during a time of panic. Natives have a keen sense of justice, and we hope their expectations in this case will be justified by the action of the Government. It is needless to refer further to a matter about which any one of our curious readers can obtain full particulars from any of the numerous members of the tribe living in or near Pietermaritzburg.

The Chief Langalibalele was brought to trial on the 16th January, 1874, the Lieutenant Governor presiding as Supreme Chief, assisted by Resident Magistrates and Native Chiefs and Indunas as Assessors. The constitution of the Court has been called in question; but for our purpose it is enough for us to believe that the Lieutenant Governor did not preside as judge without the advice of his legal advisers, and without being personally assured of the legality of the course adopted by him.

It has been said, the enquiry was not fair. To any unprejudiced reader, the record must show that this charge is not supported. Under Native Law, if strictly adhered to, Langalibalele would never have been tried; he would have been killed immediately he was caught. It has been said that the prisoner should have been allowed counsel, and that he was unable to defend himself. As a Chief, the prisoner's daily and almost only duty, for a long series of years, had been to hear and adjudicate upon cases. He had therefore a thorough knowledge of the law under which he was tried, and of the best way of conducting a defence, had he had one to advance. There is one part of a native's education which is never neglected, that is the art of public speaking. All natives are orators; and further, have a passionate love of the law courts, where they invariably spend their leisure time. We need not labour the point; but we feel convinced that the proceedings of the trial were fair; that justice was done the prisoner; and that the sentence is more merciful than he could have expected, or perhaps than even the circumstances warranted. He pleaded guilty to the charges in the indictment; to some in a straightforward, and to others in an equivocal manner; and the enquiry of the Court into the circumstances was to ascertain the measure of his guilt. It is not usual, when a prisoner pleads guilty, for appeals or new trials to be granted, simply because a friend of the prisoner is not satisfied that the evidence adduced proves that the plea of guilty is one which the prisoner (having regard to the evidence to be led) need have offered. The applications for an appeal could not be granted, merely on request, when a prisoner had pleaded guilty; and even if it had, the arguments in support of the appeal could only have been based on the record of the former trial, and not on any new evidence, which, under the circumstances, would have been inadmissible. We believe no sensible man thinks the sentence too severe; whatever opinion he may have formed of the credibility or otherwise of some of the witnesses.

The trial of the sons followed; when further evidence implicating the Chief was given. To those who wish to learn the nature of the proceedings before the Commission, we refer to the record herein.

The tribe was next tried; and sentences were awarded of from two to three years' imprisonment, with hard labour. In the majority of cases, the natives will be located on farms, with their female relatives and connections, and expected to work out their term of imprisonment there.

The Supreme Chief has received the congratulations of the loyal natives within the Colony upon the success of the measures taken to bring Langalibalele to account. They

NOTE.—Since the above was written, it has been stated, on what appears to be good authority, that an appeal to the Executive Council, under the provisions of Ord. 3, 1849, has been granted.

have expressed their surprise at the base conduct of a Chief who had received such exceptionally kind treatment from the Government, and at the mercy vouchsafed to one who under Native Law, if strictly administered, would have been exterminated root and branch, under the impression that the blood was tainted—that Langalibalele's descendants must necessarily be a rebellious people, whose death the future well-being and peace of the commonwealth would render at least advisable, if not absolutely necessary.

The main proceedings against the rebel tribes being over, there remained the pleasant duty of acknowledging the services rendered to the Colony by the forces engaged. The duty of moving the votes of thanks devolved upon the Senior Member for Durban Borough (Mr. Robinson), who acquitted himself well, and, in an eloquent speech, did justice to the patriotic services rendered by all those who were in any way connected with the measures rendered necessary by the contumacious conduct of Langalibalele. We need scarcely say, the resolutions met with the unanimous support of the Legislative Council, and that their vote on this occasion was truly representative of public feeling on the subject.

We append the resolutions above referred to:—

1. That the thanks of this House be given to His Excellency Sir Benjamin C. C. Pine, K.C.M.G., Lieutenant Governor of this Colony, and Supreme Chief, for the promptitude, the energy, and the firmness with which he has employed the resources at his command to enforce Her Majesty's authority, and to punish the rebellious tribes under the Chiefs Langalibalele and uPutili.
2. That the thanks of this House be given to His Excellency Sir Henry Barkly, K.C.B., Governor and Commander-in-Chief, and to the Government of the Cape Colony, for the promptitude with which they ordered to the aid of the authorities of this Colony, military reinforcements and detachments of the Cape Mounted Police, and to the Officers, and Non-commissioned Officers and Men of that Force, as well as to the Government Agents of the Cape Colony, who rendered their ready and efficient assistance.
3. That the thanks of this House be given to Colonel Milles, Commandant of the Forces in Natal, and to the other Officers, Non-commissioned Officers, and Men of Her Majesty's Regular Forces in this Colony, for their services in the suppression of this rebellion.
4. That the thanks of this House be given to the Officers, Non-commissioned Officers, and Members of Her Majesty's Volunteer and Burger Forces in this Colony, for the zeal, endurance, and devotion with which they have taken part in the operations against the rebellious tribes.
5. That the thanks of this House be given to the Secretary for Native Affairs, the Magistrates, and other Civil Officers, who have taken part in the recent operations, for the services they have rendered in the maintenance of the Queen's authority.
6. That this House wishes especially to recognise the alacrity with which the English Colonists of Griqualand West offered their assistance to the Government and Colonists of Natal.
7. That this House wishes especially to recognise the promptitude with which the Government of the Orange Free State seconded the offer of the English Colonists of Griqualand West to render assistance to the Government and Colonists of Natal.
8. That this House doth highly appreciate and acknowledge the devoted loyalty and faithful services of the several native levies that have taken, and are taking, an active and zealous part in aid of Her Majesty's Forces, during the operations against the rebellious tribes.

The Cape Government is entitled to our thanks for the steps taken by them. Not only were the Frontier Mounted Police moved to the front, but native forces were also called out. The *Rattlesnake* was also despatched for Port Natal with troops, and arrived on the 25th November. The troops were landed, but were not required; still, the arrival of reinforcements so rapidly had a beneficial effect upon the native population.

Mr. Brownlee, the Secretary for Native Affairs in the Cape Colony, where the Government perceived the magnitude of the issues at stake, has addressed a flattering message to the Basuto and other Chiefs, who manifested their loyalty on the occasion of Langalibalele's arrival and capture in Basutoland. The Basuto Chiefs, in addition to the above thanks, have also received a substantial recognition of their services in the

number of cattle given them, and have further made their loyalty pay, by the property of the rebels appropriated by them as compensation for the trouble occasioned.

The best way in which to occupy the Locations was one of those questions which engaged the serious attention of the Government. It would not do to leave the land unoccupied, for the County of Weenen must, as heretofore, be defended from the predatory incursions of Bushmen or other marauders. The subject was considered by the Legislature; and, as the result of their deliberations, and with the advice of the Executive Council, steps have been taken to re-occupy the mountainous and almost inaccessible slopes of the Berg with trustworthy natives, under headmen responsible directly to the Magistrate of the County. These kraals are intended to form a belt along the base of the Drakensberg, in spots uninhabitable by European settlers. The more level part of the country will be allotted, in farms of from two to three thousand acres in extent, on a military tenure, to European colonists; of whom it is said a large number of eligible men have expressed their willingness to occupy, on the terms mentioned, stringent although they are, the excellent lands thus rendered available.

There are one or two recent circumstances which we think it desirable to refer to before closing this sketch; they arise out of the proceedings which have been taken against Langalibalele and his adherents, though not strictly connected with the military operations, or the causes which led to them.

The Peace Society issued a manifesto in reference to the manner in which the war was carried on, and was not sparing in its blame of the manner in which the operations were conducted. The ministers of religion in the country have taken up the question, and, supporting the action of the authorities, have shown that the war generally was prosecuted with as much mercy as is possible when for any cause whatever, a Government is bound to vindicate its authority at the expense of blood.

The inhabitants of Durban also determined to strengthen the hands of the Government, and, at the most numerously attended meeting ever held at the Port, bore testimony to the humane conduct of the Government throughout the recent operations, and the indignation which, as colonists, they felt at the aspersions cast upon them by the misrepresentations of the Peace Society. The Durbanites, on this occasion, spoke for the Colony as a whole, and their representations have met with the hearty approval of colonists of all grades and professions.

The inhabitants of Alexandra County, by a numerously signed memorial, have also testified in favour of the humanity exercised during the recent operations.

The representations of the Anti-Slavery Society in reference to the apprenticeship of the women and children, old enough to work, falls to the ground. We have above referred to the circumstances which led this Society to address the Home Government on the subject, circumstances which no longer exist.

Our task is done. We have endeavoured, in this introduction, to trace the probable causes of that conduct which the Government could not with safety allow to pass unpunished; we have endeavoured to show that the action of the Government was necessary; that its proceedings throughout were merciful, and conducted with as much humanity as was compatible with the measures rendered necessary in the suppression of a rebellion. We have further endeavoured to show that the objections and quibbles which have been raised in this matter are the result of a misapprehension of facts, and if we have placed the facts so clearly and truly before our readers that they must agree that we have proved the case we have endeavoured to sustain, we shall be satisfied. We felt that a vindication of the action of the Government was not necessary, but undoubtedly expedient. If we have succeeded, therefore, in our effort to vindicate the Government and Colony from the charges preferred against them, we shall feel that our labour has not been bestowed, and that this brochure has not been published, in vain.

KEITH & CO.,
Publishers.

Pietermaritzburg, April, 1874.

MINUTES OF PROCEEDINGS

OF THE

COURT OF ENQUIRY

INTO

CERTAIN CHARGES PREFERRED AGAINST LANGALIBALELE, LATE CHIEF OF THE AMAHLUBI TRIBE.

FIRST DAY.

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

Present: — His Excellency the Lieutenant Governor, Sir B. C. C. PINE, K.C.M.G., Supreme Chief of the Native Population of Natal, President.
Lieut.-Colonel Milles, 75th Regiment, Commandant.
The Honourable the Colonial Secretary, the Hon. D. Erskine.
The Honourable the Colonial Treasurer, John Ayliff, Esq.
The Honourable the Attorney General, M. H. Gallwey, Esq.
The Honourable the Secretary for Native Affairs, T. Shepstone, Esq., C.M.G.
Hon. Charles Barter, Esq., M.L.C.
Hon. J. T. Polkinghorne, Esq., M.L.C.
John Bird, Esq., Resident Magistrate, Pietermaritzburg.
A. C Hawkins, Esq., Resident Magistrate, Upper Umkomanzi Division.
P. Paterson, Esq., Resident Magistrate, Inanda Division, Victoria County.
Zatshuke, Head Induna of the Natal Government.
Mafingo, Induna at Durban.
Hemuhemu, Chief of the Mafunzi Tribe.
Nondonise, Chief of the Amatuli Tribe.
Teteleku, Chief of the Amapumiza Tribe; and
Manxele, Induna to the Secretary for Native Affairs.

John Shepstone, Esq., Resident Magistrate of Umvoti County, was present to act as Prosecutor.

The President and Supreme Chief opened the Court with the following address:—Gentlemen of the Executive Council, Mr. Secretary for Native Affairs, Gentlemen of the Magistracy, who are called upon to help and assist in this trial, and Chiefs, who are also called upon, according to the law, to assist at this trial, we are assembled here to-day to try a person, Langalibalele, formerly a Chief, for the greatest crime that a human being can commit against society. We are to try him for high treason—for rebellion against the authority of Her Majesty the Queen, as represented by her representative in this Colony. Rebellion is the greatest crime that can be committed, because it involves all other crimes; murder, robbery, and every other possible crime are committed under the cloak of rebellion. Langalibalele and the Chiefs are perfectly aware, that under their own law, if strictly administered, the prisoner would not be alive now. The offence with which he is charged would be considered as proved, from the violence he has committed, without any further trial. But, whilst we are determined to give the late Chief—the man who was a Chief—the benefit of a trial by his own law, and to adhere to that Native Law under which he has lived, we are determined to temper that law with as much mercy as possible. We are Christian men, and live under a Christian dispensation, and do not like to put men to death if we can possibly avoid it; and, even then, not without giving the accused a fair and impartial trial. I have, therefore, called together to-day all the greatest powers in this Colony, and the representatives of those powers. I am myself sitting here as Supreme Chief, representing the Queen, and empowered by Her Majesty to administer Native Law; I am assisted by my Secretary for Native Affairs, the gentleman with whom the Natives come immediately in contact; I am assisted here by the Executive—the Supreme Council of the Colony; I am assisted by Magistrates, who are made by me to be Chiefs of the Kafirs, to administer justice, under me, according to Native Law; I am also assisted by some of the great Chiefs and Indunas of the Colony, the equals of Langalibalele himself.

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

The indictment reads as follows:—

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

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

"That Langalibalele, having been entrusted with the management of the Hlubi "Tribe, as Induna, or Lieutenant of the Supreme Chief, did encourage, and conspire "with, the people under him to procure firearms, and to retain them, as he and they "well knew, contrary to Law, for the purpose and with the intention of, by means of "such firearms, resisting the authority of the Supreme Chief; and that, with the same "purpose and intention, he did enter into and carry on treasonable communications with "others at present unknown; and that, emboldened by the possession of such firearms,

"and encouraged by expectations of aid and comfort from others, he proceeded to dis-"obey and defy the Magistrate placed over him, to insult and treat with violence and "contumely the Messengers sent to him on behalf of the Supreme Chief, and to kill "the subjects of Her Majesty the Queen, sent directly, by the Supreme Chief, to "cause him, and the people placed under him, to return to their allegiance.

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

The prisoner Langalibalele, having been called upon to plead to the above indictment, admitted that he had certainly done what was charged against him; that is to say, he had gone over the Drakensberg Mountain with his people, he had gone armed, and he had gone with his cattle, and in so doing these things had happened. But he stated that there were certain witnesses, viz., Mabuhle, Umzwilikazi, uKunjana, Umpukane, and Umhololo,* not now present, whom he would like to have called, as their evidence would justify or extenuate what he had done. Further, he admitted that he had treated the Messengers of the Supreme Chief with disrespect, in that he had caused them to strip and undress, but he said that this proceeding was a matter of precaution caused by fear. The other indignities offered to the Messengers were so offered outside the hut, he (the prisoner) being at the time inside, He did not answer the charge of encouraging the young men to arm themselves for purposes of resistance, but denied that they had procured the guns in consequence of an order from him, or with any purpose whatever.

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

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

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

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

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

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

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

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

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

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

Teteleku said: That no excuse could be found for what was charged against Langalibalele on the score of ignorance, for all the Chiefs in this Colony, and all the Headmen, had invariably been made fully aware of what would be contraventions of the Laws, and what might and what might not be done; and as regards guns, everyone knows it is a crime to possess a gun without having obtained the license of the Supreme Chief to hold it. It might be true, as Langalibalele had said, that he had not desired his young men to buy guns, but it cannot be true that, after they had bought these guns, he did not know they had bought them; and having been bought in that way, they had been unlawfully bought, and could only be lawfully held by being taken to the Magistrate, and the holders receiving the permission of the Government. If Langalibalele had found, when he made an attempt to do his duty, that is, to make these young men take the guns to the Magistrate, that they disobeyed him, and he had not power enough to make them obey him, he should have reported to the Magistrate that so and so possessed guns, that he had tried to get the Law observed by having the arms brought to be registered, and legally owned, but that the persons named were too strong for him, and on that ground should have asked the assistance of the Magistrate to get the Law carried out. If Langalibalele had forgotten, or neglected, or it did not occur to him to follow that course, then the next course was one which could not have hid itself from him; when matters became serious, and the prisoner was sent for, he should have gone to the Magistrate, and at any rate tried to do that which he could to remedy his mistake in not having done it before. And then, again, if from a want of confidence between himself and the Magistrate, or from any other cause, he might have felt disinclined to take that course, his duty was still perfectly clear, he should at once have come to the Supreme Chief and laid his difficulty before him, so as to see how he could be relieved of it. And lastly, his duty was, if, by inadvertence, or from any other cause, he had neglected to adopt either of the above courses, when he heard, as he did, that the Supreme Chief was himself coming to talk to him, to have come humbly representing the case before the Supreme Chief, even supposing he had his weapon lifted and pointed. This was what he should have done, and not have attempted to do what he had done. He should have said "If I have done wrong, punish me," for by thus coming to the Supreme Chief was the only legitimate course he had open to him to remedy all the omissions and mistakes he had previously made. But still, if he had neglected to do that, then, seeing that he had no property, that he was nothing, that he belonged to the Government, that the cattle were not his, that the people were not his, and that the land was not his, supposing he had not sufficient courage to do what should have been done, he should, at the last moment, have left unfollowed by his people. Then, when he was out of the Colony, when he had left all that belonged to the Supreme Chief behind him, and by running away by himself had done the least wrong he could possibly do, then, when the first anger of the Supreme Chief had subsided, he might have sought for mercy, and possibly have been allowed to return to the Colony he had left in fear. To say, in defence, that Mabuhle, or any other man, or men, who commanded at the Pass, were responsible for what had been done, was simply to say that which could not be admitted on any plea whatsoever. It was a well-known maxim of Native Law that, if the cattle of a tribe leave the country in which they usually graze, if they are taken away by their owners, and accompanied by them as an armed force, there is from the circumstances of the case a

necessity to defend such cattle, and anything that happens after that first fatal step has been taken, can only be laid at the door of him who caused it. He could say nothing more in this matter; the remarks he had made were those which occurred to him in reference to the things and circumstances as they appeared to him. According to Native Law, however, there would be no such talking as this. Natives had always heard of the difference between the laws of the white man and the black, and the feelings of the former in reference to taking away life, but as far as natives were concerned, there would be no talking, the circumstances themselves would be sufficient to justify any action, and put a reply of this sort out of the way for ever. He could not help admiring the feeling of justice that, even when a man had persisted in doing what this man had done, to make himself as guilty as possible, and had succeeded as well as he had, made the Supreme Chief inclined to allow him to say or do anything to justify it if he can; that was to be admired. Whether the judgment was that the prisoner should be killed, or otherwise, it was in the breast of the Supreme Chief; but whatever it was, at any rate the prisoner could not complain.

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

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

Zatshuke said: He did not know what there was to add to what had been already said. He concurred in what had been already stated as to the guns; and if it was true that Langalibalele had not given his young men orders to procure guns, then he should have taken one or other of the courses mentioned; courses which were fully understood by him, and everybody else. There was no difficulty in taking guns to the Magistrate; there was no doubt guns had been taken before, and there was no reason why they should not be taken again, to be registered as they had been before, and returned to their owners. He, therefore, saw no ground for so much talk about the matter. The facts contradicted the plea which the prisoner had made; and there were so many ways of remedying the mischief which had happened, that it was idle for the prisoner to advance the excuses he had. When the Magistrate had sent to the prisoner requiring an explanation, he was bound to go; and what would he have suffered if he had explained? Everyone knew the laws under which natives could hold guns; it was quite clear to everybody in the Colony that no black man could lawfully hold a gun without holding the permit of the Supreme Chief giving him that right. The prisoner's first error was, in not going to his own Magistrate, who would have told him what to do, and have set him right; and as he had not done this, everything had since gone wrong; for he had forgotten to take the preliminary and proper step at first. Then came the further and more fatal mistake of the treatment of the Messengers of the Supreme Chief, and the refusal to appear before him. The only satisfactory part of the prisoner's reply was his admission of the way in which he had treated the Messengers; a fact which, under the circumstances, he could not deny, seeing that the men were here. When the prisoner undressed and stripped the Messengers, he was on that occasion actually stripping the Supreme Chief, and insulting him in the grossest possible manner. It would have been much better, and he (Zatshuke) would have been better satisfied, and more inclined to believe him, if prisoner had admitted the truth of all the other charges; for it appeared

to him, that a denial only aggravated the offence. It appeared to him (Zatshuke) that prisoner had been labouring under some sort of hallucination that he could succeed in making himself head of all the natives, but, if he had reasoned more, he would have seen that, first of all, he must be master of the white man too. How the idea got there he could not say, but that appeared to have been the state of the prisoner's mind when he committed all these follies. As to the witnesses mentioned, these might have been of use, or allowed to say what they had to say if the prisoner had gone to the Magistrate, but how could they appear as witnesses here, in this case, with such grave charges under consideration? The evidence is perfectly inadmissible; it is impossible that it can be admitted, or be of any value or weight. The prisoner's best course is to tell the whole truth at once. To say that people under a Chief would do what had been done here without the previous sanction and order of the Chief, was to allege that which was perfectly impossible. Langalibalele's best course, seeing what he had done, was perfectly apparent, quite clear; he should tell the truth, admit what he had done, and what had made him do it, and throw himself on the mercy of the Supreme Chief; that was the course Zatshuke recommended as the only course which was likely to do the prisoner any good. He could not but admire the course now taken, that a man who had committed himself, as the prisoner had done, should be allowed all the privileges now accorded him of answering for himself, and that it should be for a moment assumed that he had anything to say in justification of what he had done.

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

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

The prisoner was then removed, and, after a short consultation, the Court rose at 1·15 p.m., and adjourned until 10 o'clock on Saturday morning, the 17th inst.

W. B. MORCOM,

Clerk of the Court.

SECOND DAY.

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

Present:—His Excellency the Lieutenant Governor, President.
Lieutenant-Colonel Milles.
The Colonial Secretary.
The Colonial Treasurer.
The Attorney General.
The Secretary for Native Affairs.
Mr. Polkinghorne, M.L.C.
Mr. Bird, R.M.
Mr. Hawkins, R.M.
Mr. Paterson, R.M.

And the following Native Chiefs and Indunas:—

Teteleku, Hemuhemu, Nondonise, Zatshuke, Hlokolo, Chief of the Amancolosi Tribe, Manxele, and Mafingo.

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

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

Umyembe, duly cautioned, states: About the month of April last I was first sent to summon Langalibalele to appear before the Supreme Chief here. I was warned before I left that Langalibalele was accustomed to make an excuse that he suffered from a complaint in his leg, and could not walk; if he did make such an excuse on this occasion I was directed to suggest that an easy and quiet horse should be procured to convey him hither, and, if that did not meet with his approval, that he should secure a wagon for the purpose. I also was the bearer of a note to Mr. John Macfarlane, R.M., which note I delivered on my way up, and received instructions to proceed. I found the prisoner at his kraal Nobamba, and on arriving there told him I had been sent from the Supreme Chief to summon him to appear at head-quarters, Pietermaritzburg. I also told him, in case his leg was not well, that he was to secure a quiet and easy horse to convey him hither, and in case he could not do that he was to secure a wagon. Prisoner asked what he was wanted for? I replied, that he was wanted by the Supreme Chief, but I could not tell him for what; he would find that out when he got there. Prisoner said "Everything is said in your presence, you know what is going on, upon what business of importance is it that I am wanted, and must be carried in case I cannot walk to Pietermaritzburg?" I replied, "You are a man of position, and have charge of a kraal and people here, and when you send to any of your headmen requiring their attendance, they never question your messenger as to what you require, but obey your summons." I remained there three days, and on the fourth day the prisoner gave me a beast to kill. On that same day I told prisoner that the time was passing, that I had been there a long time, and had not yet received any definite reply to the message I had brought. Prisoner replied that, as it was a summons from the Supreme Chief, he must consult his people. On the fifth day prisoner said it was now time for me to go, and I could leave, and wait for him at the Zwartkop,

near Pietermaritzburg, where he would meet me. I left, and waited upon and saw Mr. John Macfarlane, and then came on and slept at a kraal close to the Umgeni Falls. On the following day I came to the place where I was to meet the prisoner. At the close of the day on which I arrived there, Mabuhle and others arrived there. I was in the hut when one of the boys came in. I said, "You have arrived. Have you brought the Chief?" He said, "No; we have not brought him." I asked, "Where is he?" and he replied, "At his kraal." I then asked whether Langalibalele had made any attempt to come even a short distance, and he said the prisoner had made no attempt to come. This boy then left the hut, and, going to Mabuhle, returned with him to the hut. On Mabuhle's entering, he said, "Yes, you messenger from the Government, our Chief tried to come; he came as far as Mbunda's, but his leg there became so bad that we tried to put him on horseback, but he fell." I then asked Mabuhle how it was this boy had made a different statement, and said that Langalibalele had never made any attempt to come. Mabuhle said he was only a boy, and knew nothing about it, and had not been present when the Chief left his kraal, or when he returned. I replied, that it was impossible that their Chief should have left his kraal, have come all that distance, and gone back again, and for a man, in whose company he was coming down, not to know anything about it, even by common conversation along the road. That is all that passed on that day. On the next morning, we proceeded to Pietermaritzburg. I came on alone in advance, and reported my proceedings to the Government. I was present when the Secretary for Native Affairs met the prisoner's messengers. He asked Mabuhle how it was he was treated in this way; and told Mabuhle that it was impossible for him to do as well as the Chief himself; that he must go back and bring Langalibalele down. The Secretary for Native Affairs said he should allow a few days to elapse, and then send the same messenger again; that they must procure a wagon or horse, and bring the Chief down. Other things may have been said, but that was the substance of what passed. Some few days after, when time had been given for the necessary arrangements to be made, I was again sent to Langalibalele; and received instructions to go and return by the same route I had travelled on the former occasion; to call on Mr. Macfarlane; and tell Langalibalele he was summoned on the same business as on the former occasion. I was further directed to inform the headmen present that, in case the prisoner persisted in his obstinacy, and refused to obey the summons, the tribe would cease to be a tribe; that in fact they would bring themselves to destruction. On my way up, I delivered a letter to Mr. Macfarlane, and was told to proceed. Soon after leaving Estcourt, I met Umpiko, one of Langalibalele's people, and an Official Witness under the Marriage Regulations. I met him on this side of Table Mountain, and asked where the prisoner was. He replied that he did not know exactly; but that he was at one or other of the kraals on the other side of the range of hills on which we had met. On arriving at the kraal Nobamba, I asked where the prisoner was, and was told at Pangweni, a kraal which I had passed on my way. I asked how they could send me back again, when I had heard that the Chief was at the kraals in this direction. I was again told that the prisoner was at the kraals which I had passed, but that he was ill, and could not be seen. I said: "Is there any Chief that cannot be seen simply because he is unwell?" The people replied, that they had not seen him, and, on account of his illness, did not know where the prisoner was. I told the young men that I was going to sleep at the kraal of Ngwahla; and that they must furnish me with a man to conduct me to where the prisoner was. The young men said they could not do that; and advised me to leave my sticks and go with them to a beer-drinking, or allow them to secure some beer from Langalibalele's sons. I declined; saying I had not come for the purpose of drinking beer, and they must provide me with a messenger to conduct me to Langalibalele on the morrow. I told the men, before they left for the beer drinking, that they were acting foolishly, and if the Chief were really ill it would be better for me to see him in order that I might bear witness to the Government that he was really ill. The men left, and went to the beer-drinking, and on their return in the evening I again complained that they were doing wrong in hiding the Chief from me, I said I was not a man of great importance, I was in amongst the prisoner's own people, and could not do him or them any harm, Why then did they hide him from me? Shortly after this a messenger came from the Chief, stating that I was to remain where I was, and on the following day should know what I had to do. I asked the messenger where the Chief was, but he declined to state, saying I should know everything the next morning. About 11 o'clock, on the following day, a messenger from Langalibalele arrived, saying the Chief wished to see me, and that I was to be accompanied by Masipula, one of his sons. He said Langalibalele was at the kraal Mahendeni, and explained that I had not been informed of this the day before, because no one could

then tell when the Chief, who was ill, could be seen. I went to this kraal, it was not a great distance, and I arrived in a short time. A great many people were assembled at the upper gate of the kraal, and on arriving amongst them I enquired for the Chief. Mabuhle said, "The Chief is sick, but you messenger from the Government can say what you have to say." I then said, "It is right that a message from the Supreme Chief should be delivered to Langalibalele himself." Mabuhle said that was impossible, the Chief was so ill, that he did not now see his own people. I said I could not possibly do him any injury, and it would be better if I saw him, for I could then bear witness to the Government that he was ill. Mabuhle said I might as well deliver what I had to say, and they would tell the Chief; but I said, no; I was sent to the Chief, and would deliver my message to him. They then persisted in the plea of sickness, and said they did not know what he had done wrong, or why the Chief should be sent for. I said he was summoned to explain something which had occurred in the County of Weenen. They said how could they possibly carry him down to Pietermaritzburg, and, in fact, bury him in a foreign place, instead of burying him where he should be buried. I again requested to be taken to the Chief, so that I might see he was so ill; I said that I had been sent to many Chiefs, even to the Chief in the Zulu Country, and had never met with a refusal to see the Chief on account of his sickness, but had always been allowed to see him, whether sick or not. I continued to refuse to deliver them my message until I had seen the Chief. This conversation lasted from the time I had arrived there until about 3 o'clock, p.m., when Mabuhle left, and went to Langalibalele. On returning, he said that prisoner had said I could deliver my message to the headmen, and afterwards see him. Seeing there was no further use in persisting, I said what I had to say to them, that I had come back again to deliver the same message which Mabuhle had received in Pietermaritzburg, and that they were to bring Langalibalele down on horseback, or in a wagon, in order that something which had occurred in the County of Weenen might be explained. I then told the men that the message to them was, that if they persisted in their conduct, and did not aid Langalibalele to go down to Pietermaritzburg, they were doing themselves an injustice, and would suffer for it. I again pointed out how wrong they were to hide the Chief from me—a messenger sent by the Supreme Chief. They replied, that they were not hiding him, but that he was really very ill. I again urged them to allow me to see him, so that I might bear witness of his illness to the Government. I then went up with Mabuhle to where Langalibalele was. I found him partially concealed by a box, and partially by his men. I only saw his head and shoulders. He was lying down at the time. I then told Langalibalele that I had brought the same message I had brought before, and summoned him to appear in Pietermaritzburg. I told him if he could not proceed on foot he was to procure a horse, or some vehicle to convey him hither. He then asked how he could be taken away from his kraal and place when he was so ill; what was it that was so important? I replied, that it was something which had occurred in Weenen County; and, whether sick or not, whatever he had said or done, it was far better for him to proceed to Pietermaritzburg. He asked, how was it possible when he was so ill; and why was he forced to appear? for if one were taken ill in Pietermaritzburg, he would be allowed to return home, and the case would be attended to after his recovery. I told him he was acting very wrong; that he was only a child in the hands of the Government, and should obey the summons. I told Langalibalele that it could not be anything very serious, as he had not committed murder; and I again advised him to go. All this I said on my own responsibility, in addition to the message delivered to me. Langalibalele said it was impossible for him to come, he was so ill. I said, I was not going to convey his messages as well as those of the Government; and, if he wanted that message taken, he had better send someone with it. He then told me to go back to Nobamba, and sleep there. I received a calf, killed, and ate it, and left the next morning; called on Mr. Macfarlane; and then returned to town, and delivered the message I had received from Langalibalele. These are the only occasions on which I went alone. A short time after this I went again, for the third time, with Mahoiza.

Mahoiza, duly cautioned, states: I went with the last witness to Langalibalele's. On my return from the Zulu country, where I went with the Secretary for Native Affairs, I was ordered to proceed to Langalibalele, with the last witness, to tell him he was required down here, and that the Secretary for Native Affairs had looked for him before his departure for the Zulu country; to summon him to appear as soon as possible, and, if he was ill and could not travel on foot, he was to come on horseback, or in a wagon; but, if he was too ill to travel even in that way, he was to allow Mr. Gert Rudolph, Clerk to the Resident Magistrate at Weenen, to see him, and certify as to his illness. I called at Mr. Macfarlane's office on my way up, delivered a letter,

and told him the message I had as to Mr. Rudolph. I met Judge Harding there; and he told me to tell Langalibalele to get rid of the madness in his head, and obey the summons. Mr. Macfarlane advised me to go to the great kraal, ePangeweni; and, if the prisoner was not there, he might be brought there by his sons. I proceeded there; and found some of the Indunas sitting at the upper end of the kraal. I enquired for the head Induna; and after saluting Macaleni and Umzwilikazi, told them I had come to summon Langalibalele, and would proceed to where he was. I expressed my willingness to go to him, though Mr. Macfarlane said he was to be brought to me. The men promised to communicate my business to Langalibalele, and told me to remain there. I remained the whole of that day; and on their return next day, I was told to go to Mahlala's kraal, and remain there until Langalibalele had collected his headmen, so that I might talk to them. I said I had nothing to do with the headmen; I had not come to talk over a case, but to deliver a message to the Chief. I remained at this kraal three days, and on the fourth went to ePangeweni; and, seeing the headmen, told them that Langalibalele had been summoned by the Government, and must manage somehow, on horseback or in a wagon, to obey the summons and proceed to Pietermaritzburg. The men and Indunas enquired for what matter Langalibalele had been summoned; and I said it was in connection with some case which had arisen or circumstance which had happened in the County of Weenen, in connection with Mtshitshizelwa, Domba, and Faku. They said Langalibalele was ill, the summons had overcome him; and they had never heard of a person who was ill being forced to appear—a case would not be gone into until he recovered. They promised to tell the prisoner; but said the nature of this Government seemed hard; and that allegiance in the Zulu country was not required, in the case of a man like Langalibalele, to be paid in person, but by Umhlaba, his Induna. Langalibalele's head Induna, Macaleni, said he thought it best that Langalibalele should be taken down to Pietermaritzburg. Having heard what I had to say, I was requested to remain another seven days, so that they might talk the matter over. On the eighth day I despatched two Messengers to Mr. Macfarlane to report that I was detained in consequence of not being allowed to see the Chief, and I expressed a hope that I should not be blamed for remaining so long. On the day appointed I went back to the kraal, and met the headmen, whom I had met seven days before. Macaleni told me that what had been suggested, and previously agreed to, would not now be carried out; that they made resolutions at this kraal, and, when they saw Langalibalele, they were all undone, and fresh resolutions were suggested. I then requested to see Langalibalele, and said it would only be right that I should see him. Mabuhle said I could not see him unless he were first informed of it, and I had been duly reported. On Mabuhle's return, after seeing Langalibalele with the object of obtaining permission for me to see him, he said I was to return home; Langalibalele was too ill to see me, and could not come. I said it was very bad behaviour to keep me waiting all this time, and then tell me to go home; I said I should go to see him. Macaleni then advised us not to go, as he had done all he could to induce the prisoner to see us, but had failed. Umyembe, the last witness, suggested that, as Langalibalele might be afraid of me, and as he had seen him before, he should go to see him. Macaleni said he had done everything in his power, and had failed, but if they thought they were better men, they might risk the attempt. I again sent to Mr. Macfarlane, stating that the prisoner refused to see me, and on the return of my Messengers I told Macaleni that I could not go back without delivering the message as directed by the Government, and I also wanted to see what would be done to me. I went next morning to Macaleni, and desired to be conducted to Langalibalele, but he said he was afraid to conduct me, for he had been to the prisoner since his last conversation with me. I said you had better go and put me in sight of the kraal, and then you can go back again. Macaleni said if he did that he might just as well go the whole way, and as I persisted in my intention to see prisoner, he would accompany me. Macaleni then said you had better allow Umzwilikazi and Mabuhle to report that you are coming to-morrow. I objected, and said they had better be but a short distance in advance of me, and that we would keep near together. After proceeding some distance, I met one of Langalibalele's men, and stating I was going to see him, asked where the Chief then was; he advised me not to go, and enquired for Macaleni. I said he is behind. He advised me to sit down and wait, so that Macaleni might report my arrival, as it was not safe for me to go on. On reaching the white mountain, I saw the cattle were being taken, and were running away. I asked where they were going, and they said they did not know, Langalibalele had ordered the cattle to be removed. I proceeded, and arriving at the kraal found some men sitting at the gate, I saluted these men, and said I was hungry, and wanted something to eat; they took no notice of my salute, and only stared. Some young men on the other side called out, "Seize

the carriers." Macaleni arrived at this kraal, and said I had better not go on that day, he had been warned that we were not to go on till next day. I objected strongly to this dilly-dallying, and these short stages, and expressed my anxiety to deliver my message. We eventually decided to sleep at that kraal, but the people objected, and it was only owing to Macaleni's good offices that we procured a hut and something to eat. Macaleni said he would not suffer the Government man to be treated in that way, and if he and his party were driven away, he (Macaleni) would be driven away with them. I spoke to Macaleni, stating that I wanted to go on, the next morning, but he said it was not day, and he had been ordered not to go too early. I said I should go on, and enquired at what kraal Langalibalele would be likely to be found. Macaleni said he could not tell exactly, but he thought Nobamba. On arriving in sight of Nobamba we sat down, and a messenger arrived telling us not to go on, and we were kept at a small kraal of two huts. About this time Umyembe suggested that he should be sent on to intimate to Langalibalele that it was quite time we had an interview, and that we had had nothing to eat on that or the previous day. I advised him not to go, and he did not. We waited for some further intimation. Shortly after this a Messenger arrived and said we were to go on. On approaching the kraal we saw a great many people were assembled, more than are gathered here, they were all armed, some mounted, some seemed to be in confusion, they had assegais and shields, and some of them had battle axes. As we approached we came up behind the men, who were drawn up facing the kraal, we saluted the men sitting outside, but they made no reply, and took no notice; some stood with their assegais pointed; they told me to pass on and go below. I replied, "I am a Messenger from the Supreme Chief; it is your place to turn round and face me, and not my place to go below." There was great uproar on my saying that, and Mabuhle said, "Why should we turn round to face you? we are not your wives; go round directly, and speak at once, and make haste about it." I said, "I am a Messenger from the Supreme Chief; how can I be hurried about in this manner? I have not been sent from any of your equals." He replied, "There are high powers in other places than this." I said I had heard what they had to say, and thought they would have listened to me. Ngwahla enquired how they could treat me in this way, and they all turned round and pointed their sticks and assegais at him; he said it was all their fault for advising him to go to the Government. These men all belonged to Langalibalele's tribe, and his only. I said to the last witness, we had better consent and go below, and he said how can we talk if we put our mouths up in the air, we had better go close up to them; he said this because the ground was bad. I was now rather frightened, and divided my party into two, in order that some might escape if any came to harm. There were altogether about twenty men, including the boys who carried our mats; the two parties were now about 10 or 15 yards apart. It was late in the afternoon, and, after we had separated and sat down, some young men came and trampled upon the assegais, and some went to one party, and some to the other, and sat upon the assegais. The headmen then said, "Say what you have to say." I said it was not necessary to say anything to them; I had already said all I had to say to them, and I now wanted to see Langalibalele, and not repeat what I had already said at the ePangeweni. I then said I had come to summon Langalibalele, and take him back to Pietermaritzburg with me, and if he was not able to come on horseback he must come in a wagon. They said, "Tell us for what he is summoned." I replied that he had been sent for in reference to something which had occurred to the headmen, or Indunas, belonging to the Weenen Magistracy, and that the Government wished to bring the parties together to hear the rights of the case, after which they could go home again. They said it would have been better if I had brought Mtshitshizelwa, Domba, and Faku up with me, in order that the case might have been enquired into and settled there. I said there was no power or head that could settle the case there; the only head which could enquire into the matter was in Pietermaritzburg. They replied that they would consider which would be worse for them, to take Langalibalele to be killed in Pietermaritzburg or allow him to die where he was. I again requested to be allowed to deliver my message to Langalibalele himself. They all said it would be as well to die (*i.e.*, to resist the Government) for two days, and on the third day they would beg for peace. I told Mabuhle I would not reply to what had been said, inasmuch as he was only an Induna, and I could only reply to such language when coming from Langalibalele himself. A messenger arrived saying I was to be taken to Langalibalele, but I must be stripped. Some of the young men behind said it would be well if the Government gave them leave to have a fight with Pakade's people first. I said I should take no notice of these remarks, but address myself to Langalibalele. They then came up, took all my things from me, and asked what I had about me. I said they could search for themselves, but I had nothing about me. I then complained, and said I was being treated very badly, but even if they killed

me it was not so much matter, I should deliver the message just the same. I said I considered it very bad conduct to strip me and take me naked into the Chief's presence, but they persisted in doing so. They then said Umyembe, the last witness, must also take off his things. He said he had nothing, but they said they were afraid he might have the same pistol which Mr. John Shepstone had when he arrested Matyana. They then said take them on, they are to go to Langalibalele. An order was then issued that the men who accompanied me were to be guarded, and they were surrounded by Langalibalele's men. When our clothes had been taken off, and they had found nothing they expected to find, they did not allow us to put them on again; we were told to leave our clothes where they were, and go to see the Chief. Whilst the guard was being placed around the other members of the party, Gayide made a rush and joined us to go down to the prisoner. Macaleni, Ngwahla, and Mhlaba accompanied us; addressing the tribe, they said such conduct as stripping Messengers and using them badly was never done, and unless they wanted to destroy the tribe they should not do it. I remarked that it did not matter much if they killed us, the Government would survive, and the tribe would never do such a thing again. We were pushed along, and taken down to a hut which was surrounded by men; we were taken inside, and found the hut was crowded; we were ordered to say what we had to say. I said there was no occasion to treat us in this way, that we should deliver the message from the Government, and there was no necessity to treat us as convicts. I then said I would not say anything more until I saw Langalibalele, I would not for the third time repeat my message to the men. The hut was crowded, and very dark. Macaleni told them they had better leave me alone, and I could say what I had to say to Langalibalele. I then heard the prisoner's voice, and knew he was in the hut. I said to him, "I have come to you; though I have been treated as I have, I shall still deliver my message; I am sent by the Government to call you, and, although from my nakedness you might think I come from outside, yet I come from the Government." I told him the Government ordered that he should come down to Pietermaritzburg, and come either in a wagon, or on horseback, as suited him best; and further, I told him that he was summoned in reference to the same matter on account of which he had been summoned by Umyembe, the last witness. Prisoner asked why he was sent for; and I replied that it was in reference to the same business about which the Indunas from Mr. Macfarlane's magistracy had been previously sent to him. He asked why I had not brought Mtshitshizelwa with me; and I said, "Why should I bring him; the case is not to be tried here." Prisoner then said, that boy (meaning the Induna referred to) had a grudge against him, and had given him a great deal of bother on former occasions, and endeavoured to get him into a row in reference to certain prisoners who had escaped from his (the Induna's) custody after they had been arrested. I said I had not been sent to discuss that matter, but only to request his attendance at headquarters. I also said he had been sent for by the same Government which had placed him in his present position, and made him fat and rich; and that the Supreme Chief was much surprised that a man whom he had raised to his present position should refuse to appear when sent for. I also delivered Judge Harding's message; and told him he was to allow his madness to leave his head, and obey the summons. He then said, "What is this case; tell me what the charge really is?" I said, "No; you will hear when you arrive in Pietermaritzburg." I added, that the Government were very much surprised that he had had communications with Molappo, and other powers beyond the Colony. Prisoner replied that he had heard that he had been accused of doing so. I asked him from whom he had heard it; and said that when he arrived in Pietermaritzburg, he would find out from the Government who had spread that report. He said it was not the first time the Secretary for Native Affairs had tried to get him into trouble. He had heard that the Secretary for Native Affairs had stated that he (prisoner) had bought guns, and was trying to get a way for a cannon; but that when about to go into the question and investigate the charge, the Secretary for Native Affairs had said, "Let there be an end of that matter; it was simply a report." Prisoner, at the same time, stated that it looked as if the Secretary for Native Affairs had a grudge against him. I then told Langalibalele that I had orders from the Government, if I was satisfied that he was sick and unable to travel, to send for Gert to see him, so that he also might bear witness of his illness. Langalibalele said, "Which Gert do you mean?" I said, "Mr. Gert Rudolph, the Clerk of the Magistracy to which you belong." He said, "He dare not come here;" and added that it was owing to Mr. Rudolph's false statements to Government that he was now in disgrace. Langalibalele then said he was afraid to go to the Government; he would turn Bushman, and go into caves; he was afraid, because of something which had happened in the Zulu country; when, there having been a dispute amongst themselves, his (prisoner's) brother had been sent for and

killed by the Zulu Chiefs; and he himself had only escaped alive by fleeing to Natal. He said, "I am afraid to go; and you can tell the Government I won't come." After he had said that, I enquired how it was that I, an Induna under the same power as himself, should have been stripped and treated as I had been by his orders, and in his presence. I said this, in order to see whether it had been done by the people on their own motion, or whether he knew nothing about it, and would rebuke them. Prisoner said we had been so treated by his orders, as he was afraid we might have had a gun or pistol about us, as Mr. John Shepstone had when he arrested Matyana. He (prisoner) knew the circumstances of that case, for he had been present, and had assisted at the arrest. I then asked him if he had really made up his mind not to obey the summons. He said, "Yes; that is my final answer. I do not intend to obey the summons, and I do not intend to run away. You will find me sitting where I now am when you all come." I advised prisoner, in spite of all he had said, to obey the Government. He said, "Yes; if you can give me a fresh leg. If you can cut off this leg and give me a new one, I will come." Prisoner said he would pay a fine; and I asked to whom could he pay it, or who inflicted it, for I had not come to inflict a fine. He said he would pay a fine of threepence. I asked him to explain; and he said he would pay threepence, because he had not such a large tribe as Moshesh or Faku, and that amount would be in proportion to his position and rank. I again advised him to go to Pietermaritzburg; saying we could travel slowly, and it would be far better for him to state what he had to state to the Government. He said, "I will never go." I said, "Why won't you go? You are called by your father, who has made you what you are." Langalibalele then called one of his headmen, who went behind the others, and they whispered together. I could not hear what was said, but, when the conversation was finished, Macaleni asked why the people were not appealed to, and allowed to have their say in the matter, when their Chief was sent for by the Government. Whenever had it happened, he asked, that a messenger sent from one power to another had been treated in this way; even when armies were facing each other, a messenger was often sent and allowed to return without being injured. After Macaleni had said this, Langalibalele called him three times; and asked why the young men should not have their say as well as the old men, considering that the former held the positions their fathers had previously held before them. Macaleni replied that the young men had their say; but, as old men, and in charge of the tribe, they had a right to speak, and they said it was no matter, even if they buried the prisoner at head-quarters in Pietermaritzburg; it was his duty to go. Mhlaba said he agreed with what had been said; he had been frequently sent as a messenger to the Zulu country, and had never been badly treated; but, said he to Macaleni, "Your mouth has two openings (*i.e.*, you are double-faced)." After entering the hut, I requested that another of my men might be called in, so that there might be more witnesses; he was also stripped before he was allowed to enter the hut. As it was now getting dusk, I wished the Chief good-bye; and said that, during the time I had been kept in custody, I had only had three head of cattle to eat, and for three or four days I had had nothing to eat. Prisoner asked, "Why should you be hungry? the country has now got to this state in consequence of your big stomachs (your extortions)." I replied, that a prisoner was always fed; and, when hungry, asked for and received food, even in gaol. He swore by the son of Usenzengakona; and told me to tell the Secretary for Native Affairs and Mr. John Macfarlane that they would never see him with their eyes again; and as to his cattle, they had departed long since. I asked, "Where are the cattle gone?" He said, "Those cattle which escaped the lung-sickness, I sent away ages ago." I then asked the Chief why he had sent them away. Of course, I could understand why the cattle were being removed now; but for what reason had he sent away his cattle so long before. He said he had sent and was sending the cattle away, because he saw the white people were running away; and he asked me what made them run away. I replied, that I did not know they were running away; and, in fact, they had sent me here. Prisoner said all the farmers had run away, and were at Estcourt, and the Secretary for Native Affairs was also there. I said it was not true; and he had better send some one down to see if it was true. Prisoner said I was only delaying him; that the army was at Estcourt. This I denied; but he said he had sent Mabuhle and Umzwilikazi to see. The Chief told me to go and sleep where I had slept the night before. I asked him if he had anything more to say; if so, to tell me to return the next day; but if not, to let me go away altogether, and cover my nakedness. Prisoner then allowed me to leave. I appealed to the Induna, saying I had had no food for four days. After we had dressed, I sent back Umhlolo on leaving, to dilly-dally about the place where we had been stripped; and, if questioned, directed him to say he was looking for my snuff-box. I wanted to see whether Langalibalele would come out of

the hut, mount on horseback, and ride off. After stopping some time, the man returned, stating that no one had left the kraal on horseback. I then sent the men back to ask for something to eat, as I was hungry; and they saw the prisoner mount his horse, and ride away from the kraal. They returned with Macaleni, and informed me of what they had seen. Macaleni said he had come to say good bye; and hoped I would tell the Government of all he had said and done. He said that Langalibalele was no longer under his influence, the young men had him under their influence; and what the old men tied up the young men untied. Cattle were passing, and women running away towards the Drakensberg during all this time. I then returned; and reported to Mr. Macfarlane, at Estcourt, that the people were running away, the cattle were being removed, and so on. I remained at the Weenen Magistracy until the Secretary for Native Affairs found me there.

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

The Supreme Chief asked the prisoner why he had allowed the Messengers to remain undressed, when he found they had nothing?

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

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

Mahoiza replied: Yes. I was not quite sure at first; though I could not tell why they should go away without the Chief's sanction; because, if it were against his wish, he would stop them; but when I enquired for food, prisoner said all the cattle had gone away; and I was then certain that he had ordered them away, and that it was with the knowledge of the Chief they were being sent away.

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

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

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

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

The Court adjourned at 1·15 p.m., until 12 o'clock noon on Monday, the 19th January, 1874.

W. B. MORCOM,

Clerk of the Court.

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

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

THIRD DAY.

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

Present:—His Excellency the Lieutenant Governor, Supreme Chief, President.
Lieutenant-Colonel Milles, 75th Regiment.
The Colonial Secretary.
The Colonial Treasurer.
The Secretary for Native Affairs.
The Attorney General.
Mr. Polkinghorne, M.L.C.
Mr. Bird, R.M.
Mr. Hawkins, R.M.
Mr. Paterson, R.M.

And the following Native Chiefs and Indunas:—Teteleku, Hemuhemu, Nondoniso, Zatshuke, Hlokolo, Manxele, and Mafingo.

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

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

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

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

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

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

Umhlaba, duly cautioned, states: I was present at the kraal, Nobamba, when Mahoiza arrived there, accompanied by Umyembe and others. Mahoiza had a con-

versation with the headmen outside; afterwards he was summoned to see Langalibalele, but they said that he must take off his clothes. To-day is the first time I have seen Langalibalele since that occasion. I left the kraal a very short time after Mahoiza left.

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

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

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

Mahoiza produced the gun referred to by him in his evidence on Saturday last. The gun was taken from one of Langalibalele's people, who was shot. The registration mark is Letter N, No. 8010.

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

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

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

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

His Excellency said the men had been recognised as those of prisoner; had he nothing to say in answer to that?

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

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

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

His Excellency asked the prisoner what made him run away?

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

His Excellency asked the prisoner where Mabuhle was?

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

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

The Prisoner said he should like to have counsel.

His Excellency enquired whether he would like a Kafir or a European Advocate to speak for him.

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

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

W. B. MORCOM,
Clerk of the Court.

FOURTH DAY.

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

Present:—His Excellency the Lieutenant Governor, Supreme Chief, President.
Lieutenant-Colonel Milles, 75th Regiment.
The Colonial Secretary.
The Colonial Treasurer.
The Attorney General.
The Secretary for Native Affairs.
Mr. Barter, M.L.C.
Mr. Polkinghorne, M.L.C.
Mr. Bird, R.M.
Mr. Hawkins, R.M.
Mr. Paterson, R.M.

And the following Native Chiefs and Indunas:—Teteleku, Nondonise, Hemuhemu, Hlokolo, Zatshuke, Manxele, and Mafingo.

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

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

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

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

"October 4th, 1873.

"Before I went to the Zulu Country I sent my Messenger, Umyembe, twice to you to request you to come to Pietermaritzburg, in order that I might explain to you your proper position with reference to your Magistrate, and communicate to you several

complaints, in the presence of the complainants themselves, so as to enable you to explain to me, face to face with them, any part of your conduct which they might have misunderstood or have misrepresented.

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

"On the first occasion you expressed your readiness to come at once, and dismissed my Messenger, after having definitely arranged with him to await your joining him, on a certain day, a few miles from the seat of Government, in order that he might escort you into town. My Messenger acted in accordance with your arrangement, but on the appointed day a party of men arrived without you, saying that you had started on horseback, in pursuance of your promise; that you had ridden as far as Umbunda's (about 20 miles) on your way to Pietermaritzburg, but that you had been compelled to turn back by pains, in an old wound, caused by your riding on horseback. This excuse and statement were brought to me by my own Messenger, and your men, who requested him to introduce them to me.

"I knew that in olden times you had been seriously wounded, and accepted your excuse, believing it to be true. I, however, again impressed upon your men the necessity for your coming, and the object I had in view in requesting you to come, and suggested that if you found it difficult to ride on horseback you should procure a wagon, and that I should expect you in a few days after their return, or a message telling me the cause of delay.

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

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

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

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

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

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

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

"(Signed) T. SHEPSTONE,

"Secretary for Native Affairs."

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

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

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

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

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

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

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

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

The Secretary for Native Affairs replied: I never had any opportunity of going into them. They were mostly of a minor character, and on subjects of minor importance. There was a question with regard to the seizure of some guns by, I think, the Acting Magistrate, not Mr. Macfarlane. There was also a question as to the non-registering of guns. In the early days of the Diamond Fields, it was found that guns to a very large amount—in very large numbers, were being brought into this Colony by natives who had gone from Natal to work at the Fields; that it was quite easy to get guns there; and that one of the objects of these men in going there to work was to procure such guns. It was found impossible to check this proceeding, seeing the acquisition of guns by natives was legal at the Diamond Fields, though not legal here, except under certain circumstances. The Government, therefore, felt

bound and compelled to issue a circular to the Magistrates, telling them that any of these people buying guns in this way lawfully, and bringing them at once to the Magistrate to be registered, would be allowed a license from the Supreme Chief to hold such firearms. It was in connection with that circular and its operation that some of these disputes, though not all of them, arose. Many of these disputes were of a minor character, and had reference to similar matters.

Mr. Barter enquired, whether prisoner had always paid up his taxes?

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

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

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

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

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

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

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

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

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

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

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

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

The Magistrates could remember no such case.

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

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

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

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

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

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

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

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

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

Manxele answered no, he did not consider it was fear at that time, it must have been some object he had in his own heart. It would be impossible to say it was through fear, inasmuch as he had been simply summoned to explain a difference between him-

self and Mr. Macfarlane, who was an inferior power to the Supreme Chief, to whom he could alone clear himself. If he was afraid to do that, what could he do?

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

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

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

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

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

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

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

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

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

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

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

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

His Excellency said: Before I go away I want to say one word with regard to the speeches the Chiefs made to me on the first day of the trial. Some fault has been found with their giving their opinions at that stage by persons who do not exactly understand the usages and customs of Kafirs; but from their point of view, from which I am bound to view it, they were quite right. Langalibalele had confessed his guilt, and stated circumstances which he considered were an extenuation of his guilt, and according to Kafir Law and usage the trial was over. In their point of view the Chiefs

were quite right, and I thank them for the opinions they gave. All the subsequent proceedings which have taken place are in conformity with our own ideas of justice; we wanted to find out what extenuating or mitigating circumstances there might be; that would not have occurred in a strictly Kafir Court, but, according to our own notions of justice and propriety, we thought it proper to go on and ascertain any circumstances which might mitigate or extenuate his conduct. The members of the Executive Council have been here to look on and assist with their advice, and next time this Court assembles they will not be present, because not forming a part of the Court they cannot take part in the judgment; the Court will be composed of myself, the Secretary for Native Affairs, the Magistrates, and the Chiefs.

The Court then adjourned at 12·40 p.m.

W. B. MORCOM,
Clerk of the Court.

FIFTH DAY.

The Court again met on Wednesday, the 4th February, 1874, at 11·15 a.m.

Present:—His Excellency the Lieutenant Governor, Supreme Chief, President.
The Secretary for Native Affairs.
Mr. Bird, R.M.
Mr. Hawkins, R.M.

And the following Native Chiefs and Indunas:—Teteleku, Nondonise, Hemuhemu, Hlokolo, Zatshuke, Manxele, and Mafingo.

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

John Macfarlane, Resident Magistrate of the County of Weenen, states: The late Chief Langalibalele was in my jurisdiction. For a long time before this disturbance, I had noticed indications of disobedient conduct on the part of the prisoner and his tribe. There was a general disinclination to obey, with anything approaching alacrity, any order sent them; and there were general indications, of which, however, it is difficult to give special instances, of an impatience of control. What more immediately brought on the present proceedings was the endeavour to conceal the possession of fire-arms by his people. That began early in the year 1873. There was also a difficulty about the Marriage Law, the prisoner and his tribe endeavouring to effect marriages, and hurry them on in defiance, and to avoid the provisions of the Regulations promulgated by the Secretary for Native Affairs, and which were, as I am personally aware, communicated to Langalibalele himself. The Secretary for Native Affairs had to interfere on that occasion, and the prisoner was summoned to appear before him at Estcourt; he came with his headmen, and a large number of his tribe. A fine was imposed for these evasions, and it was duly paid. The prisoner and his people were solemnly warned by the Secretary for Native Affairs as to the consequences of such attempted proceedings. As to fire-arms. The Acting Magistrate, I being absent, received information as to certain guns having been brought to certain kraals from the Diamond Fields. He sent a message ordering the people to bring in the guns for registration; they refused to obey the order, and a message was then sent to Langalibalele, by the Acting Magistrate, and subsequently by myself, to send the people in with the guns, and a certain time—a few weeks—was given him in which to do this. The prisoner took no notice of the order, and at last refused to send the people in, saying the guns had been earned at the Diamond Fields, and he would retain them. It was clearly explained to the prisoner that the object of calling for these guns was to have them registered; in fact, some of the guns were afterwards brought in, registered, and given back to their owners; one gun was so returned to one of the prisoner's sons Bombo. I applied to prisoner to send in all the guns for registration; this he refused to do, and, the investigation being carried on, I found that large quantities of arms had been, and were being brought in from the Diamond Fields. I repeatedly cautioned the prisoner, and said, whenever the guns were frankly brought in, and produced, they would be registered, and I would do my best to procure His Excellency's permission for their retention by, and return to the possessors. I, at last, thought that matters were getting so grave I should report them to the Secretary for Native Affairs, and I did so. Before this I summoned the prisoner to appear before me in reference to this matter. This was the first time the prisoner ever re-

fused to appear before me when ordered to do so. He refused on that occasion, and I reported the whole matter to the Secretary for Native Affairs, suggesting that he should be sent for to Head Quarters, and the matter all gone into. After my report, and after his refusal to appear, I advised him in the strongest possible manner to submit, and on one occasion offered myself to go to Pietermaritzburg, and do what I could to make the punishment inflicted as lenient as possible. I remember the circular of 14th February, 1872, to the effect that, if the holders of guns were favorably reported upon, their arms would be registered, and they receive permission to hold them. I made this perfectly well known to the prisoner and his headmen, and the other tribes in my county. I was aware the desire to possess guns was so strong, and the inducements, offered at the Diamond Fields so great, that I thought it far better that permission should be given, than that these men should be possessed of guns which they knew they were possessing in defiance of the laws. It was perfectly well known by Langalibalele and his tribe that *per se* it is illegal for natives to hold guns in this colony, and that guns can only legally be held by them after the permission of the Lieutenant Governor has been obtained. The prisoner and his people also knew there was a reasonable prospect of their getting such permission, if applied for; they knew from me that no man of ordinarily decent character would be refused such permission if he had fairly earned a gun. I was almost daily in communication with the prisoner and his tribe by means of his own confidential men, and the assurances I have mentioned were given to these men, and I know they were communicated to the prisoner, because on some occasions some of my people went with them. The Chief has certain Indunas, and all official communications with the Chief must be made through them. There are recognised Messengers between the several Chiefs and the Magistrate, and when these accompany each other there is a double guarantee. This is the official mode of communication, just as the Secretary for Native Affairs is the official means of communication with the Lieutenant Governor as Supreme Chief. The visits of a Chief, unless he has been summoned, are matters of ceremony, and if any communications are made to him then it would be through his attendant counsellors. There is the same kind of official communication between the Magistrate and the Chief, and the Chief and the Magistrate; and if the Chief's Messenger be accompanied by a man from the Magistrate's Office, there is a double guarantee. That is the usual custom; and with very important Messages, the Chief's own Messenger goes back, accompanied by the confidential Messenger of the Magistrate; this was done several times in these proceedings. The Regulations under the Marriage Law require the appointment of official witnesses, who are nominated by the Chief and appointed by the Magistrate. For these offices the Chief selects his most confidential men—men of station and rank in the tribe. The following are the names of six official witnesses recommended by the Chief: Mabuhle, Nkunjana, Umzwilikazi, Umhololo, Umqondo, and Umpiko. The first three were the chief persons employed as Messengers between the prisoner and myself, especially in the matters now under discussion. In addition to being official witnesses, they were the principal Indunas of the tribe; they were Langalibalele's officers, not mine. Official witnesses receive 2s. 6d., and the Chief 7s. 6d. on each marriage. Mabuhle was the prisoner's confidential Induna; and in these and every important matter he was invariably the chief Messenger sent in by the Chief; he was specially recommended by prisoner for the appointment of official witness, as one who possessed the entire confidence of himself and the tribe generally. He was the chief Messenger; and when others were present took the lead.

Prisoner enquired whether Umpiko was not the chief official witness?

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

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

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

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

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

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

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

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

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

Prisoner denied this.

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

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

The Court required no further evidence on this point.

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

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

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

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

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

The Secretary for Native Affairs enquired: By whose directions?

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

The Court adjourned at 12·35 p.m., until 2 p.m., when,

Mr. John Shepstone called the following witnesses:—

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

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

This terminated the evidence.

The Court then adjourned at 2·30 p.m., until Saturday, the 7th inst., at noon, when judgment will be given, and the prisoner sentenced.

W. B. MORCOM,

Clerk of the Court.

SIXTH DAY.

The Court again met on Monday, the 9th February, 1874, at 1·15 p.m.

Present:—His Excellency the Lieutenant Governor, Supreme Chief, President.
The Secretary for Native Affairs.
Mr. Hawkins, R.M.
Mr. Bird, R.M.

And the following Native Chiefs and Indunas:—Teteleku, Nondonise, Hemuhemu, Hlokolo, Zatshuke, Manxele, and Mafingo.

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

"Before we proceed to deal with the very important case before us, it may be well to describe briefly the position of the Native Chiefs and People of this Colony under the Law.

"By the Queen's Letters Patent, confirmed by enactment of the Local Legislature, the laws, customs, and usages of the native inhabitants were retained in full force, except so far as they may be repugnant to the general principles of humanity, as recognised throughout the civilised world; and, subject to the same limitation, the power of the Chiefs over their people is also retained.

"By the same authority, the Lieutenant Governor is invested, as to the natives, with all the power and authority of a Supreme or Paramount Native Chief.

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

"Under the authority before mentioned, the Supreme Chief has, from time to time, invested the Magistrates over Divisions and Counties of the Colony with the power and authority to control the Native population, and to administer justice according to Native Law within their several jurisdictions.

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

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

"The prisoner, the late Chief of the Hlubi tribe, was a Chief and Rain Doctor in the Zulu country, under the late king Panda.

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

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

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

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

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

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

"Now there was this singular and, as we think, unhappy conflict between the Law of this Colony and that of the Government of the Diamond Fields, viz.: that no Native in this Colony could lawfully possess a fire-arm without the written authority of the Government.

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

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

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

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

"In the years 1872 and 1873, it became known to the Resident Magistrate of Weenen County, that both the Law and the Circular were set at defiance.

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

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

"The prisoner promised to come, and arranged with the Messenger to await his arrival a few miles from the town, and to accompany him to the Secretary for Native Affairs.

"Instead of obeying the order, the prisoner sent Mabuhle, and others, with the excuse that he had started and ridden as far as the residence of Umbunda, a distance of 20 miles, but could not ride further, and was obliged to turn back. It turned out that this statement was utterly false, and that the prisoner had never left his Location on the occasion in question. However, the excuse was accepted, and Mabuhle was fully informed of the reasons, and of the urgency which rendered it necessary that Langalibalele should appear in Pietermaritzburg.

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

"After this, Mabuhle, with others, again visited Pietermaritzburg, and saw the Secretary for Native Affairs, who blamed him for bringing a false message, and again explained the urgency of the matter. Mabuhle stated that the falsehood was not his, but he was simply the bearer of it.

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

"At this stage of the business the present Lieutenant Governor assumed this Government. He found it was known and talked of by both races residing in the Colony, and he fully concurred with the Secretary for Native Affairs as to the necessity of taking measures to vindicate the authority of the Government. These measures were delayed by Mr. Shepstone's mission to Zululand, which the Lieutenant Governor concurred with him in thinking of great and pressing importance.

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

"On the 4th October last, Mahoiza and Umyembe were sent with a message fully explanatory of all that had passed before, with the intelligence received of the overtures to the Basutos added, and requiring Langalibalele's presence at the seat of Government within fourteen days after the delivery of the Message; the Messengers reached the prisoner's chief kraal, Pangweni, on the 11th day of October, but he declined to go to them, or to allow them to go to him, and it was not until the 28th that they succeeded in obtaining an interview with him at another of his kraals, about ten miles distant from Pangweni. Prisoner, on this occasion, positively refused to obey the summons, alleging fear as the reason.

"The Messengers from the Supreme Chief were received by an assemblage of men belonging to the prisoner's tribe, armed with assegais, who treated them with insult and disrespect; they were partially undressed by the prisoner's orders, under the pretext that weapons were concealed in their clothes, and then conveyed to his presence, surrounded by armed men.

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

"That portion of it sent to the Bushman's River Pass found the cattle of the tribe, escorted by men in arms, unlawfully escaping from the jurisdiction of the Supreme Chief towards Basutoland; and these men fired upon the force sent by the Supreme Chief, and killed five of the Queen's subjects, before a shot had been fired by the latter, and after Major Durnford, who was in command, had repeatedly exhorted the rebels to return to their duty and allegiance, and after Mabuhle, who was in charge of the rebels on behalf of the prisoner, had, with treacherous purpose, consented to take these proposals into consideration. After this, the prisoner and his tribe, with their cattle, continued their flight over the mountains into the Basuto country, towards the Chief Molappo. They were pursued by a column, sent by this Government, under Captain Allison and Mr. Hawkins, composed of Volunteers and our loyal Natives, till, intercepted by the Cape Mounted Police, they took refuge with Molappo and his tribe; by whom they were surrendered to the Cape Police, who gave them up to our forces, who were a day's march behind at the time of the capture. Along with the prisoner there were taken, among others, his sons and the Induna Mabuhle, who, unfortunately, afterwards made his escape.

"Such is a brief narrative of the events of this rebellion, as far as the prisoner is concerned.

"From the evidence before us the following facts are brought to light:—

"1st. The prisoner has, for a considerable time past, set at nought the authority of the Magistrate to whom he was immediately subject, in a manner not indeed sufficiently palpable to warrant the use of forcible coercion according to our laws and customs, but perfectly clear and significant according to Native Law and custom; and therefore dangerous as an example to other natives, and to the peace of the Colony. At this point it may be asked, why the Government, knowing the danger, did not at once proceed to punish the prisoner? The answer is clear; and it discloses one of the very great difficulties with which the Native Government of this Colony has to contend. There are acts done by Natives, which, in the eyes of civilised communities, are perfectly harmless, or, at least, unimportant; but which, in the eyes of a Native community, are criminal and dangerous to the public peace. Now, the Native Government, if it punishes such acts, incurs the censure and the odium of civilised public opinion; if it passes them over, it loses respect in the eyes of the Native population, and endangers the peace of the community. It stands, in fact, between two public opinions, now, and, as it is to be feared, for some time to come, irreconcilable.

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

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

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

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

"Now on this subject the Court wishes to remark, that according to Native Law, as administered under the Native Chiefs, the mere removal of a tribe, with its cattle, out of the jurisdiction, is an act of treason and rebellion. This law has been so far recognised by this Government, that it has always been in the habit of giving up cattle brought into the Colony by refugees, but it has not given up the people; on the intelligible ground, that it has no means of judging by itself how far the people may have been guilty of treason, except by such act of removal.

"But this Government has never recognised the mere act of such removal as an act of treason, if unaccompanied by any criminal acts; and it cannot be too clearly understood, that any tribe in this Colony is at liberty to remove itself and its cattle out of our jurisdiction, if it does so peaceably, and with the cognizance and previous consent of the authorities.

"The case before us, however, is quite different. It is that of a tribe flying from the jurisdiction, after having set the authority of the Government at defiance, and thereby endangered the peace of the country.

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

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

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

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

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

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

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

"6th. The charge against the prisoner of treasonable communication with others out of the Colony, has not been enquired into, in consequence of the length of time which it would take to collect evidence, and also because, in the presence of the grave charges proved against him, it was not thought necessary to press this charge.

"On all the other charges we find the prisoner guilty.

"The prisoner Langalibalele, therefore, appears before us convicted, on clear evidence, of several acts, for every one of which he would be liable to severe punishment under the Native Law; for some of them he would be liable to forfeit his life under the Law of every civilised country in the world.

"Looking, then, at the acts of the prisoner, simply by themselves, as violations of the positive existing law which we are called upon to administer, it would be our imperative duty to inflict upon him a severe sentence.

"He has suffered no wrong or injustice from the Government. In fact, if any charge can be made against the Government of the Colony as to its Native Policy, it is, that it has been lenient and too forbearing in its dealings with delinquents. We have carefully weighed any extenuating circumstances which can be alleged in the prisoner's favour. We have tried to discover whether some of his acts were caused by fear. We think it probable that his neglect to appear before the authorities may latterly have arisen from this cause; but we are satisfied that his former conduct, and last open resistance to the Government, sprung from other causes.

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

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

BENJ. C. C. PINE,
Lieutenant Governor and Supreme Chief.

T. SHEPSTONE,
Secretary for Native Affairs.

JOHN BIRD, R.M.

ARTHUR C. HAWKINS, R.M.

TETELEKU, his X mark,
Chief of the Amapumiza Tribe.

NONDONISE, his X mark,
Chief of the Amatuli Tribe.

MANXELE, his X mark,
Induna to the Secretary for Native Affairs.

HEMUHEMU, his X mark,
Chief of the Mafunzi Tribe.

ZATSHUKE, his X mark,
Head Induna of the Natal Government.

Interpreter of Contents, and Witness to Marks of Teteleku, Nondonise, Manxele, Hemuhemu, and Zatshuke,

T. R. BENNETT.

HLOKOLO, his X mark,
Chief of the Amancolosi Tribe.

Interpreter of Contents, and Witness to the Mark of Hlokolo,

T. R. BENNETT.

MAFINGO, his X mark,
Induna, Resident Magistrate's Office, Durban, and Chief of the Amaqwabe Tribe.

Witness to Mark,
WM. R. GORDON,
Clerk and Interpreter.

W. B. MORCOM,
Clerk of the Court.

His Excellency said: I need not say this sentence involves imprisonment in the meantime.

The Court then rose, at 2·30 p.m.

W. B. MORCOM,
Clerk of the Court.

COURT OF ENQUIRY

INTO CERTAIN CHARGES

PREFERRED AGAINST MEMBERS OF THE

AMAHLUBI AND AMANGWE TRIBES,

IN CONNECTION WITH THE

RECENT REBELLION,

AND FOR THE

TRIAL AND SENTENCE OF PRISONERS.

FIRST DAY.

FRIDAY, 30TH JANUARY, 1874.

The Court met at 1 o'clock, p.m., in the Storeroom of the Civil Engineer's Department, adjoining the Gaol, Pietermaritzburg.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
JOHN BIRD, Esq., R.M., and Administrator of Native Law.
ARTHUR C. HAWKINS, Esq., R.M., and Administrator of Native Law.

And the following Native Chiefs and Indunas: TETELEKU, NONDONISE, HLOKOLO, HEMUHEMU, ZATSHUKE, MANXELE, and MAFINGO.

The Clerk read the Warrant constituting the Court, signed by the Lieutenant Governor, and dated the 29th instant:—

"WARRANT,

"*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, Vice-Admiral of the same, and Supreme Chief over the Native Population.*

"WHEREAS, the Tribes called Amahlubi and Amangwe are charged with the crime of Rebellion against the lawful authority of Her Majesty the Queen in this Colony, or of aiding and abetting persons engaged in Rebellion, and whereas certain members of these tribes and others are now in custody, awaiting their trial on these charges:

"Now, therefore, I do, by virtue of the powers vested in me as Supreme Chief of and over the Natives and Native Tribes of this Colony of Natal, hereby appoint and nominate—

"President—The Secretary for Native Affairs;

"Members—The Administrators of Native Law who may be able to attend, and the Native Chiefs and Indunas of the Colony who may be able to attend—

to constitute a Court to enquire into, try, and sentence any native prisoners of the said tribes, or others, who may be brought before it, charged with the crimes aforesaid.

"And I do hereby declare and ordain that such Court shall not be duly constituted unless there shall be present at any and every of its sessions the Secretary for Native Affairs, or some one duly authorised by me to act on his behalf, two Administrators of Native Law, and five Chiefs or Indunas.

"And further, that no judgment or sentence of this Court shall be carried into effect without my confirmation thereof having been previously given.

"Given under my hand, at Government House, Pietermaritzburg, Natal, this 29th day of January, 1874.

"BENJ. C. C. PINE."

JOHN SHEPSTONE, Esq., R.M., appeared in the capacity of Prosecutor.

The prisoners present were *Malumbule, Manaba, Mbaimbai, Mazwi, Siyepu, Mango,* and *Ngungwana,* all sons of Langalibalele, and *Mhlaba,* and *Maqobodo,* alias *Ngwahla,* Indunas of the aforesaid Langalibalele.

The charges preferred were as follows:—

"That Malambule, Manaba, Mbaimbai, Mazwi, Siyepu, Mango, and Ngungwana, all sons of Langalibalele, and Mhlaba, Maqobodo, *alias* Ngwahla, and Nombona, Indunas of the aforesaid Langalibalele, are guilty of the crimes of Treason and Rebellion; in that, being clansmen and adherents of the late Chief Langalibalele, and well knowing that such Chief had been placed in power over them and others of his late Tribe, and located in the County of Weenen, within the Territory of the Colony of Natal, one of the possessions of the Queen, by the Supreme Chief, the Representative of Her Majesty; and well knowing that the said Langalibalele was, and, by various tributary acts, periodically and annually made acknowledgment of being, together with his tribe, subject to the authority and command of the Supreme Chief; and also well knowing that, according to the Law and usage of the Natives resident in this Colony, as well as in all the countries adjacent thereto, the removal of a Tribe from its recognised Location, beyond the boundaries of the Territory, without the permission and public sanction of the Supreme Chief, and in armed numbers, and driving before them, and taking with them, the Cattle of the Tribe, is an act of open defiance of the lawful authority of the said Supreme Chief:

"They, the persons aforesaid, are guilty of rebellion against the authority of Her Majesty the Queen, in that they, being sons and Indunas of Langalibalele, and exercising authority in the said Tribe, did agree and conspire with their Chief Langalibalele, to remove from the said Colony, without the legal and necessary sanction aforesaid, and for the purpose of avoiding obedience to the Laws of the Colony, and setting at defiance the lawful orders of the Supreme Chief, repeatedly issued and impressed.

"2nd. That, after so agreeing and conspiring, they did wrongfully, illegally, and with rebellious intent, remove, or assist to remove, the Cattle of the Tribe from the lawful jurisdiction of the Supreme Chief, having with them their arms and munitions of war, for the plain and manifest purpose of defying and resisting the emissaries or forces of Her Majesty, who might be sent to obstruct their departure, or constrain them to return.

"3rd. That, acting in accordance with, and in furtherance of, such agreement and conspiracy, they, or one or other of them, did, after the issuing of the Proclamation of the Supreme Chief, calling upon all members of the Tribe to submit themselves to his authority, resist such authority, by firing upon, killing, and wounding certain of Her Majesty's subjects sent to enforce such surrender.

"4th. That, notwithstanding, and in defiance of the repeated orders of the Supreme Chief to submit themselves to his authority, they persisted in defying and disobeying such orders, until overpowered by superior force, they were captured with arms in their hands."

The prisoner Nombona was absent, owing to sickness; the other prisoners were called upon to plead in turn.

Malambule said: I admit that, armed with assegais, I assisted in driving away the cattle.

Manaba said: I admit that, being armed, I accompanied the cattle; but it was, in reality, more a running away in fear than a defiance of the authorities.

Mbaimbai said: I admit that I accompanied the cattle when being driven away; and that I was armed, but not for purposes of resistance.

Mazwi said: I admit that, armed, I assisted in driving the cattle away.

Siyepu said: I admit that I drove cattle away; that I did so armed; and that I was running away from the Goverment.

Mango said: I admit that I ran away; was armed; and so accompanied the cattle.

Ngungwana said: I admit having run away from the Government; being armed; and driving away the cattle; but I was not armed for purposes of resistance. I was running away.

Mhlaba said: I am an old woman. I have not much to say. I ran away. Fear drove me into the mountains, the young men having already left, and the Government forces being around us.

Maqobodo, *alias* Ngwahla, said: I ran away because the Supreme Chief was angry, and I saw he would demolish us. I ran away in consequence.

The first seven of the above-named prisoners, the sons of Langalibalele, admitted that they had left the Colony with the intention of going to and joining Moshesh's people; and that they had gone to, and had been taken in, Basutoland.

Maqobodo, *alias* Ngwahla, said he had run away temporarily to hide himself, thinking the Government would ultimately have mercy, and the people would be allowed to return to their kraals, but they subsequently found this was not the case, and that the Government were determined to follow up the people, and kill them. He had come down from Table Mountain and surrendered to Mahoiza's people. He had never left the Colony.

Mhlaba had also intended to hide himself for a short time; he had not left the Colony, and had, when tired and worn out with rain and hunger, surrendered himself to Mr. Arthur Shepstone, at the Little Tugela.

Mr. John Shepstone called the following witness:—

Sitokwana, duly cautioned, states: I am the son of Sigonyela, of the Amahlubi Tribe. I belonged to one of the regiments. I arrived at the kraal Mpihlweni, on this side of, and higher up the Bushman's River than, Nobamba, the day after Mahoiza

left. On my arrival at this kraal my father gave instructions to pack up corn to feed the children who had gone on into the bush and mountain. We started from the kraal on the same day, but did not reach the bush; we slept at the Ntabatabeni kraal. We arrived at the foot of the Bushman's River Pass, and remained in the bush while the cattle were being taken up the Pass, for the cattle could not travel as fast as we could, and had to be taken up gently. We stopped some days at this bush while the cattle were being driven up. We had remained in the bush three or four days when we heard there were some white people at the top of the Pass; this was when we were about to come out of the bush, with the women, and follow the cattle up the Pass; for the women were going to accompany us. The news was brought us by three horsemen, who were going towards the Little Tugela. We went back into the bush, and sent four men up to see what was really the state of affairs up the Pass. These men returned stating that the course was clear, that there had been a fight, that the white men had gone away, and that a portion of our armed force had come down the Pass a short distance, and that the other portion had followed the retreating white men. We remained in the bush three days longer. On the third day, the Government forces being close at hand, behind us, we started to go up the mountain and take away the horses, so as not to give any signs as to where the women were. After travelling nine days we overtook Langalibalele at the Orange River, and found him encamped on the other side of the stream, the cattle being a short distance off. The people remained there three days after our arrival, and on the fourth day, those who had followed Langalibalele left the camp and proceeded to where the cattle were. On the next morning we pushed on with the cattle, taking the road to Moshesh's country. We arrived at a place where the grass had been burnt off, as we supposed by Bushmen, because we found a horse there, and there we encamped and remained several days, probably twenty. We did not build huts there, but further on. We then heard that Langalibalele had moved on towards Moshesh's; we remained there two days after receiving this intimation, and then we also moved forward in the same direction. We travelled three days; on the third day several Basutos, about sixty in number, came to where we were. They had found two of our men, who had gone out to look for horses, plundered, and then mounted them, and brought them on to our encampment; they sent three of their own men with our two men, to tell us not to be frightened or to think that they had come out to fight us, or do us any harm. They said the object of this armed force was to put Langalibalele on his right course, as they had heard that he was wandering about, and Jonathan would come and inform Langalibalele what road to take. Shortly after these three Basutos had delivered their message, the main body under Jonathan, the son of Molappo, came in sight. We had a conversation with these men, who asked where Langalibalele was, and finally it resulted in our sleeping in the same camp together; the chief men to whom they spoke were Mbombo, and Mazwi, and the latter of these despatched a messenger to inform Langalibalele of their arrival. After this Jonathan asked for a beast to eat, and we made some exertion to get one, but it was so late that we did not secure the animal until the next morning. On receiving the beast Jonathan said he would drive it on to a spot where there was grass for the horses, and there slaughter it. We followed with the cattle, and on the same day arrived at Langalibalele's encampment; we passed his encampment and that of the Basutos, and made our camp and took the cattle a little further on. We remained there with the Basutos two nights; on the third day we left; we travelled three days, and on the third day arrived in sight of Basutoland. On the third day after we came in sight of Molappo's country Langalibalele went on to Molappo's, accompanied by the Basutos and some of his own people. On the second night after Langalibalele had left the encampment to go to Molappo's, four mounted Basutos came to where we were, and stated they had been sent by Molappo to collect all the fire-arms, inasmuch as the white resident authorities of Basutoland said the guns were to be collected, and that would be the only way of securing Langalibalele's freedom. These men also brought a message from Langalibalele in reference to certain oxen of the kraal Pangweni, describing one cream-colored ox in particular. We replied that we did not belong to the Pangweni kraal. The head of this party of four Basutos called himself Umhlebe, and said he was an Induna of Molappo's. We demurred, and objected to give up the guns; the Basutos asked us to produce them, so that they might see them, and this we agreed to do. They said those of us who wished to secure cattle for ourselves had better hide amongst them, because, in consequence of our refusal to give up the guns, there would be fighting; they urged us to pick out the best of the cattle and hide with them. We declined to separate the cattle, because they were all good, there were no best cattle. The four Basutos then lost their tempers, and offered to fight us, although we were the superior force. We said we did not wish to fight, we were for peace, but we could not divide the cattle. We exhibited three guns to these

Basutos. We were lying down when this conversation took place, for it was very late at night, or towards morning. On dismounting one of the Basuto's guns went off, but it was explained that the man's toe had caught in the trigger, and by that means the gun had accidentally gone off. They all dismounted. After the conversation they mounted again, and said, "If you do not choose to pick out the cattle and give them to us we shall pick for ourselves." They then drove off some cattle. After this we went to another encampment of ours, and enquired if these Basutos had been there, the people replied that they had not. We then went to a policeman of the Basuto Tribe, and enquired of him whether this Umhlebe had any authority to act as he had done. He said no; when Umhlebe had left their encampmennt he had gone in search of horses, and had no authority in reference to guns or cattle. This policeman, belonging to Molappo's Tribe, recommended that the four Basutos should be followed, and the cattle taken away. We followed them, accompanied by certain Basutos, and re-took the cattle. Langalibalele was at this time in custody, at least so said the Basutos. After getting the cattle back from Umhlebe we returned to the policeman of the tribe, who said Umhlebe was a good-for-nothing fellow, had obtained the cattle under false pretences, and we must take no notice of anything he said. On the afternoon of the same day a number of Basutos came from all sides, and, taking the cattle, said we were to go to the Chief with our guns, and they would drive the cattle nearer the kraals; they then collected the cattle together, and drove them away; we followed, and just before we crossed the river a Basuto met us and said we had refused to give up our guns, and now the white people had come. We still followed after the cattle, and met four more Basutos, who said "The white people say you must give up your guns." Some of our people still went on, others stopped, and some turned back. I was amongst those who went on. We met the Mounted Police; some Basutos came from the party and told us we were ordered to give up our guns. We said, "Yes, we have brought the guns." The Basutos told us to stand whilst they communicated with the Police in reference to the surrender of the guns. After this the Police rode up, told us to lay down our guns, and ordered us to stand away from them. The person in charge of the Police then said, as we had laid down our arms we could go amongst the Basuto kraals, and get food for ourselves, for we had nothing more to fear; the only ones who would have cause to fear were those who ran away with arms in their hands, and refused to surrender when called upon to do so. We then went to the kraals as directed, and the white man who had told us that we were free to go about among the kraals, repeated the same statement on the following morning. On the next day the force from Natal arrived; we all ran away, but were pursued, and overtaken by men on horseback, who called upon us to stand still, and then commanded us to return. This we did, and were brought back to the kraals of the Basutos, and from thence conducted to Natal. A large number of guns were given up to the Police; when laid upon the ground they made a pile of about two feet high. All our people were armed, the majority of them with assegais. The sons of Langalibalele were with him during this time; they were always in his company, and he was always ahead of the cattle, about two miles in advance, and accompanied by about twenty-five followers. When we reached the encampment, and went to Langalibalele, we found Mabuhle, Umzwilikazi, Nkunjane, and Nkomonkomo, and his sons, the prisoners in this case, with him. Some of the sons were armed with assegais, and some with guns; Malambule, Mbaimbai, Mazwi, Siyepu, Mango, and Ngungwana had assegais. Manaba had a gun. Langalibalele had an assegai. Mabuhle had a gun. It was said that Mabuhle commanded at the Pass. As we marched we were not divided into regiments, but each party went with its own cattle; there were very many cattle. I only remember the names of six of the regiments; they were not drilled before we left, but I know nothing of affairs before our departure, I having been at Putili's. Joel, one of Molappo's sons, got some of our cattle in the mountains; he took them by force; some shots were exchanged, but no one killed. It was from the Basutos, when they came, that we learned that a column from Natal was in pursuit of us, and that it had crossed the mountain; the Basutos said they had seen the smoke of the fires of the pursuing party, and they blamed us for not keeping a better look out. I heard that the matter was likely to be settled by the payment of a fine by the Tribe, and I returned home to visit my friends, and so became involved in this matter.

The Court rose at 3 40 p.m., and adjourned until to-morrow, at 11 o'clock a.m.

W. B. MORCOM,

Clerk of the Court.

SECOND DAY.

SATURDAY, 31st JANUARY, 1874.

The Court resumed shortly after 11 o'clock a.m.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
Mr. BIRD, R.M.
Mr. HAWKINS, R.M.

And the following Native Chiefs and Indunas:—TETELEKU, NONDONISE, HLOKOLO, HEMUHEMU, ZATSHUKE, MANXELE, and MAFINGO.

Mr. JOHN SHEPSTONE, R.M., continued to act as Prosecutor.

The record of the last day's proceedings having been read over,

The prisoners were then called upon, one by one, to make a statement. The other prisoners having been removed,

Malambule said: I lived at Langalibalele's kraal Miza, which is under Table Mountain. I was horse-breaking, and heard that Mahoiza was at the kraal Nobamba, and that the men had been called together to meet him. I was present when the order was given for Mahoiza to undress, he himself took off his own clothes. That order was given by the old men. I saw Mahoiza taken into the hut where Langalibalele was, but I did not go in. I saw Mahoiza come out again, and went to catch horses. I did not see him leave the kraal. I returned to our kraal, Miza, to sleep that night, and then went to the place where they were grazing to catch fresh horses. I slept two nights at Miza, and the following morning caught my horses, and went along the ridge leading up to the sources of the Little Tugela to look for cattle; having found them, I turned back, and joined Langalibalele, who was at his kraal Ntabatabeni; I mean that I intended to join him there, but I found that he had left the kraal and gone on; he ascended the Pass on Monday. I then followed after Langalibalele, and slept at the kraal at the foot of the Pass; on the next morning we ascended the Bushman's River Pass; Mavuma was with us. We found Langalibalele near the red rocks, about as far as from here to the Umgeni across the mountain; there were with him his sons Manaba, Mbaimbai, Siyepu, Mango, and Ngungwana; and in addition to his sons there were Didiza, Nkomonkomo, Zembe, Mpangele, and Kakonina; these were all that were with Langalibalele. Soon after joining them Langalibalele's party started, and we slept at the cliff called Kolweni; we went on another day's journey and slept at Hlazeni. On the third day after Langalibalele had ascended the Pass, Mafutyana reached us with the intelligence of what had occurred at the Pass. I ascended the Pass the day after my father did, and Mafutyana came up the day after I came up. After we had gone on for some time we heard from some Basutos that we were being followed by a force from Natal; these Basutos were under Jonathan, the son of Molappo. We gave Jonathan a beast to kill, and went on. Jonathan urged us to march quicker, as the force was advancing quickly behind us. After travelling two or three days in company with Jonathan, who continually urged us to have the cattle brought on, so as to avoid their capture by the party following us, we reached some Basuto kraals, where Jonathan provided Langalibalele with a hut in which to sleep, and after that took him, with some of his people, on to Molappo's. I remained behind. We then heard that Langalibalele had been made a prisoner, and we saw

that the cattle were being seized, and that a part of the force of Langalibalele had left their guns, or given them up. The guns were given up, or collected, in one place, in consequence of an order given by Jonathan. I remembered we had run away from this Government in order to avoid having our guns taken from us, and, now finding that our arms were being taken from us here also, I took up a double-barrelled gun, and returned with it to Natal. I then entered the Colony by the Olivier's Hoek Pass, with certain followers, a few more than ten in number; some of my party went forward and came in contact with a few of the force employed under Mr. Arthur Shepstone; the force appeared startled at their appearance, and tried to arrest my men, who ran away; one or two shots were fired, and at last they came to where I and four or five others were; they chased us, and, as they came close, I unwittingly, or hurriedly, loaded the gun, but only with powder, and when the pursuers came closer, I fired at them in order to startle them. I escaped that evening, but the next morning Mr. Shepstone sent to look for us; we were found under a little bush eating our breakfast, made no further resistance, and got captured. I procured the powder at the time I took the gun, when the fire-arms were being given up at Molappo's. I carried my assegais in a quiver, and had them with me when I was taken prisoner. I have nothing more to say in the matter.

Manaba said: I was at Pangweni when Mahoiza arrived. I went to the kraal where Langalibalele was, leaving Mahoiza at the Pangweni. On the occasion of Mahoiza's coming to Langalibalele's kraal, Nobamba, I was in the hut with my father. Macaleni, Maqobodo, *alias* Ngwahla, Mhlaba, Mbombo, Mabuhle, and Mpukane, all great men, were also present in the hut. Macaleni came to tell Langalibalele that Mahoiza had arrived; Langalibalele sent an order by Pangele that, as he was alarmed, Mahoiza must take off his clothes. After that I saw Mahoiza enter the hut with his jacket off. When Mahoiza delivered his message Langalibalele said he was sick; that he could not go down to Pietermaritzburg as his leg was bad, and it would be unreasonable to expect him, when he was ill, to go and become more ill away from his own home. Mahoiza then went away. Langalibalele wished to give Mahoiza something to eat, but said he could not do so because the cattle were in the Drakensberg. Then there was a great deal of confusion, in fact, it had commenced before Mahoiza arrived, and he must have seen that everything was in confusion, and that everybody was armed. After Mahoiza left, Langalibalele went to the Ntabatabeni kraal, and slept there. I accompanied him. We rode on horseback. The next day we started, and slept at the foot of the Pass on Sunday night. On Monday morning, Langalibalele ascended the Pass, and slept at the red rocks that night. On the following day we made a long day's journey to another rock, called Kolweni. On Wednesday night Mafutyana arrived, stating he had been sent by Mabuhle to report what had taken place at the Pass. Langalibalele asked the messenger by whose authority it had been done, and he replied by Mabuhle's. Langalibalele made special enquiries as to who had fired the first shot; and when the messenger said the Basutos had, he remarked that he hoped that Mabuhle had not caused the first shot to be fired, seeing he (Langalibalele) had given him special orders on that subject before he had ascended the Drakensberg; and had directed him, even if the forces of the Government got in amongst the cattle, that our people were to leave the cattle, and not fire upon the Government forces. Mafutyana also reported that Jantje, the son of Selile, had killed a white man, that Mabuhle had killed another, and that the third had been killed by Latyinga, who had himself been killed by a pistol shot. Latyinga and the person he had attacked had in fact killed each other. We went on. Mabuhle came up after we had crossed the Orange River, and told the story over again. Langalibalele asked who had commenced the firing, and Mabuhle said the Basutos had first fired. Langalibalele enquired particularly whether the firing had not commenced on our side. Mabuhle said, No; the Basutos had first fired. Langalibale said: "Well, if it turns out that it began with you, you and I shall quarrel; because I told you distinctly before I left that you were not to commence firing on the forces of the Government." We then went on, until some Basutos, under Jonathan, son of Molappo, came to us. I was with Langalibalele when Jonathan came to him, and blamed us for not keeping a better watch on our rear. He said his people had seen the Natal force close at hand; and he urged us to go on quicker, in order that we might get out of the way of the pursuing force; and if we were sufficiently advanced into Basutoland, he said we could make terms with the force, by giving up the arms, and thus save Langalibalele. Langalibalele said, "Will you really save me?" and Jonathan said, "Yes, we will save you; only come on at once." We went on, until we came in sight of the kraals of the Basutos; and then went down, and slept near them. Jonathan had stated that he had been sent by his father, Molappo; and now he

told us he had received a message, which his father's indunas had brought, directing him to request that the guns might be at once given up, while the cattle were still behind, and then they might all go down to the British authorities; the object or intention being to give up the guns, and then plead an international custom, that when one tribe had run away and got in amongst another tribe they would be saved. Several guns were given up that night, in accordance with the message. Next morning, an order came from Molappo, desiring Langalibalele to come to him at once. Langalibalele said he was tired, his leg was sore, and so on; but the answer was, whether his leg was tired or not, he must come down at once; and he went down. We went to Molappo's, and he gave us some beer. We had left our guns, and carried assegais. Molappo said, "Do you think carrying assegais will do you any good? The only thing that will do you any good now is talk." A force composed of white men was there. Our assegais were taken from us, and our names put down by the Magistrate. My brothers Mbaimbai, Mazwi, Siyepu, Mango, and Ngungwana, and myself, were arrested. That is all I know about it. I was armed with a gun when I started from Natal. The confusion I referred to existed some days before we left, and had been caused by a message from the Magistrate, by Umpiko, to the effect that the force to be used against Langalibalele was being collected; and those of the tribe who were on the side of the Government were to separate themselves from the rest of the tribe. This was before Mahoiza went up. The order as to firing, which I referred to as having been given by Langalibalele to Mabuhle and the other people, was given on the morning that Mahoiza left. We obtained all our powder at the Diamond Fields, and none from anywhere near here. I know of no one here present who was present at the Pass.

Mbaimbai said: I belong to the Pangweni kraal; but when Mahoiza arrived there I was at the kraal of Nobamba, with Langalibalele. The day on which Mahoiza arrived at Nobamba, I was in the hut with Langalibalele. Mahoiza first went to the people assembled a little distance off. Some one, but I don't remember his name, brought word to Langalibalele that Mahoiza had arrived, and come to see about his illness. Langalibalele replied, "I am afraid of anyone that comes from Pietermaritzburg. Let him take off his jacket before he comes." Mahoiza then came in, without his jacket. We gave him some beer, and he drank. Langalibalele explained to Mahoiza, when he told him he wanted him to go to Pietermaritzburg, that it was not owing to disrespect, but he was really unable to go, his leg was too badly swollen; and, in fact, his leg was very much swollen. After Mahoiza had left, Langalibalele went to the Ntabatabeni kraal, and slept there. On Saturday night Mbombo came to Langalibalele at the Ntabatabeni kraal, where I also was, and reported that the Government forces were close behind. The next morning we started; and on Sunday night we slept under the Pass. On Monday we ascended the Pass, and slept at the red rocks; the next night we slept at the Kolweni rock. On Wednesday evening Mafutyana, who had been sent by Mabuhle, arrived, and reported that there had been an action, and that Mabuhle had ordered an engagement. Langalibalele wanted to know by whose authority it had been done, seeing he had given instructions that, when they saw the English forces, they were to run away. He enquired who commenced the firing; and the messenger said the Basutos had taken some guns away from our young men, and had also stabbed a beast, that was the provocation. He also said that Jantje, the son of Silele, was the one who fired the first shot, and that he also had killed the first white man who had fallen; that Mabuhle had killed the second white man, and that Latyinga had killed the third; he reported further that Latyinga had himself been killed; that Puluzamati and Mahohlo had each killed a Basuto; some were killed by gun shots, and others by assegais. We went on until we were met by Jonathan, the son of Molappo; he said we had been very careless about our spies, that his people had already seen the smoke of the fires of the Natal force in pursuit; he blamed us for our carelessness. We admitted that we had been careless, our great anxiety being to get forward. When we asked Jonathan what his object was, seeing he had so large a force, he said he had been sent by his father Molappo to tell Langalibalele not to go to Adam Kok, seeing he belonged to the Government, but to come to him (Molappo). He then showed us the way, and we proceeded on towards Basutoland; he ordered us to give up our guns, and we gave up seven. Molappo then ordered Langalibalele to go down to him, and said these guns which had been given up would save Langalibalele's head; we went down, and were made prisoners. We had some beer given us, and were told to go to a wagon, and there we were seized. That is all I know about it. Mabuhle joined us after we had met with the Basutos, so that we had no opportunity of questioning him as to the affair at the Pass. Langalibalele rode on horseback, and it was a fear of the consequences that

prevented him from coming to Pietermaritzburg when summoned. The character of the country and bad weather delayed us; it is always winter in crossing the mountain, when it is summer elsewhere, and that is why we were so long in the Double Mountains. We really had no fixed plan. Langalibalele's idea was to get out of the way, and subsequently try to make terms, and return with his family. I carried my assegais in a quiver, I had no gun. I do not know of any communication with Molappo before this time.

Mazwi, a youth of about seventeen years of age, said: I don't know anything about it; I saw everybody else going, and so I went. I had no gun; I carried my assegais in a quiver on my shoulder. That is all I know about it.

Siyepu, a youth of about sixteen years of age, said: I was taking care of the horses, and don't know anything about it. I only had two assegais.

Mango said: I was present when Umyembe first went to deliver his summons to Langalibalele at Nobamba. Langalibalele said, though his leg was not well, he would go down to Pietermaritzburg and obey the summons. I then went to the kraal where I live, which was some distance from where my father was. Mabuhle soon after came to me, and said that he and I had been ordered to go to Pietermaritzburg, after Umyembe, with a message. I asked how it was that we had to go, seeing Langalibalele had promised that he himself would go. Mabuhle said, "We have come now, he is not going." On the way, when near Mbunda's, I again asked how it was Langalibalele had changed his mind, and why it was that we were being sent. Mabuhle said, "It will end in nothing; we will say he rode as far as Mbunda's, and could not come any further." I said that will scarcely do; such an excuse as that won't answer. I then said, "If Mbombo had been sent, instead of you, he would have agreed with me; he would not have consented to a falsehood of that kind." We came on to Pietermaritzburg, saw the Secretary for Native affairs, and reported that Langalibalele had started and got as far as Mbunda's, but had then been obliged to turn back. The Secretary for Native Affairs said he was very anxious that Langalibalele should come down, in order that he might hear face to face what the people from Estcourt had to say, for they were then waiting in town. The Secretary for Native Affairs also urged upon us to tell Langalibalele that he was anxious he should come, in order that an end might be put to these misunderstandings, or difficulties. We then returned home, and told Langalibalele that he was wanted in connection with some business with the Indunas of the Magistrate, at Estcourt, and that we had found these Indunas in Pietermaritzburg. Mabuhle and three others, Official Witnesses, were decidedly opposed to his going down, and said Langalibalele must not venture, or he would be made a prisoner. Mbombo, my brother Manaba, and I, assured them that nothing of the sort would happen. Umyembe, and the other messengers returned, and objections were again raised, but Mbombo urged that Langalibalele should obey the summons. They then reproached him with being the son of a man who had caused the death of one of their former Chiefs in the Zulu Country, his father having urged the Chief to obey a summons, and he having done so had been killed. They said they had heard from the Indunas, at Estcourt, that if he came down to Pietermaritzburg he would be taken prisoner. Under these circumstances, we of course felt we should be blamed if anything happened, and so we ceased to urge our view of the case. Soon after this confusion arose. Before the retreat from the colony Langalibalele assembled his people at Amahendeni. It was before Mahoiza went to Nobamba that Langalibalele assembled his people at this kraal, and gave them orders, if the Government forces came, they were not to fire upon them, but run away rather than fire. After this Mahoiza came. I was present at the kraal, but did not see much that happened. I heard he had been told to take off his clothes, but I do not know this from having seen him do so. On Saturday night, when at the Ntabatabeni kraal, Mbombo arrived, having just returned from Pietermaritzburg; he told us the Government force was already on the way, and that it would be at Mr. Popham's on Sunday, and on Monday would make the attack. On Sunday morning, therefore, we started to go over the mountain, and on that night slept at the foot of the Pass. The next day, Monday, we ascended the Pass, and slept at the red rocks beyond. We went on the next day; and on Wednesday Mafutyana arrived, having been sent by Mabuhle to report that an engagement had taken place. Langalibalele asked who had commenced it; and Mafutyana said the person who had sent him told him to say that Mbunda's people, the Basutos, had commenced it. Langalibalele said he hoped it would not turn out that Mabuhle had caused the commencement of the firing; seeing he had given orders that our people

were not to fire first. Mafutyana reported that Jantje, the son of Silele, had killed the first white man, that Mabuhle had killed another, and that Latyinga had killed the third, but had likewise himself been killed. He said the affair had commenced in this way. Some of the Basutos had taken some guns from some of our young men whom they found asleep; they then shot one of our beasts; and afterwards fired upon our people, who then fired in return. It was Mabuhle's duty to see the cattle got safely through the Pass. Mabuhle joined us some time during the latter part of our journey. Langalibalele questioned him as to who had commenced hostilities, and he replied that the Basutos had done so. Langalibalele then enquired if he was quite sure that such was the case; and Mabuhle said, "Yes." Langalibalele said he hoped it might be true. We went on, until we became aware of the presence of Jonathan, the son of Molappo; who caught two of our boys when out looking for horses, and brought them on with him, and then sent them to tell us not to be alarmed, seeing they were not an enemy but a friendly force, and had been sent by Molappo. The direction from which Jonathan came was our rear, and, when introduced to Langalibalele, he said he had been absent from home a period of eight days; and had been sent out by his father, Molappo, to tell Langalibalele to come to him, and not to go to Adam Kok, who was an enemy, or hostile. Jonathan and his people slept with us two nights, and we gave them two beasts to eat; they then showed us the way to reach Basutoland, and we went along it. When we had gone on some distance towards Basutoland, Langalibalele sent Maweywe to Molappo. He did this in consequence of a message from Molappo, brought to him by Silebala, to the effect that he was to give up the guns, in order that he might, with these guns, ransom his head to the British authorities. Then another messenger came from Molappo, desiring Langalibalele to come to his, Molappo's, place, so that he might see what he had to say for himself. Langalibalele then gave up seven guns; and we went with the Basutos to Molappo's own place. When we arrived, we found a large Police force there; and passed in between the men. After our saddles, assegais, and other things had been taken away, to be taken care of, Molappo gave us beer to drink, our names were taken down, and we were made prisoners. I was armed with assegais. I know of no other tribes connected with any plan of resistance. Our own resistance was entirely impromptu, and arose out of the circumstances of the case. We did not know what to do. Langalibalele said he was Chief, and could not obey the summons; and we knew the consequences of disobedience to the order.

Ngungwana said: I was in the employ of Mr. Heeley, in Pietermaritzburg, when the difficulty broke out, and had been for ten months before. When I heard how matters were going, I thought it my duty to go up and see what it was. I got there five days before Mbombo arrived, and gave the alarm. I was at the Ntabatabeni kraal when Mbombo came, and told us that the Government force had started, and would be there immediately. On Sunday morning Langalibalele started; I went with him, and that night we slept at the foot of the Pass. On Monday morning we ascended the Pass, and slept that night at the red rocks. On Wednesday evening, the son of Umzwilikazi, Mafutyana, overtook us, stating that he had been sent by Mabuhle to give a report of the action which had taken place. Langalibalele enquired who had commenced hostilities, and the messenger replied the Basutos had. Langalibalele said he hoped it was true that the Basutos had commenced, and that it would not turn out that our people had fired first. Mafutyana said the Basutos had fired first, after killing a beast, and taking some guns from our people. Langalibalele said he would hear more about it when Mabuhle came, and if our people had commenced the firing they were in fault. We went on until we met the Basutos under Jonathan, the son of Molappo; they said they had been sent to conduct Langalibalele to Molappo, to tell him not to go to Adam Kok's country, where a force was now awaiting him. Langalibalele said he had nothing to do with Adam, and did not want to go to his place, he was simply wandering about. The Basutos said Molappo said he was to come to him, and he would hide him. On the third day after the Basutos took us on, and on the fourth day we descended to a lower country. Molappo said, "Let the guns be given up, so that we may take them to the English, and you may be saved by their being given up." We then gave up seven guns, and slept another night. The next day they took Langalibalele away, but I stayed with the cattle; the following day the Basutos came and told us our chief had been made prisoner; they then gave orders that the cattle were to be driven down country, and the guns were to be given up there. Then we allowed the cattle to go, because we felt we were done, and had no power to resist; the cattle got into the possession of the Basutos, and all our people then collected together. The guns were all brought together in my presence, and made quite a large pile, but these only belonged to the Pangweni part of the tribe. The others did not

give in yet, they objected, saying the Basutos would kill them, and they preferred to give up their arms in the place where Langalibalele had been caught. We then went on to Molappo's, some having given up their arms, but others not having done so. The mounted men also went to Molappo's; I also went with them, having my shield and assegai. As we were going we saw an armed force of white men, and a Basuto came to direct us to lay down our guns, assegais, or arms of any kind, so that the white men might be told we had done so. While we were objecting to put them down there, and stating that we intended to lay them down where Langalibalele had been made a prisoner, the white force appeared, and immediately surrounded us; they ordered us to lay down our guns, assegais, shields, and all our arms at once, and we did so. The rest were told to go to Molappo's; but it having been found out that I was a son of Langalibalele, I was made a prisoner, and detained in custody, while the Police went still further into the mountains, to look after those who had refused to submit, and, seeing the armed force, had run away up the mountains. They left me in charge of four men; and, going on, attacked the people on the hill, about as far as from here to the Camp. The attack lasted until sunset; when the Police returned: but it was too late to reach Molappo's that night, and we slept on the road, I having been made secure for the night. I was taken to the camp next morning, and made a prisoner, with my father, at the wagon. The column from Natal then arrived. We were given over into their charge, and brought down here. Eight regiments left the Colony. They were named Mahende, Ntabayezwa, Umsingapantsi, Npumangene, Zitshelera, Mrotsho, Nkonjane, and Nguboyenkosi, but they were by no means complete. I belonged to the Nkonjane regiment, which was the most complete. We obtained all our powder from the Diamond Fields, and from no other place. The road used by our young men when coming from the Diamond Fields came down by the Amangwani; the name of the Pass they used is Kwababangibone.

The Court then adjourned, at 3·35 p.m., until 12·30 p.m., on Monday.

W. B. MORCOM,

Clerk of the Court.

THIRD DAY.

MONDAY, 2ND FEBRUARY, 1874.

The Court resumed at 1 p.m.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
Mr. BIRD, R.M.
Mr. HAWKINS, R.M.

And the following Native Chiefs and Indunas: TETELEKU, NONDONISE, HLOKOLO, HEMUHEMU, ZATSHUKE, MANXELE, and MAFINGO.

The record of the last day's proceedings was read over.

Mr. JOHN SHEPSTONE, R.M., continued to act as Prosecutor, and led the following evidence:

Hlaba, duly cautioned, states: When the Government force halted at Table Mountain, I went on with some Volunteers to see about a road, or something of that sort, while the Secretary for Native Affairs went round by the road in his wagon. With these four Volunteers I went to a kraal some little distance down the stream; we found it deserted by all but one young man, whom we took prisoner, and brought before the authorities at the camp of the Secretary for Native Affairs. On the following morning, I accompanied the Secretary for Native Affairs when he went up towards the Drakensberg to look at that part. The Secretary for Native Affairs, having met Captain Lucas, returned; he took a good road for the horses, but I and two or three more natives took a shorter cut to the camp. As we were passing the edge of a bush, we noticed that the grass had been beaten down, as if a lot of people had been sitting there recently. We entered the bush, and found four girls, two women, and two children. We advised them to leave the bush, as they might get hurt or meet with an accident; we said they had better go to their homes. Only Gayede accompanied me when I entered this bush, and had the conversation with the women. Having taken these women and children, we proceeded towards the encampment; and, after going a short distance, we heard firing. On going further, we found a number of our comrades scattered about, and wondered why it was. We asked Amahashi what it was; and he explained that they had found some sheep grazing, and were driving them off, when two men with guns had attacked and fired upon them. I called to the men, who were scattered about, to come where I was, and I would tell them how to act. Langalibalele's two men, who had the guns, called out, "Leave those sheep alone; you are not to touch them." I called our men together, and said they must seize these two men immediately they fired, and bring them before the authorities; what business had they to fire; were they really fighting against the Government? We then proceeded towards the spot where the two men were. I told my comrades I would go round and surprise the men from behind, if they would keep close in front, and attract their attention, and I could then seize them. My companions said I had better not. I jumped on to another stone, and calling out, asked the men if they did not hear the order of the Government to return to their kraals. They replied, "Yes, we hear; but you are the man we should like to speak to." I then disappeared from this stone behind another; and the next thing I heard, on looking towards my companions, was a shot whistling past my head. I

dropped; and as I rose again to call my comrades to assist and seize the fellows, I saw them running away; and just then another shot passed over my head. Seeing my comrades had deserted me, I also ran away; and another shot was fired after me. It appears that Mahoiza was on the cliff above, and could see what was going on; and when he saw the man was pursuing, he fired a shot which stopped him. Mahoiza and this man exchanged several shots, but how many I cannot say. I attempted to return and arrest this man, while he was exchanging shots with Mahoiza; but the tin pannikin slung on my back made a noise. He heard it, and ran away. We then took the horse and sheep away with us; and called out to Mahoiza's people to come down and take all the sheep, as there were others secreted in the bush. They came down, and took the sheep or goats down to the Secretary for Native Affairs. The goats had been put outside the bush on purpose to entrap us. I returned to the camp, and saluted the Secretary for Native Affairs, who was surrounded by several people; and I began to think, after all I had done, I was going to get punished for it. The Secretary for Native Affairs enquired what I had been about? what did this mean? and what authority had I to do all this? I said I had found them fighting when I arrived. The Secretary for Native Affairs repeated his question, and I answered as before. The Secretary for Native Affairs then said the responsibility of the whole fight lay on my shoulders; and asked me who had given me directions to leave his side, as I was accompanying him. The Secretary for Native Affairs directed that these goats or sheep should be taken back to the place from which they had been removed; and having enquired and ascertained whose women and children we had brought, we were ordered to take them back to Umdebele's kraal. We then took the sheep and horse we had seized; and were in a great fright, fearing this man of Langalibalele's tribe might attack us again. We left them where we had found them. We delivered the women and children to Umbalagelwa, who was to receive a pass, and take them to a missionary, through whom they were to be delivered to their friends. That is all I have to say. We were blamed for acting without authority, as the Secretary for Native Affairs had not gone up to fight; and was still in hopes of having the matter with Langalibalele settled. This took place before the order for attack had been given. I wish to explain how this happened. I knew Adam and Nomyaca had orders to make known the proclamation calling upon the people to return to their kraals, and we thought we would do the same, when we were fired upon by Langalibalele's people. When I returned the sheep, I saw no one. I am sure bullets were fired at me, for I heard them whistle past my head.

Nomyaca, duly cautioned, states: I remember being sent with Adam to Langalibalele. On our arrival at Table Mountain, the Secretary for Native Affairs told us, in the evening, that we must go next morning and find Langalibalele, and bring him back with us, and tell him, if he was unwilling to come in, that he would be compelled to do so by force of arms. We were also directed to tell the people that those who were still loyal were to keep on one side, and show themselves to the leaders of the Government forces. We went to the Ntabatabeni kraal, and, passing that, went towards the Bushman's River Pass. As we were passing along, we came on some women in a bush, and saw some goats. We asked these women where Langalibalele was, and also said if there were any men there they were to come out. Two men appeared on the upper side of the cave, but refused to come down. They asked if I was Matshobana, and then said they perceived I was not. I called out, "Come down, I have been sent by the Secretary for Native Affairs to summon Langalibalele to come to him at the Table Mountain. Where is Langalibalele?" They said they did not know where he was, and they refused to come down to me. I told them further, that the Secretary for Native Affairs said those who were still loyal were to separate themselves from those who adhered to Langalibalele, in case he refused to obey the summons, so that they might be known. Adam, the nephew of Langalibalele, accompanied me, but was not then present; he was a little distance off. One of the men said, "We are here in charge of some of Langalibalele's wives;" the other man said, "Why do you admit that, they will be found out." I said, "There is no harm done, we are sent to them also to order them to return to their kraals." I then passed on, went further up the Berg, and met Adam; he said four men, armed with shields, had just gone behind the hill, and he told me to go to them. While following these men, we met another man driving some goats; we called to him to stop and come to us; he refused to come; we told him to wait for us; he again refused, and said we must not both approach him. Adam went towards him, but I remained behind. As Adam drew near he drew out his assegai with his right hand, ready for use. Adam said there is no occasion to draw your assegais, we have been sent by the Secretary for Native Affairs. Adam did not go nearer to him, but, calling out, enquired where Langalibalele was; he said he did

not know. We asked what the people wanted in the bush, and ordered them to return to their kraals; they said they were afraid of the Government force. We then shouted to all there to return, and asked where Langalibalele was; they all said they did not know. There were others in sight and hearing when we called; some were herding horses. We then crossed the ridge, and went down towards the Little Tugela. Adam wanted to enter a gorge in a bushy part, but we said, "No; it is getting late, they have refused to show where Langalibalele is, and they will be stabbing us after dark; we had better direct our steps towards the encampment." On returning to the camp we saw Capt. Lucas's men a short distance off, and went towards them, but they hid themselves, and moved out of the way, but as we came nearer they waited for us on another ridge, and there we came up with them; they questioned us as to where we had been, and we said we had been sent by the Secretary for Native Affairs to make the proclamation known. We went to Capt. Lucas's encampment, and heard that the Secretary for Native Affairs had been seeking a road in that direction, but, not finding it, had returned to where he had slept the previous night. We had some food at Capt. Lucas's and then returned to the Secretary for Native Affairs. No violence was used on that day. We traversed the greater part of the Location, going through the centre of it, and even went up past some of the caves where the men were. Some people belonging to the Tugela end of the Location returned, but none of the people from other parts obeyed the proclamation. None of the people gave us any information; they seemed shy and disinclined to talk. None of the kraals were occupied; the cattle had been removed, and there were none there; this was before authority had been given to use coercive measures; five days elapsed after this before active measures were taken. There were no traces of cattle having been there for a long while, except such as had travelled past, and seemed to have come from the lower part of the Location. The kraals had been deserted for some time. The cattle went to the Berg about the middle of August, and eat the first spring grass under the mountain. They must have left the kraals more than a month before.

Adam, a nephew of Langalibalele, duly cautioned, states: I, and the last witness, were sent by the Secretary for Native Affairs to Langalibalele, to call him back, as he wished to speak to him at Table Mountain. In case Langalibalele refused to obey the summons, I was directed to tell the people, that those who were loyal to the Government were to come down the mountain immediately to the camp, and to do it that very day, inasmuch as an armed force would be sent against them the next day. After leaving the camp we met six men, just on this side of the Ntabatabeni kraal; four of these men were on foot, armed with shields and assegais; one was mounted, with assegais slung on his back in a quiver. On asking where they came from, they said Mbunda's, but I recognised two of them as people of Langalibalele's tribe, and asked them where Langalibalele was; they declined to answer, evaded every question, pushed on, and would not stand. My companion said, "You see their demeanour; we are walking among enemies." We went on, and agreed that we would not go down into the gorges, but keep on the ridges, from which we could see on either side. We passed on, and came to four goats, and then followed their tracks, as we had an idea they had come from where some people were hidden. After passing these goats we separated, and I told Nomyaca to keep on a track which had evidently been recently used by people, and I would look about towards the Bushman's River gorge. I believe Nomyaca afterwards came upon some women, and some of Langalibalele's wives. I went down towards the Bushman's River, and proceeded, but I only saw cattle and horses in the distance. I took the track going up the mountain, and this happened to meet the track the last witness had taken. After traversing a large portion of the Location, I met one man driving some goats, and then beckoned to Nomyaca, who was not far off, to come towards me. On his reaching me, I told him what I had done and seen, and he told me there were some men on the other side of the ridge. We then went towards the man driving the goats, and on coming near him called out; he said you must not both come at once. I told Nomyaca to remain behind, and I would go to the man. I went, and as I was riding towards him he drew his assegai in his right hand, ready for use, I being distant about 40 yards. He said to me, "Stand where you are." I replied, "I shall not stop where I am, I shall come close up to say what I have to say." I then told him I had been sent by the Secretary for Native Affairs to summon Langalibalele to come down to the Table Mountain and talk over matters. I told the man it was no use for him to draw his assegai, for if I had come to fight I should have fired; I have not come to fight, but to deliver a message. Seeing the man would not allow me to come nearer, I asked where Langalibalele was. He replied, "Why have you come among the mountains to look for him, he is at his kraal." I asked which kraal? He replied, "At the kraal where he usually stops." I said he

has a good many kraals, and he replied, at Ntabatabeni. This man then said, "I fancy I recognise you as being Langalibalele's nephew, and you sent a message by Mbombo to say the people were not to run away." I said, "Yes, I am; and I sent that message." He said, "Langalibalele is at his kraal, and we have heard enough of your messages." As the man was disinclined to stand, I called out, "Look here, we have now been round through all the Location calling out among the bushes and the gorges that those who intend to remain loyal to the Government are to return to their kraals, and as you will no doubt see other people, I may say that those who intend to adhere to the Government must return to-night, as to-morrow an armed force will be sent against those who remain in the bushes and gorges." After leaving this man I saw two people coming up from the direction of the Little Tugela. It turned out that these had been to the kraals to see what had been done, or was doing below, and whether there was an armed force. We made known the proclamation, and they ran away back towards the Little Tugela, but they heard and understood our message, and have since admitted the fact. When we went towards the Little Tugela we saw fires and smoke, but on coming in sight the fires were put out. We called out to these people, who were making fires in the gorges, and told them to return to their kraals, inasmuch as an armed force would be sent on the following day. Passing on, we saw a man herding three horses, and called to him to return, as, if he did not, he would very likely be destroyed by an armed force on the following day. I wanted to go to him; he was armed with a gun; but the last witness said I had better not go. These three horses were afterwards used to follow us, and ascertain whence we came, and what force there was. After this we returned to the encampment. Three days after this the force was moved up. We found some women, and called to them to return, assuring them they would not be hurt if they returned; but Menyuka, the cousin or brother of Langalibalele, and son of Mitimkulu, drew an assegai in reply, spoke defiantly, said we could do nothing, and threw his weapon at the Government force. This was before any shot had been fired, or any weapon used on our side. It ended in this man, and another who was with him, being killed. One of the women was killed by accident, by a shot aimed at Menyuka. The women were anxious to come out, but he would not allow them, and tried to force them back. A girl was wounded at the same time, but I dressed the wound with gunpowder, and she got well. The proclamation was heard by the people. Langalibalele's own wives admit having heard and understood the proclamation. Some men and some women also, whom we took prisoners, and to whom we gave food, and instructions to return to the Ntabatabeni kraal, did not go there, but went to the caves. These admitted that they had thoroughly understood the proclamation. About twenty men, on hearing the proclamation, came down, and surrendered to the forces near the Pangweni kraal. Matshobana was one of those who gave himself up on this occasion, in consequence of the proclamation, but Ngwahla was not. Umbalagelwa knows the names of these twenty men, who subsequently remained loyal. This occurred after authority had been given to attack and coerce the people. Whatever was done to Langalibalele's people is entirely their own fault; as they had every chance of returning, if they liked. I should never have attended to the girl I have mentioned, except for orders received, that if we wounded a man and he fell we were not to finish him off, but take him prisoner. I think the cattle must have been away from the kraals quite two months before we arrived there. The people had but recently left, as we saw traces of food and beer. Corn was to be seen scattered along the road, as though it had been spilled when being taken hurriedly away. The huts were completely gutted; everything of value, and all personal effects had been taken, not even a mat was to be had; the heavy earthen pots alone remained. We did not find anything when we were travelling through the country publishing the proclamation. We saw it was dangerous to go; but we were sent by the Chief, and no one dare disobey him. We saw that the Secretary for Native Affairs had on that day thrown us away [exposed us to danger]; and that the kraals had been deserted before any force had arrived.

The Court rose at 3 p.m., to meet again at call.

W. B. MORCOM,

Clerk of the Court.

FOURTH DAY.

TUESDAY, 3RD FEBRUARY, 1874.

The Court resumed the enquiry at 12·40 p.m.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
Mr. HAWKINS, R.M.
Mr. BIRD, R.M.

And the following Native Chiefs and Indunas:—TETELEKU, NONDONISE, HLOKOLO, HEMUHEMU, ZATSHUKE, MANXELE, and MAFINGO.

The record of the last day's proceedings was read over.

Mhlaba was called upon to make a statement, and spoke as follows: As far as I know, this matter commenced by the Magistrate at Estcourt summoning Langalibalele to attend there, and his inability to attend in consequence of illness. After this, Umyembe came from Pietermaritzburg; but I only heard this, I was not present. He was at the high country at Nobamba, whilst I was in the low country. Umyembe came twice, and the third time he came with Mahoiza. On this last occasion they came to us at the Pangweni, where we assembled when we were told they had come to go to Langalibalele. Mahoiza said he had come to call Langalibalele. We told him Langalibalele was sick, and would not be able, owing to an old affection of his leg, to go down to Pietermaritzburg. Mahoiza asked if we could not get Langalibalele a horse or a wagon, as the Secretary for Native Affairs had said, if he could not manage to come down on horseback, they must procure a wagon for him. Mahoiza said it would be desirable that Langalibalele should go down with him to Pietermaritzburg; that it would not do for him to leave him behind. We said, it would not do to carry Langalibalele away from his home when he was sick; though it would be proper, if he were sick away from home, that he should be carried home. The great men then sent Majosi to tell Langalibalele what Mahoiza said; and he sent back orders that food should be given to Mahoiza, but said that he could not come to see him, as he was sick. Mahoiza then said he could not speak to Langalibalele in the distance, he must get nearer. The second time we sent Mabuhle, and he never returned. Umzwilikazi was then sent by Macaleni and myself. I was not present when he delivered his message to Mahoiza; but he brought back the same order, that Mahoiza was to have food given him; and said Langalibalele could not come down, because he was sick. Mahoiza found fault with us for keeping the means of communication in our own hands, and not allowing any of his people to go to Langalibalele; he said he could not return until he had seen him. We at length consented that he should go; and we started. Macaleni and Mahoiza went by one road, and I took another. We slept at the kraal of Umbuyisa. The next morning Mahoiza went forward alone. Macaleni followed him, and I followed Macaleni. Macaleni arrived first at Nobamba, and I after him, Mahoiza being still on the way at Sidingu's Kraal. We then went to a rocky place, and took up our position before Mahoiza came; he then arrived, and came up behind us. We told him to go round in front. Mahoiza said, "Why should I go in front; Why don't you turn round to me; Why should I, who come from the Great Chief, look at and face the sun? It is you who ought to turn round and face the sun." At length Mahoiza went round to the front where the ground was lower—as we were sitting on a slight elevation caused by rocks. He then said he had come

to call Langalibalele, and was to see whether he was really ill or not, and if he was ill, he had been instructed to send for Mr. Rudolph to come and see Langalibalele. We objected to Mr. Rudolph's coming, and said, Why should he come? Mahoiza stated why he had been sent, and that Langalibalele must go to Pietermaritzburg. We said, "Have you not heard, and been told, that he is sick; did not Umyembe say that he was sick?" He said the Secretary for Native Affairs had ordered him to see if Langalibalele was really ill, and if he was, he must provide a wagon, a horse, or whatever might be necessary. Kakonina, Ngwahla, and Makali, were the chief spokesmen of Langalibalele's people; they told Mahoiza that Langalibalele was sick, and asked if he had not been told so by the people living in the low country. We then sent Mahlale to Langalibalele to tell him what Mahoiza had said, and to hear what he would say in reply. Mahlale came back with an order for Mahoiza to go to Langalibalele. When Mahoiza stood up to go, the people called out, "You must leave your clothes here, what is it makes you look so stout?" I said immediately, "How can you ask him to take off his clothes; is not that equal to killing him? I was frequently sent as a Messenger in the Zulu country, and such a thing as that was never done; it is equal to killing him; and why should you be so clamorous about it?" The clamour was made chiefly by the young men. Mahoiza opened his arms, his clothes fell off, and one of his own people picked them up. They also told Umyembe to take off his clothes. He said he had very little to take off, but they said, "Never mind, take them off." But Umyembe did not take off his clothes. Mahoiza then went down to Langalibalele; and when his people saw him going, they said they would also go. After a time I was sent for, and went into Langalibalele's hut. I saw Mahoiza with a pot of beer in front of him, and Langalibalele with another pot in front of him. As I entered I heard Langalibalele telling Mahoiza he could not go down to Pietermaritzburg, as he was afraid; he saw the white people were running away, and it had been already reported that he had run away. This sick leg was an old ailment. He added that I was the one who had always made his excuses for him when he was wanted when in the Zulu country. He said if Mahoiza could take his leg out, and put a new one in, so that his leg might be cured, there was nothing the matter with the rest of his body. Mahoiza then went out, and after a little while I also left the hut; nothing was said between the time when Mahoiza went out, and the time when I went out. On that night I went to sleep at the kraal Sabainhlala The next day I went to the Pangweni, and, when I heard of the arrival of the Secretary for Native Affairs at Estcourt, I started up the Little Bushman's River towards the Drakensberg, with my family; my cattle had already gone, not for purposes of flight, but to get better grass near the Table Mountain, at the time when Mahoiza arrived. Mahoiza only found a few milch cows retained for the use of the family. I stayed here until the forces under Pakadi came, when I went higher up towards the Drakensberg, and on to its face, at its base, and proceeded towards Olivier's Hoek with my family, and there gave myself up to Mr. Arthur Shepstone. We did not put away our corn, for there was no place in which to put it in the low country, and we could not carry it far enough to be of use. Langalibalele ordered us, when it was reported that Mahoiza was coming, to go to the rocks to receive him there; that was the usual place for hearing cases, or having discussions, although it was also usual to have such discussions at the kraal. We met Mahoiza outside, as well as at the kraal. I don't know who gave the order for us to meet with assegais; I did not see any guns. I was really taken by some of Cengesi's men, but I was on my way to Mr. Arthur Shepstone to give myself up. I admit I had a little shield and four assegais. I did not hear the proclamation published by Adam; I was too much on one side of the route he took. All my cattle went, together with the other cattle, with their owner Langalibalele. It was the duty of the young men, when they saw the cattle belonging to the tribe flying, to fly, and I did not remonstrate. As far as I could see, Langalibalele could not come to Pietermaritzburg; we objected to his coming in a wagon, and said how could he be taken, ill as he was, to Pietermaritzburg, when in point of fact it would be right, if taken sick at the head quarters of the Government, that he should be allowed to return home in a wagon. As to whether the fatigue of the journey undertaken by Langalibalele was not greater than that of proceeding to Pietermaritzburg, I may say that what a man can do when he finds there is a force near him, or after him, or is told there is a force pursuing him, is no criterion of what a man could do were he not placed in those circumstances. I don't know when it was that the young men first began to acquire so many guns. I did not notice. I thought they were getting these guns to do what they had been ordered to do—protect the country from the Bushmen. An order came from the Magistrate desiring our people to take the guns to be registered; some were taken and returned again, but some four or five were not returned; but we did not take any notice of anything concerning guns. We had no consultation with Langalibalele about the guns, because if we had it would

have been of no use, the people would not have agreed to give them up. I know nothing about communications with the Magistrate in reference to guns, and other matters, there were persons regularly appointed to discharge these duties. It is not customary for a people to arm themselves with assegais to receive a Messenger; I have never seen it done before. On this occasion it was caused by the fact that everybody was armed, because the white people were running away. It is not customary to require the Messengers from a higher power to go to a lower part of the ground where he is received, especially if he objects, but on this occasion it was done by the clamour of the young men, who were encouraged by the Official Witnesses. To treat a Messenger so is to despise the authority which sent him, and it was on that account I remonstrated with them, because they not only did that, but were clamorous towards the messengers sent by the Great Chief.

Ngwahla was also called upon to make a statement, and spoke as follows: I belong to the Amahlubi Tribe, and my kraal was close under Table Mountain. I am not an Induna. I became alarmed because, when Langalibalele was sent for, there was a difficulty about his obeying the summons, and we found out that a false message had been sent to the Government; it having been stated that Langalibalele had started to obey the summons, but had turned back at Mbunda's, when in point of fact he had never started at all. We became alarmed at the consequences of such a proceeding. We had also heard that the Secretary for Native Affairs, before he started for the Zulu Country, had sent a messenger to say that the matter was not over, but only delayed until his return. That message made us think it was a serious matter, and, in fact, it alarmed us. When we heard a force was coming against us, we said to Langalibalele that it was a pity he was too ill to attend to the summons, and that if he were well enough it would be desirable he should attend to it, and do his proper service. Before Mahoiza arrived we had commenced to put our corn into the caves, and when Mahoiza arrived he must have seen that the cattle had already left, and only a few remained at the kraals. While this process of putting all our valuables into the rocks was going on, Mahoiza arrived, and came to the Pangweni. Langalibalele requested that he would say what he had to say to the great men; he did so, and they told Mahoiza that Langalibalele was ill, his leg being too bad to allow him to travel. Mahoiza said, notwithstanding that, he had come to call Langalibalele; he was urgent, and said he must go. The great men objected to his being brought down to Pietermaritzburg, and said, if he were sick away from home, it would be right enough to bring him home, but being sick at home, it was not right to take him away. Mahoiza said he must at any rate see Langalibalele, he could not go back without seeing him. We said, "Supposing you go and see Langalibalele, and find that he is really sick, what then?" He said he should send for Mr. Rudolph to come and certify that Langalibalele was sick. Langalibalele was informed of all this, and sent back to say his leg was so bad he could not go, and Mahoiza must return. Mahoiza insisted that he really could not return home until he had seen Langalibalele himself; Macaleni at last consented that Mahoiza should go, and accordingly took him. Mahoiza started, slept on the road, and the next day waited near Langalibalele's kraal until he was sent for. He was sent for, and, when he came, said all he had to say. Before Mahoiza came we left the kraal where Langalibalele was, and went to meet him on the hill, where he told us he had come to call Langalibalele, as he was wanted to go down to Pietermaritzburg. The men replied that Langalibalele was sick; and how, being sick, could he go down to Pietermaritzburg? We said this in fear, because we felt the Government was angry, and we had nothing to say, and could say nothing except that Langalibalele was sick, and we could not say that he ought to go. That was the answer of the men. I remonstrated with the people for saying what they did say; and suggested that, as we had already said all we had to say at the Pangweni, we should no longer talk about the matter, but let Mahoiza be taken to the Chief, and say what he had to say to him. Although they clamoured a good deal, they admitted what I said, and Mahoiza was taken to the Chief; but before he was taken Umhlale was sent to report the decision arrived at, and the answer given Mahoiza. Umhlale came back to take him to Langalibalele. As he was getting up to go, some one of our people said, "What makes you so stout, Mahoiza? Put your clothes down, and take off your jacket, that we may see." He took off his jacket, put it down, and went to talk to Langalibalele; who said, he saw things would not go right, even if he came to Pietermaritzburg; and how could a man carry himself there when he was sick. By this time, all the country was in a fright, because it was rumoured that the Government forces had already started. Mahoiza persisted in his summons; but Langalibalele said he could not go. It was

fear which caused him not to go. There was not much said in the hut between Mahoiza and Langalibalele; the former persisted in his summons, and the latter said he could not obey. The real fact is, Langalibalele was afraid. Mahoiza then went away, and I returned to my own kraal, and stayed there until the third day; when I heard the Government force was near at hand. On the day after we heard this, we went into the caves of Table Mountain; for the whole country was in alarm, and the people were seeking for places of safety. My cattle went over the mountain with their owner, Langalibalele. He having gone over the mountain, we found places of security as best we could amongst the rocks. We heard the orders given to the force, that prisoners were to be taken, and no one to be hurt unless he first commenced to fight. Being in the Table Mountain, which is in front of the position occupied by the tribe, I know none of the particulars, who began hostilities, or what happened in the other parts of the Location. We then saw the Government was angry. We thought the force would go after the cattle, and leave us. We did not think the people in the rocks, and those remaining in the Location, would be interfered with; and we were under this impression until we saw the people were being killed. We had no communication with Langalibalele. I did not see him after parting with him after Mahoiza left. Langalibalele left his women and family behind him, not knowing where he would be able to take them. He went on with his cattle without giving any orders on the subject, as far as I am aware. I did not hear of any orders given to his own family. Various sections of the tribe took possession of the caves in different parts of the Location, but each according to a plan of its own, no order having been issued by Langalibalele. When we heard the forces were coming back to Table Mountain, we thought it better to get out of the way, and about two hundred of us, men and women, went to Putili's; others thought they would find a place of greater security up the Little Tugela. After the forces had gone to Table Mountain, and did not find us there, we thought they might be coming in the direction of Putili's, and returning, we again occupied Table Mountain. At last we thought our only safety was in obeying the summons, coming down, and surrendering, and we went down and did so. When I came down, Pakade's people reproached me for not listening to this order before; they told us not to go back to the mountains, or we should certainly be killed. We said we did not know whether we should be safe at our kraals; we were liable to be killed there. I was then given in charge of Mahoiza. I know it was wrong to receive a Messenger from the Supreme Chief in the manner in which Mahoiza was received. There are those who committed these wrong acts, and there are those who regretted them, who took no part in them, and felt and saw they were wrong; but now we are all compromised by these acts of wrong, inasmuch as blame is attachable to us all. Such conduct is incompatible with fear; it could not be fear which made the people despise such a Messenger. We did that which was wrong to Mahoiza, and what was calculated to make the Government angry. Macaleni, Umzwilikazi, and I, condemned the treatment which Mahoiza received. Umzwilikazi said, by this you are destroying Langalibalele and his tribe, and this when Langalibalele is not present to know what you are doing. We were perfectly aware that such conduct was a defiance of the Government; and we saw that the treatment of Mahoiza in that way was disrespectful, and would bring great trouble. I must do Langalibalele the justice to say, that he himself was not present to know what was done, or to do it himself. I was not present when Langalibalele issued the order to the people at the Amahendeni kraal. When Mahoiza asked for food, Langalibalele told him the cattle had gone; they had first been much reduced by lung-sickness, and now they were all gone. I saw Langalibalele whisper to Sangcungu. I don't know what he said, but I afterwards heard it was an order to give Mahoiza a beast.

Albert B. Allison, examined, states: I was in command of the Column which followed Langalibalele to Basutoland. One hunded and eleven guns, which had been given up by Langalibalele and his people, at Molappo's, were handed over to me by the Magistrate at Leribe, Major Bell. Many of these guns bore the registration stamp, showing they had been imported into Natal. A few Diamond Fields permits, but not many, were given up with the guns, many of which were like the ordinary rifles sold at the Diamond Fields. I found no licenses from this Government to hold firearms. There was very little ammunition, and all the permits were from the Diamond Fields. I did not myself receive any guns from the Amahlubi, but a few rifles were taken from the prisoners captured by the rear guard. I do not know how many guns were taken in the Location.

Stoffel, duly cautioned, states: I live near the tribe of Langalibalele, under the Chief Hlubi, who is a Basuto. In the winter of last year, and before the Secretary

for Native Affaira went to Zululand, a Messenger, named Sotshakase, came to our Chief Hlubi, stating he had been sent by Langalibalele to say he was in a difficulty with the Government, but did not know what it was about. Hlubi wanted to know what the particulars of the difficulty were, and what it was Langalibalele wanted of him. The Messenger said he really was not quite sure; in fact, he did not know. Hlubi then sent me to Langalibalele, and I went. I was sent to ask him what he wanted, and what was his difficulty with the Government. I found him at the kraal Nobamba, and when I got there I found a great many people present, but just at that moment the Chief was not there; I went to his house, and found there a head man named Nqwangana, and asked where the Chief was. He said below, and took me to some of the lower houses, where Langalibalele was. When he was conducting me the people assembled there objected, and said to Nqwangana, where are you taking him? There was a little discussion between them, they objecting, and he persisting, and at last he had his way, and went with me. We went into the hut where Langalibalele was. He asked where I had come from. I said, "From my tribe." He asked what I had come about. I said about the message he had sent to Hlubi, by Sotshakase. Langalibalele at once said, "I do not believe you have come about that business; I think you have come only as a spy." He persisted in saying I was a spy, because I did not usually go there, and why then should I have come when this difficulty had occurred. I still assured him I had come about that matter; but he said, "Although you say you have come on that matter, I believe you have come on some other business." I said, "No, I have not." I remained some time in the hut with him, he continually recurred to the subject, and his belief that I was a spy, and had not come for what I had represented I had come. I simply affirmed that I had been sent on the matter I had mentioned, but Langalibalele would not enter into the particulars of the difficulty in which he was with the Government. I slept there that night. At daylight the next morning I found a party of horsemen had arrived during the night. These young men reported that the cattle from Pangweni had fled. Langalibalele said, "You will get me into a scrape; what have you made the cattle run away for?" I heard this conversation, but it was not addressed to me. After a little while I saw the young men get their horses together. Langalibalele then gave each of these men a supply of gunpowder, and ordered his men not to shoot game with it. This is all I know. I went back and reported all I have now said to the Chief, and great men. This was before the Secretary for Native Affairs went to Zululand. The supply of powder which Langalibalele gave to his men was not a large one; there were two canisters divided amongst them. I don't know what he meant his men to shoot when he prohibited them from shooting game. All these young men were armed with guns, and had powder horns. After this, one of the Basutos, who was killed at the Pass, was out looking for our horses, which had got intermixed with those of Langalibalele; when he came home he reported that he had found the men assembling, and, in consequence of what he reported Langalibalele had said to these men, we were very much alarmed, and thought that possibly they might be intending to make some attack on us, seeing he had called me a spy. They caused us such alarm that we thought we had better put our cattle in a place of safety, and we did so. This was at the time of the Volunteer meeting at Estcourt, and before the Secretary for Native Affairs went to Zululand.

Ngcamane, duly cautioned, states: I am one of Langalibalele's tribe, and lived at my kraal near the Pangweni. The first I heard of this matter was that Mtshitshizelwa, Mr. Macfarlane's head Induna, had gone to a kraal at Sibunda's to require some young men to bring in some guns, and they ran away. I was not present myself, but that is what I heard. That caused some little alarm, because the order was that these young men were to be sought after, and brought back. I do not know whether they were sought after or not. About a month after this I heard an order had arrived from the Magistrate requiring us all to take in our guns to be registered. I heard that some had been taken and brought back again, but that others had not been brought back. And then the people said, "What is to become of our earnings, we having spent our strength for guns, if they are taken away." This caused considerable alarm, and when the Volunteers assembled at Estcourt that also caused alarm. I heard that Umyembe had gone to Nobamba to summon Langalibalele to go to Pietermaritzburg, and that the men had said he was sick, and could not go; that caused alarm, and made us feel uneasy, even before the Secretary for Native Affairs went to Zululand, and all the time he was away, because we were speculating what would be the end of it. The whole difficulty arose out of the fact that Langalibalele was said to be sick; the men said, when they assembled together, that he was sick. The members of the tribe were assembled four times; three times I was present, but on the last occasion I was not

present. The decision each time was that Langalibalele was sick, and was not to go. The assembling to which I refer was that of those living in the low part of the Location, and I was not present at any assembling of those living in the higher parts. At the fourth meeting Mahoiza was present; this was after he had had three head of cattle to eat. I ran away when I heard the force was approaching. I know of three cattle being killed by Mahoiza, but I know of no others. The first beast was given by Umhlale, the second was Langalibalele's, and the third Cole's. I knew the cattle, and only one of them belonged to Langalibalele. My cattle went with those of the Pangweni kraal over the mountain. I went to the Little Tugela. As far as I saw the hiding and secreting of property commenced after Mahoiza arrived. The meetings, held in the low country, of which I spoke, were held by order of Langalibalele, who wished the people to give their decision as to what he should do, seeing he had been summoned to Pietermaritzburg, and was not well. I remember Mbombo coming to me, and saying he had placed himself in some danger, because he had advocated Langalibalele's obeying the summons, and had been reminded that his father had induced a former Chief of this tribe to obey a summons in the Zulu Country, and he had been killed in consequence. The question submitted by the messengers of Langalibalele to these meetings I have referred to was, what was he to do, seeing he had been summoned, and was sick; and the answer which the people gave was, "Seeing you are summoned, when sick, what can you do?"

The Court rose at 4·40 p.m., to meet again at call.

W. B. MORCOM,
Clerk of the Court.

FIFTH DAY.

TUESDAY, 10TH FEBRUARY, 1874.

The Court resumed the enquiry at 12·25 p.m.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
Mr. BIRD, R.M.
Mr. HAWKINS, R.M.

And the following Native Chiefs and Indunas: TETELEKU, NONDONISE, HLOKOLO, MANXELE, and MAFINGO.

The record of the last day's proceedings was read over.

Mr. JOHN SHEPSTONE adduced the following evidence:

Umtshitshizelwa, duly cautioned, states: I am Mr. Macfarlane's Induna. I belong to the Qwabe tribe, and was born in the Zulu country. I am in no way connected with the Hlubi tribe. On one occasion, when Mr. Mellersh was acting for the Magistrate, on going to the office, I was sent for, and told by the acting Magistrate that five men had arrived on Mr. Mellersh's farm from the Diamond Fields; that the people there had guns, which they were constantly firing, in order, as he had heard, to learn how to use them. I was ordered to bring in these guns, with the powder, and the owners. I was ordered to go myself, and went with three men. I went to Sibanda's kraal, at Mr. Mellersh's farm. As I passed one of the huts I smelt powder, and, having called Sibanda, the master of the kraal, I entered the hut, because I wanted to see the powder before it was concealed. I had three men with me. I found a small bag of powder, and two guns, which they had been recently washing, upon the ground. After ascertaining that these guns were there, I said to one of the boys, "Go and call your father, Sibanda." After I had sent this message, one of the boys, who remained, crossed the hut, and attempted to take up the bag of powder. I said, "Wait; leave that alone till your father comes." Immediately I stopped him from taking the powder, the boy jumped past me, and seized one of the guns behind me. I said, "Leave the gun also; I am come about this; I am to take you and the guns to the Magistrate, in order that the guns may be registered." After I had seized the gun, the boy exerted his strength to get the gun out of my grasp, saying, "If that is your mission, our guns shall never be registered; we are taking them to Langalibalele; in fact, he has sent a message saying we are to take them to their owner, Langalibalele." I asked who had been sent; and they replied the son of Nkanbayedwa. After this conversation the boy renewed his exertions, and dragging the gun towards the door of the hut, got outside; I still remained inside, holding the stock, while he held the muzzle; he brought the middle of the barrel against the door, and continued pulling, but I determined it should break before I let go, when the mother of this boy seized me round the waist from behind. While this struggle was still going on, Sibanda entered, with several of his boys, who seized hold of me, scratched my hands, and tore my clothes, and I eventually let go the gun. After I had released the gun, Sibanda, who remained standing, asked what was my business; and had I come to fight? He said, "These guns have been sent for by Langalibalele, their owner, and if you require them to be registered, you must go to him; and if he chooses to have them registered, he will send them in." I then went out of the hut, and it appearing

that one of the three men who had accompanied me was engaged in a similar struggle with another young man, I called to him to leave the gun, and come out of the hut. I and my three companions then went outside the kraal, and sat down on the upper side; Sibanda and Nkonyana accompanied me to this spot. While there I saw the ramrod of a gun lifted in the air, and the boy with whom I had the struggle loading his gun. I drew Sibanda's attention to this, and said, "See, one of your boys is loading the gun." Shortly after that the boy came outside, and said, "If you want this gun you can come and get it, and I will put you to rights." I said to Sibanda, "You had better seize that boy, discharge the gun, and bring it to me, that I may take it to the Magistrate's Office and get it registered; he will not hurt you—his father—but he will fire at me." His father replied, "I dare not go; he would shoot me; I have no control over him; the boys have no respect for me. I am nothing to them." The other boy, who had had the struggle with the messenger accompanying me then appeared with his gun. I told Sibanda he had better seize it. The boy replied, "No, I have not loaded my gun." I said, "Fire off that cap you have on;" and as he was cocking the gun, I said, "Give it to me, and let me be sure." I fired off the cap, and found the gun was not loaded. I handed the gun to one of my companions, and said, "Let that man who has behaved badly come too; he is only bringing trouble on himself; this gun of yours is safe; go with me to the Magistrate, and have it registered." The boy seized the gun, and, while the struggle was going on, others came up, and I allowed him to take it. They said I dare not touch the guns; they had been sent for by Langalibalele; and they dare not let us take them without his permission, and they could not be registered unless sent in by Langalibalele. I asked, "Where are the other three guns? They said, in the hut, but you dare not take them, they are also to go to Langalibalele; and if he requires them to be registered, he may send them in. You may tell the Magistrate we admit that all five are here. I then told Sibanda I was going back to the Magistrate to say I had been killed, and badly treated; that I should not go on to Langalibalele, because I had no orders to do so, but that I should simply report the matter to the Magistrate. On arriving at the office, and reporting the matter to the Magistrate, he told me to take Umpiko, one of Langalibalele's Indunas, and go to Langalibalele, telling him to arrest these boys, and send in the guns to be registered, as it was not right they should be in the Colony without being registered. We went, and found Langalibalele at the Ntabatabeni kraal, and I told him I had been sent to request him to have these boys arrested, and sent down to the Magistrate's office with the guns, in order that such guns might be registered. I told him what had occurred; how they had ill-treated me; and the grounds on which they had refused to give up the guns, viz., that Langalibalele had sent a message for the guns by the son of Nkanbayedwa. I also showed him how they had hurt my hands. Langalibalele then said: "What sort of a man do you and your father, the Magistrate, think that I am? You first of all, after hearing where these guns are, go and rouse these people, and when they have become wild beasts, you come and ask me to arrest them. I don't know where they are; they are wild animals. You should have come to me in the first instance, and allowed me to seize them first, and not have put them on their guard. They never came to me." I said I had simply obeyed the orders of the Magistrate; but I did not see the drift of the argument, seeing the guns had come to him; he having sent the son of Nkanbayedwa to order them to be brought; and if he disbelieved me, he could send a messenger to accompany me to ask Sibanda and his eldest son, Nkonyana. On my recommendation, Mahololo was ordered to accompany me to the son of Nkanbayedwa, to ascertain whether Langalibalele had sent him; and also to Sibanda's kraal; and he was ordered to meet me on the following morning at the kraal of Nkanbayedwa. He failed to do so; and I went to both places alone. I also had orders from the Magistrate that, if Langalibalele failed to comply with the order, I was to arrest Sibanda, and seize his cattle, by counting them, on behalf of the Government. I counted the cattle, and took Sibanda with me, he persisting that the boys had gone to Langalibalele, and were there. On arrival at the office, the Magistrate enquired into this question of the behaviour of the young men, and asked how it was. Sibanda said it was Langalibalele's fault; for he had ordered these guns, and all others brought into the Location, to be taken to him, before they were brought in for registration. The Magistrate further enquired how Sibanda had allowed a messenger to be ill-used. He also fined him five pounds, and told him, if he did not find the boys and bring them in, he would forfeit his cattle; which were not to be removed, but to remain where they were. Sibanda paid the fine of five pounds. On another occasion, Capt. Allison reported that eight guns had found their way into the Location from the Diamond Fields, and that he had taken two others. I was thereupon sent to Langalibalele, to require him to send in these guns to be properly registered. Langalibalele replied: "You must give me

the names of these people. I cannot do anything unless you give me the names." I said: You can easily ascertain. There were ten in all; and one, having been bitten by a snake, was compelled to remain behind. He said: "I shall do nothing of the sort. I shall make no enquiry, unless you give me their names." I then told Langalibalele that the Magistrate said he was tired of receiving these messages; that the vessel in which he kept them was full, and overflowing; and it would be necessary for him to pick out some of them, and send them to the Government; that Langalibalele's pots were all on one side, and it would be better to place them upright, rectify, and alter their conduct, and let matters go on straight. Langalibalele stated as an excuse why he would not exert himself, that he was a great Chief, and well known as such throughout the Free State; and the men of several tribes, when travelling there, if questioned, said they came from Langalibalele, in consequence of his being the most powerful man in the neighbourhood. He said, he could not trace any men unless the names were given him; and, if I failed to give him the names, I must go home without receiving any favourable answer. I asked Langalibalele for what reason, and what good it would do the men of the tribes referred to, to state they had come from him? Was he then greater than the Chiefs of these tribes? Langalibalele said: "The opinion in the Free State is, that I am greater and more powerful than the other Chiefs; though this is not the opinion below (at Pietermaritzburg). On my return to the Magistrate, I delivered Langalibalele's message. Mr. Macfarlane enquired if Langalibalele had not alluded to some guns which had been brought down by some boys who had been working for Mr. W. E. Shepstone. I said, "No, he did not allude to them." The Magistrate then told me to tell Langalibalele that these men had permission to hold these guns, but they must be taken down to be registered; and I was instructed, at the same time, to bring down the eight guns; and to state that the Magistrate would not give Langalibalele the names of these men. I was afterwards ordered to delay this message for two days, in order that Umpiko might be sent to tell Langalibalele that I was coming with a message; and that he must collect all his head men together in order to hear it. I found Langalibalele at the kraal Bekuzulu. On approaching near the kraal, I saw a large number of people collected on the hill, some little distance from the kraal. I concluded Langalibalele would be there; but, on coming nearer and looking about, I saw he was not there. I saluted the head men there present, and sat down. After some time, Mabuhle arrived, and said, "Langalibalele salutes you." I returned the salutation. Mabuhle returned again, and said Langalibalele said I could say what I had to say, the Hlubi tribe being collected together. I said, "No, I have not come to the tribe; the tribe are simply to listen, and hear what I have to say to the Chief. I require Langalibalele to be present here at the assembly." Mabuhle went back to Langalibalele; and, on returning, said Langalibalele refused to come, and I was to communicate what I had to say to the Hlubi tribe. I replied, "No, I have been sent to Langalibalele, and will deliver the message to him." I said afterwards, though I would not speak to the Hlubi tribe generally, still, if one man was pointed out, so that I might say I had spoken to him, I did not mind communicating my message to him. Mabuhle said, "No, you must tell the tribe generally." Mabuhle returned to the kraal, and, after waiting a long time, Langalibalele came. When he came the men formed half a circle; I and my companions were sitting in about the centre of the right flank, our backs being towards the east. Langalibalele came into the centre of the half-circle, and stood for some time looking around, and, on seeing, walked towards us. Thinking we might be occupying a stone upon which he wished to sit, we were about moving, when he sat down in front of, and turned his back towards me. When Langalibalele had seated himself comfortably, he said, "Mabuhle, say what you have to say." Mabuhle then spoke to me, and told me to deliver my message. I said I had brought back the message of the Magistrate to Langalibalele, directing him to send in the eight guns; that I had not brought the names, which Langalibalele, however, was to require from his Indunas, who were stationed among his people; he was therefore to ascertain where the guns were, and by whom they had been brought down, and he had a good scent to follow, inasmuch as the man who had been bitten by the snake on the way down was amongst the number. I told him that the guns, belonging to the men who had worked for Mr. W. E. Shepstone at the Diamond Fields were to be brought in to be registered, and there was no obstacle in the way, as they had permission to keep the guns. Langalibalele said these men could go down and take their guns, but as to the other eight, I must first tell him their names, and even then, I must go and seize them myself, and not come to him to have the guns seized; what business had I to come to him in the matter? I replied, "How can you, as a Chief, talk with two tongues? On the last occasion, in connection with Sibanda's sons, you told me I did wrong in going straight to them; I should have allowed you

to arrest them. To-day, when I do what you suggested in that case, you say I am to go and arrest them myself, or the Magistrate must do so." Langalibalele replied, "How can you hold out that matter of Sibanda's sons as a threat against me; I did not send them to the Diamond Fields, or originate the movement. It is the white men who scratch about the ground and look for diamonds. I do not; and I will not take away a gun from any man who has been to the Diamond Fields and worked for it fairly. The white people take the men there, they work there, and then the white people wish to take away the guns they have earned." He then added, "Your fathers, the Magistrates, are cats; they do not interfere with Faku, King of the Pondas, or Cetywayo, King of the Zulus, but they come to us, who are like rats, who have come trusting to their protection, and annoy us." Langalibalele said further, "It would be of no consequence if the Dutch, of whom they knew something, had treated them in this way; but the Magistrates did not interfere with Cetywayo, because they left him to be beaten by the Dutch first, and then, when they found it clear, would take possession of the land; and it was the same in reference to the Pondas; that it would have been of no consequence if they had had a fight with our fathers, the Magistrates, because then they would know in what relation they stood to them, as they now knew the relation in which they stood to the Dutch. There had been Moshesh, a Chief of great power; the Magistrates had never interfered with him, but directly the Dutch had fought with and conquered him, they had come up, put their hands upon him, and told him to pay taxes, when they had never fought against him." Just tell me, he added, "Against whom they ever fought?" He then rose, and, addressing the tribe, ssid they could question me; and then he walked off. We did not see Langalibalele's face from the time he sat down until he went away; he sat with his back to us all the time. As Langalibalele went away, some young men sitting with Mango, one of the prisoners, began to say they had gone to the Diamond Fields and worked for guns, and how could they now be taken away? I called to Mabuhle, saying I had not come to talk to boys, but to the Amahlubi tribe, pointing to the old men. Mabuhle told the old men not to dare to speak; it was the young men from whom we had come to get the guns, and let them, therefore, speak; if we had come there to pick and choose who were to talk to us, that would not be allowed, for those who were immediately concerned should talk. The young men then made a great row, but I said I would not listen to boys, or be questioned by them; that Langalibalele had told the Hlubi tribe to question me, and if this row continued, I should walk away. While these boys were still making a great uproar, a pot of beer came from Langalibalele, and as we were drinking it, it began to rain, and we dispersed, and went to a hut. I said to my companions, we had better not sleep here; we will go and say good-bye. We entered Langalibalele's hut, and sat down; he called me by name; I answered him, and he gave me some more beer. He said, "Have you seen now?" and I said, "Seen what?" and he said, "Did you see what took place to day?" "Yes," I said, "I have seen;" and he said, "And what did you see?" I replied, "Well, I saw that you came in, passed all your own people, and sat in front of, and with your back towards us." He said, "And what did you think?" I said, "I thought this, that we were dead men, and when you turned your face, you would say with the back of your hand, take these people away, and have done with them." He laughed, and so did the other men; and he said, "You are a wise man; you are quite right; you speak right." After this I told Langalibalele I had come to say good-bye; but I said I did not know whether anybody else would be sent, inasmuch as they could not get any food along the road. He asked who had refused to give me food? I said I alluded to Maholoio, who had killed two head of cattle, but had not given us any. Langalibalele said, Maholoio was quite right; he should have reprimanded him had he given me any meat, for meat was never given to spies who came to spy out where the cattle were; they would have enough to eat the day they came to seize them. Langalibalele then called to one of his people, Pangela, saying, as the spies were there, it would assist them to sleep in their kraals, and they were to do so. The people said they had been sleeping for some time in the mountain. I said, well, there is no necessity for you to do so; if you only send the guns down, and have them registered, nothing more will be said about it. Langalibalele said, "No, I am positive they would be seized." I replied, "Well, in proof that I am speaking correctly, you will see that these four guns now going will be returned." He said, "Very likely these will be, but the others will not." These four guns, belonging to the men of Mr. W. E. Shepstone's party, then went with me. I came suddenly upon Nkunjana, and found one of his boys cleaning a gun; he took it, saying it was his own, and he had bought it from a Basuto. I have since found out that it was a double-barrelled gun from the Diamond Fields, brought down by his boys. Nkunjana said, "You have nothing to do with my gun; I am going to take it, to-morrow, to the

Magistrate, to have it registered." We went on; Nkunjana reached the Magistrate's office before we did, and was asked where his gun was, it having been reported on a previous occasion that he had one. He replied that it was raining, and he was afraid the gun would get wet. The Magistrate told him to bring it at an early date. Nkunjana subsequently excused himself, saying the Basuto, from whom he had been about to buy it, had refused to let him have it unless he paid the fifth beast, and, as they could not come to terms, the Basuto had taken the gun away with him. I found out afterwards this was not the case, and reported to the Magistrate accordingly; he sent me to fetch the gun, and I brought it back with me. This was the only gun detained; it was registered, but the Magistrate said it could not go back until the other eight were brought in, and registered. On reporting what had happened at Langalibalele's kraal, the Magistrate said he was writing down what I had said; that he could not deal with it; he could not stand it any longer, but he would give me a letter to the Secretary for Native Affairs, to whom I could make my statement. I came down here, and reported the matter to the Secretary for Native Affairs, and all the great men.

Cross-examined: Mango shared in the uproar made by the young men. I don't know all the sons of Langalibalele. Mbombo was not there on that day. I omitted to mention that I recognised one of Sibanda's boys among the prisoners accompanying Langalibalele and his sons. I asked him where he had been, and he said with Langalibalele, and half admitted the fact that he had ordered them to stop at Maqoba's kraal, near the Ntabatabeni kraal, and there they had been hidden. When I returned, I saw the Amahlubi tribe meant mischief, war in fact. After that they manufactured powder; a good many of them knew how to make it; they used saltpetre, willow charcoal, and sulphur. During the expedition, whilst traversing the Location, we found saltpetre ground, and unground, and willow coals ready for use. Immediately after my visit, about July, the Hlubi people purchased coats, saddles, and bridles in large numbers; the young men and middle aged purchased. After it was generally known that the Secretary for Native Affairs had gone to the Zulu Country, Langalibalele came down from the high country to Pangweni, collected his whole army together, and had it charmed by the doctor; the men were divided into two divisions, those with guns forming one division, and those without another. A beast was charmed, and then killed, and the flesh was only to be eaten by those who possessed guns. Those without guns were contemptuously called Impara. I heard this from my brothers, who were sent up to see the doctor relative to some case coming on, and I also asked Umpiko about it. It was after this meeting, and in consequence of it, that a great deal of alarm was caused to those who wished to remain loyal to the Government, for whenever they went up there they were called spies, were accused of belonging to the Government, and communicating what they heard to the Government authorities. In consequence of this a great many slept in the bush, away from their kraals. The tribe said Mr. Rudolph, Uzibulale, and I should be the first to be killed. This we heard from some of the tribe who remained loyal to Government. Several people went intending to pay their respects to Langalibalele, but the young men pointed at them, and called out that they did not belong to them, but were traitors, and had turned their backs on the tribe. These felt they were under a ban, and told others who became alarmed at it. The alarm was serious for some time before Mahoiza came. There was a belief that a plan had been made by Langalibalele for an attack on those residing in the neighbourhood of Estcourt, and this was only warded off by the accidental meeting of the volunteers there. The general report was that this attack would be made, and then Langalibalele would go up to the mountains with his tribe. Before Mahoiza came a large proportion of the population slept in the bushes, not in their huts.

Mango challenged the statements made by witness, and asked him to produce anyone who could substantiate any portion of his evidence. Witness accepted the challenge and produced:

Baleni, who, duly cautioned, states: I am one of the Hlubi tribe. I was herding sheep when the volunteers had their meeting at Estcourt, and a man of Langalibalele, named Newabazala, and others, were returning from witnessing the evolutions. This man said if that was the way they managed their shooting, and those were the plans upon which they shot, Langalibalele's people could easily manage them. He was travelling in company with several others. It was a very common thing, when they were assembled at a beer-drinking, to say when they had to go they would settle Mr. Rudolph, Uzibulale, and last witness. They took it for granted that they would leave the country, but before doing so they would settle certain accounts. I heard this said

so often that I thought it necessary to give a warning to the persons concerned, and I did so. I belong to the Hlubi tribe, but reside on a private farm, and remain loyal. I used to arm myself under Langalibalele on former occasions. I saw powder being made by a Basuto. He was drying it in the sun at one of the kraals. I saw the forces assemble at Pangweni, but I was not present. I saw the men who had assembled there, and they said they were being prepared for war in the usual way. Those belonging to the Hlubi tribe, who remained loyal, and resided in the low country, left their kraals and fled, and so did the white people. This was after Mahoiza arrived. The same cause influenced the white people as well as the blacks; it was rumoured and generally believed that Langalibalele intended to make an attack upon them all, and when the white people saw that all the cattle of the Hlubi tribe were being driven towards the Drakensberg, they also thought it necessary to place their cattle in some situation of security.

Manaba admitted that he was present at the assembling of the tribal forces at the Pangweni. It was true there was a regular doctor there named Mkinimdane, and he made his decoctions, and sprinkled the people with medicine, in order to strengthen them. The object of this ceremony was to strengthen the knees of the men, as is the custom of black people. Sometimes it is done without any particular or definite object, but this time what has happened has disclosed the object. These ceremonies took place before Mahoiza's arrival.

Malambula states: I was not there; I was at work in Pietermaritzburg.

Mango said: I was not present at that ceremony; it was performed on men from the low country. I was present at Amahendeni when the ceremony was performed on those from the high country. It was done by the same doctor in both cases. The force was strengthened for war by the use of Intelezi. I was strengthened by the same process. These ceremonies took place before Mahoiza's arrival. On the occasion of the assembling at the high lands, at the Amahendeni kraal, I had just returned from Pietermaritzburg, with Mabuhle, on the occasion when* the Secretary for Native Affairs blamed him for having brought a false message. Langalibalele put it to the men as to what he should do, whether he should go down or not, and they said, "How can you go down if you are ill?" Manaka, Mbombo, Umpiko, and I begged him to go, and assured him there would be no harm in his going, and in that way alone could the matters be settled; but the men would not listen, and Umpiko from that day would have nothing more to do with the tribe, because he saw they were going wrong. The whole of the men turned against Mbombo, reminding him that his father had induced a former chief to obey a summons in the Zulu country, and had got him killed, and now he wanted to do the same thing here. We found ourselves in a minority, and felt we were being blamed as treacherous to our own Chief. Langalibalele was then under the impression that force would be used against him; and he gave his orders to the regiments assembled there, that they were not to fire, or use any force, if the Government sent any force; but they all said, if anything did come, they would fire; they would not allow any force to come without firing upon them. Langalibalele remonstrated, but it was of no use. The men who have done the most mischief are Mabuhle, chiefly, and after him, Mangongolweni, Nkunjana, Umhololo, and Umzwilikazi. These were the only occasions on which the regiments were got together for the purpose of strengthening them for the war.

The Court adjourned at 3·40 p.m.

W. B. MORCOM,

Clerk of the Court.

* NOTE.—This was before the Secretary for Native Affairs went to Zululand, say about the end of July, 1873.

SIXTH DAY.

THURSDAY, 12TH FEBRUARY, 1874.

The Court resumed the enquiry at 11·40 a.m.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
Mr. BIRD, R.M.
Mr. HAWKINS, R.M.

And the following Native Chiefs and Indunas:—TETELEKU, NONDONISE, ZATSHUKE, MANXELE, and MAFINGO.

The record of the last day's proceedings was read over.

Mr. JOHN SHEPSTONE called the following witnesses:—

Mahlatini, duly cautioned, states: I am the son of Jozana. The first thing I noticed was that the country was in confusion, and Langalibalele was running away. I proceeded to drive the cattle belonging to our section of the tribe. I and three others drove our cattle. My brother Nonkohlo being sick was not present. We were two days under the Pass. After some of our cattle had got out at the top of the Pass, the white force came; a portion of our cattle were then going up, and had not reached the top when the Government force came and stopped those at the top. We saw the force at the top, or head of the Pass, and running along the side of the cattle got up by a Pass on the left of the Bushman's River Pass. We then sat on the rocks. There were five of us, viz.: Magangana, my brother; Mgebisa, and Jijiza, sons of Umgcogco; Myaiza, and myself. We saw Mabuhle speaking to the white men. While we were sitting there a few Basutos came, and ordered us to return down the Pass. One of them threatened me by pointing his gun at me, and I threatened him in return. Another Basuto called out to this one, "You must not do that. Has it not been ordered by the Government that there is to be no firing?" The Basuto then desisted, and we went back and sat on the rocks again. The Basutos then went back to the white people. Our Impi, or armed force, was sitting on the rocks. This was the force with the cattle. I then saw the white people were moving as if to go away. Then I heard a shot fired from behind a little hill. I heard two shots, and then a great many shots followed immediately. Everyone fired. I did not see who fired all these shots, or whether they were fired exclusively by our people, but when I got up I found that two white men and two horses had fallen, and after I came in sight the other white man fell. A little further on I saw the two Basutos who had fallen. Seeing the white force was running away, we then went back to bring up our cattle, leaving the force at the Pass. Umzwilikazi was the Induna highest in rank there present. Mabuhle was also there, and he spoke to the white people; but I do not know what conversation passed between Mabuhle and the white people. We were not told. One of the horses which had fallen was bay-coloured, with a white foot, but I do not know whether it had more than one white foot. The other was a brownish bay horse. I did not see the horse of the other white man who was running on foot. I saw this man followed by three of our people. As one of them overtook the Englishman he was shot by him through the body. They grappled, and both fell dead, and the other two, on coming up, finished him. I did not examine his body, and do not know whether the white man was wounded before he was so followed. The men who pursued him did not fire; and I suppose they finished him off with their assegais, but I did not see it. When

I saw the bodies, their clothes were still on, and nothing had been done to them. Mgebisa is in custody. I saw the beast which was killed on the top of the hill, and I saw the Basutos skinning it. It looked to me like a cow; but I did not go near the carcase, nor speak to the Basutos who were skinning it. I had a gun and three assegais; but I did not fire off my gun, because, when I came in view, the white force was galloping away in the distance. Neither of Langalibalele's sons was present. I did not see Malambula at the foot of the Pass. The first time I saw him after this affair was when we were nearing the spot where the grass had been burnt off. I saw him at the Kolweni, before he reached Langalibalele. I did not see Langalibalele until we were close to Molappo's. We commenced ascending the Pass before it was light, and the first cattle got up soon after sunrise. The way we managed was this: we drove up the first cattle, and then waited midway to receive the others as they came up. I heard from Mabuhle, and Jantje, the son of Silele, that they had fired the first shots, and each had killed his man. The man who killed the third Englishman was, as I have described, killed in doing so. Puluzimata is the name of the man who killed the tall Basuto, Elijah. I heard that Elijah was the son of Job. I do not know the name of the man who killed the other Basuto. I do not know the reason for this movement. I am only a young man. The old men, the prisoners Ngwahla and Mhlaba, are the persons who will know what happened before we left our homes, and how it all originated. Latyinga was the name of the man who was killed on our side; I do not know the names of the other two. I saw Umzwilikazi at the Pass; he was sitting near our party. Mabuhle brought him intelligence that the white men said we were to return to the Colony, and go down the Pass. I did not hear Umzwilikazi's answer. I noticed Nongena, of the Amahendeni kraal, sitting with Umzwilikazi. It was Mabuhle who gave the orders for the force to fire. He also ordered us to advance; but, as we came in sight, we saw the white men had already gone too far for us to reach them. Our intention was to have fired, such having been the instructions given by Mabuhle. I do not know what part Umzwilikazi took in the affair. The first shot was fired by Mabuhle; Jantje fired the next; and each of these killed a white man. When the white men started to go back they went slowly; then Mabuhle gave the order to fire, and fired the first shot; Jantje fired the second shot; and the Europeans went off at full gallop. I myself did not follow them very far; but I saw what I have described as to the death of the third white man. Four of our people followed the retreating force. They were Hlanzi, son of Magouzi; Umhashi, son of Mabudaza; Zitshozi, son of Ngatyana, who was killed; and another whose name I do not know. I do not know what happened to these four; except that I heard afterwards that one of them had been killed. I do not know what happened in this retreat towards the Giant's Castle Pass. The four were those who followed the white men. Others followed, but soon returned; they did not go farther than about two miles. I have not been there; but the Giant's Castle has been pointed out to me; it is a long distance from the Bushman's River Pass, and I do not know the road. A large number of our men followed the white force for some distance, but they soon returned. They were all on foot; none of those who came up from below had horses. I don't know whether any of those on the top were mounted. The four who followed farthest were on foot.

Mgebisa, duly cautioned, states: I am the son of Umgcogco. The commencement of this affair was when Mahoiza came to summon the Chief. He (the Chief) ran away, and we followed him. After he had passed over the mountain, and we were driving our cattle, the chief being in front, as we were going up the Pass, Mahlatini got up first. Before we got to the top, we heard the firing of guns; and when we got up, we found people had been killed by the shots we had heard. White men, Basutos, and our own people had been killed. We drove on the cattle; and, though we did not go close, we saw the bodies as we went past. And so we went on, until we were joined by Molappo's son; who said he had come to fetch Langalibalele, and conceal him; so that, by the time the white men came, he would be in a place of concealment; and in the meantime, he said we were to give up our guns. As we were getting up the Pass, I heard a call from above for the army to come up; and those who were with me went up in obedience to the order. I went up too; but as I was a long way down, and the Pass was very crowded with cattle, I did not get up when the others did. When I got up, I only saw the bodies of the three white men and two Basutos. The bodies of two of the white men were not far ahead of the Pass; the other was a little distance off, under a rise. You could see all three bodies after passing the first two. I only saw one Basuto, who was said to be the son of Job. When I saw them, the Englishmen were perfectly white; and could not, therefore, at that time, have had their clothes on. The Basuto had no clothes on. I did not go near enough to

see if the bodies had been injured. We black people do not go near dead bodies if we can avoid it. Only those who had killed the men would do so. I was not at the head of the Pass when the firing took place. Wohla, the son of Mamangala, and my brother Umnwana or Jijiza were with me. The last witness was also with me; and he went on in advance, accompanied by Magangana and Myaiza. I was armed with a gun, which I had taken from Wohla; who said he was going to throw it away, because he had no ammunition for it. All the others carried guns. The order from the top was for the force to go up and leave the cattle. When I got to the top, the white men had all run away. Mabuhle told me that they had been contending for the ownership of the cow which had been killed, and which I saw dead at the top of the Pass. After we had passed the bodies, Mabuhle and Umzwilikazi joined us on their return from the pursuit of the retreating white men, and told us what had happened. They told us the white people had said they had come to desire us to go back; and had been instructed to order us to return. They had not come with any hostile intention; but their orders were to desire our people to return and submit ourselves. The people replied, "You have already killed a beast." When I asked who really began the affair, they said the Government force had commenced, because one of the Basutos had fired the first shot. Mabuhle further told me he had killed one man; that the son of Silele had killed another; and that the man who had killed the third white man had been himself killed. I do not know the name of the third. He said Puluzamati had killed one of the Basutos; but I don't know who killed the other. One of the Basutos was said to be the son of Job. I do not know where the doctor Mkininfdane was. I was not present when the ceremony of doctoring the forces of the upper country took place. I belong to the low country; and was sick when the ceremony took place at the Pangweni. I heard that it had taken place, and that the object was to strengthen the men, but for what object I do not know.

Mahlatini recalled, states: I was wrong in stating that last witness was sitting on the stones with me at the head of the Pass. He came up just after the affair happened.

Mahlatini and Mgebisa then confirmed each other's statement that the following natives were present at the Pass, viz.:

Indunas: Umzwilikazi,
Mabuhle, and
Maqalekane.

Amakehla: Tulisa, father of Latyinga,
nTanyelelo,
Nongena,
nCamu,
Umnyaiza (ring off),
Hlanzi,
Ungwahla, son of Macala.

Insizwas: Mahlatini,
Magangana,
Uwohla, son of Umamanjola,
Umhashe,
Majakazi, son of Holo,
Jijiza, *alias* Umwane,
Mgebisa.

Of the above, nCamu, Mahlatini, Majakazi, son of Holo, Jijiza *alias* Umwane, and Mgebisa, are in custody. They did not see Malambula on that day; in fact, none of the prisoners were present at the affair at the Pass.

The Court then adjourned at 3·40 p.m., until the next day at 11 a.m.

W. B. MORCOM,
Clerk of the Court.

SEVENTH DAY.

FRIDAY, 13TH FEBRUARY, 1874.

The Court resumed the enquiry at noon.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
Mr. BIRD, R.M.
Mr. HAWKINS, R.M.

And the following Native Chiefs and Indunas: TETELEKU, NONDONISE, KUKULELA, UMNINI, and MAFINGO.

The record of the last day's proceedings was read over.

Witnesses were examined as under.

nCamu, duly cautioned, states: I lived at the upper part of the Blue Krantz, below the wagon road leading from Estcourt to David Gray's. Living at such a distance from the majority of the tribe, I only heard the people were running away because some messengers, and amongst their number Mahoiza, had arrived from the Government. I then ran away. We drove our cattle up towards the high country. I remember the names of the following who went with me, viz., Mahlatini, son of Jozana, Mgeoisa, son of Pepo, Umwane, son of Mgcogco, Umtshikatshika, son of Jozana, and Mapukupuku, son of Matshaza. The two last named are Amakehla. The first night we slept abreast of Table Mountain; the next night we got under the Drakensberg. In consequence of the number of the cattle which had to be driven, and the obstruction caused by them, we were detained there for two nights, and on the third day ascended the Bushman's River Pass. We heard from the people who came down the mountain that fighting had already taken place at the top, but I cannot tell whether they told us it had taken place the day before, or on that morning. I saw the dead beast at the head of the Pass. Mapukupuku was with me when I saw the slaughtered cow. I did not see any dead horses, nor did I see the dead bodies of white or black men.

Umwana, duly cautioned, states: I am the son of Mgcogco. I started with Mgebisa, from my home, with the cattle. The first night I slept abreast of Table Mountain, the second night near the Drakensberg, and the third night close under the Pass. The next morning Mahlatini and Mgebisa took up the first part of our cattle. We followed with the rest some distance behind. When we had gone some distance up the Pass, we saw the cattle at the top turning back, and an order was given that the cattle were not to be driven on, as there was a force at the top of the Pass. Then an order came that all the armed men were to go to the top. I was behind. I went up with the others. I had a gun and one assegai. When I got up to the top the fight was over, and people had been killed on both sides. I saw the dead bodies of three white men, two Basutos, and two of our people. I did not see the body of the third man killed on our side. I found all the bodies had been stripped, and that our force was sitting down at the Pass. No one was near the corpses when I saw them. I heard from Mabuhle and Umzwilikazi the particulars of what had happened. Afterwards we all returned down the Pass, and brought up the cattle, and the things we were carrying. When we took up the cattle, and passed by the bodies, they were still lying in the position in which we had seen them before. I saw that three horses had also been killed; two

were bay coloured, and one brown. I was not present at either of the ceremonies for strengthening the tribe. I arrived from the Diamond Fields, with the gun I had with me when I went up the mountain—only a day or two before we started to ascend the Pass. I came back from the Diamond Fields, in company with two others, through Mr. Austin's Native Reserve on the Orange River, and then across the Drakensberg, and down by the Giant's Castle Pass. Each of us had a gun. My companions were Magebe, son of Mamangala, and Umbotshwa, son of Mafugufugu. I did not see Malambula, or any of the prisoners, during the whole journey to Molappo's. I went to Molappo's with Langalibalele; and, returning to Natal, was caught at Domba's, near Estcourt. I belonged to the Nkonjane regiment. Mabuhle was our commanding officer. When I reached the top of the Pass, I saw Mahlatini, Mawela* (Insizwa), Badidele* (Kehla), son of Buswana, and the three Indunas, Mabuhle, Umzwilikazi, and Maqalekane. This witness confirmed the evidence previously given as to the names of those who had killed the three white men and one of the Basutos, but he did not know the name of the man who had killed the other Basuto.

Landelisa, *alias* Majakazi, duly cautioned, states: I am the son of Holo, of the Amahlubi tribe. Our kraal is on the Little Bushman's River, called the Umtshesana. I went after the cattle. Umpayana (the son of Umpopomo), and Umagwazi (the son of Ulandela), went with me. The cattle went the day before we did. When we overtook the cattle at the foot of the Pass we found some were missing. We all three went back as far as the sources of the Tugela to look for them. We slept there the next day, and went up the mountain early on the third day. When we got there we heard there had been fighting that morning; and when we got near the top we saw the cattle were being driven back, and we returned down the mountain. I then went to Simahla's, and did not go over the mountain again. I left my two companions at the foot of the Pass, and went to Simahla's. The cattle of our kraal went on with a boy named Umnyazi. I had a gun and assegais, and went alone over the mountain to Witzie's Hoek, and my gun was taken by Madela's people.

Mahlatini was recalled, the witness Majakazi denying that he had been at the Pass. Mahlatini adhered to his former statement that Majakazi was there.

Majakazi now said: I went up as far as the spot where the slaughtered beast was lying. I saw Mabuhle and Umzwilikazi there. There were many other people present, but I only recognised these two. The dead bodies were not in sight from the spot where the beast had been killed and was lying, and I did not go to see them. I heard the people talking over the occurrence. It was said that Mabuhle and Umzwilikazi had authorised the firing.

uTshiabantu, duly cautioned, states: I am the son of Mabuka, and one of the Amahlubi tribe. I had nothing to do with the rebellion. I live on the upper part of the Little Bushman's River, called the Amatamo. When Mahoiza was at the Location, I thought it my duty to go up to Langalibalele, and say to him, that, in my opinion, they ought to collect all the cattle together, and give them to Mahoiza, in order to avoid the difficulty in which the tribe now was, and which I saw was likely to come upon it. A man called Umzeula, there present, said I had come to hoodwink them, and to deceive them by telling lies; that I was not to be trusted, and that I did not belong to the tribe, for I had turned my back upon them; he said, however, that the man with me was to be relied upon, and still remained one of the tribe. Langalibalele said there might be something in what I said, but it must be considered by the men of the tribe. The other men who were there made no answer, but Silulwana said he thought what I said was deserving of consideration. When Langalibalele said it was a matter which might perhaps be deserving of consideration, and that the men must consider it, I thought they would consider it, and give me an answer, and I waited to hear, but no answer was given. That night I went to sleep at Mbombo's kraal, and the next day I went with him to Langalibalele's kraal. Umzeula met me again outside the hut, and said I was trying to deceive them, and had nothing to do with them. I thought perhaps I had better say nothing about it, and I did not go into the hut with Langalibalele. I went home. Two or three days after I went towards Mtshitshizelwa's place, near Estcourt, to buy a saddle; it was late in the evening, and as I was going along, after dark, I met one of his men; he asked me who I was, and I told him. He took me to the kraal of Umseula, and the next morning Umseula and I went together to the shop and made our purchases. As I was about

* These names have not been mentioned before.

to return home, and was parting from Umseula, some one called me and said Mtshitshizelwa wanted me. I asked what for, but I was not informed. Umseula, it was said, was also wanted. I said I wanted to go home, and would be back the next day, thinking it was an errand upon which Mtshitshizelwa wished to send me, and which I might as well attend to another day as then. I went home, and while there I was told by Klaas, who lives near, that I was wanted because it had been said I had been doing the work of a spy for Langalibalele. I was startled at this, and thought I was in an awkward case, because I had just come from Langalibalele's, where I had been regarded as a spy, and I thought it was very awkward to be regarded as a spy by both sides, and therefore considered it advisable to come to Mtshitshizelwa at once, and explain matters. I went down to the office, and saw Mr. Rudolph, who questioned me as to what I had been doing in going to Mtshitshizelwa's as a spy. I explained how it was I had been travelling, and said I considered it hard that I should be looked upon as a spy by both parties. I felt in a difficult position, but explained matters. After this time, when the Government forces had started, there was great alarm among all the people who were loyal to the Government, and they placed their cattle in positions of safety lest they should be attacked by Langalibalele's forces; because it was commonly said by the members of that force that as soon as things came to extremities, the first thing would be to destroy all those who had remained loyal to the Government, and who were called by an opprobrious name. My kraal is about 14 miles from Langalibalele's residence. Manaba was present when the conversation took place at Langalibalele's kraal.

The prisoner Manaba admitted having been present at this conversation, and enquired whether it was not he, and not Silulwana, who had made the remark that it would be better for the cattle to be given up than for them to proceed to extremities.

Witness said: It may have been Manaba, for he was sitting close to Silulwana. After Mahoiza's arrival a man called Umhlopekazi went to most of the kraals in the low country that had made up their minds to remain loyal, and said that he had been sent by Langalibalele to warn them that if they did not adhere to him, they would be the first to be attacked. This man did not come to my kraal, but the message was brought to me from a neighbouring kraal. There are persons to whom this message was delivered, and every one was alarmed at it. That was one of the most definite reasons on account of which the people round about Estcourt were alarmed. I did not know of the ceremony of strengthening the men, which took place at an earlier period; but the young men were latterly frequently called together on the pretence of going to cut poles. Manaba was the only son of Langalibalele who was present when the conversation I have referred to took place at the kraal.

The prisoner Mango states: You may enquire and investigate as long as you choose, but you will never find that more than four men, in the whole of the tribe, ever objected to any of these proceedings, or gave any definite opinion against them. These four were Manaba, Umpiko, Mbombo, and myself. I am glad to hear Umpiko is coming as a witness. I wish to make this statement before he arrives, because I am sure he will substantiate it.

Manaba said: I confirm the statement which Mango has just made.

The Court, at 4 p.m., adjourned till Monday, at 11, a.m.

W. B. MORCOM,
Clerk of the Court.

EIGHTH DAY.

MONDAY, 16TH FEBRUARY, 1874.

The Court resumed the enquiry at 11·50 a.m.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
Mr. BIRD, R.M.
Mr. HAWKINS, R.M.

And the following Native Chiefs and Indunas:—TETELEKU, NONDONISE, ZATSHUKE, MANXELE, and MAFINGO.

The record of the last day's proceedings was read over.

Mr. JOHN SHEPSTONE called the following witness:—

Umpiko, duly cautioned, states: I am a member of the Hlubi tribe, and was one of the Official Witnesses under the Marriage Regulations, and a man of standing in the tribe. I remember being sent to Langalibalele, after Mtshitshizelwa had been sent, in reference to some guns. On his return, Mtshitshizelwa had reported that the young men who possessed the guns had gone to Langalibalele; and I was ordered by the Magistrate to go to Langalibalele, and request him to have these young men sent down. I went with Mtshitshizelwa. Langalibalele blamed Mtshitshizelwa for having alarmed these boys before coming to him; and so prevented him from being able to find them. He denied that they had gone to him; and told us to return, and tell the Magistrate they had not arrived at his place. After that, I was sent to desire Langalibalele to send in some young men who had been working at the Diamond Fields for Mr. W. E. Shepstone, so that they might have their guns, which were ready for registration, duly registered. Langalibalele said he had not seen all the young men, and did not know whether they had all arrived; but, when they all came, he would send them in. I returned to the Magistrate with this message. I was again sent to Langalibalele, about some eight young men who had come from the Diamond Fields with guns, and had passed by the Border Agent's (Captain Allison). I went to Langalibalele, and gave him a description of these men, as far as we were then in possession of it. Langalibalele asked how he could possibly know these young men, who had gone from their own kraals of their own accord. He said he did not know them. I represented to Langalibalele that these young men were very much wanted; because they were reported by Captain Allison as having passed his place with their guns. Langalibalele said he would enquire about them, in order to ascertain how it was they had not reported themselves to him. I urged upon him to exert himself to get these boys, and send them to the Magistrate; because there was no doubt as to who they were, seeing one of their number was already known. Having been away from home, I found out, on my return some time after this, that Mtshitshizelwa had been again sent for these young men who had been called for. I was surprised Langalibalele had not sent them in before this time; and thought I also had better go to him, and add my influence and representations in order to induce him to comply with the request of the Magistrate. I reached Langalibalele before Mtshitshizelwa came, and I asked him how it was that neither of the requests sent him by the Magistrate had been complied with; I said I had thought, during my absence at Klip River, that both these requests had been complied with, and I was surprised to find they had not. I said it was a pity that one thing should be left

uncomplied with until another trod on its heels, and if a number of these things collected together, it would at last create a difficulty which might not otherwise exist. I also said it would not appear that I had done my duty faithfully to Mr. Macfarlane, or to either party, unless there was some result from my message. Langalibalele admitted this, and said it was quite true, it was a pity, and very unfortunate that in these two things the one should catch up the other. Mtshitshizelwa had not then arrived, and Langalibalele was waiting to receive the Messengers from the Magistrate. Soon after this Mtshitshizelwa arrived; he brought the same message I had, and spoke in the same way I had about the guns. Langalibalele said, "Mtshitshizelwa, I do not go to the Diamond Fields; I do not dig for diamonds; I stay at home; the guns are not mine, but the property of the young men who go to the Fields to work for these guns. I am not the purchaser of them." Mtshitshizelwa said the guns ought to go down to the Magistrate's Office for registration. He urged that the delay in sending them was causing inconvenience. Some cattle which ought to have been given to some young men had gone down to Pietermaritzburg in consequence. Langalibalele agreed that the guns should be sent down the next morning, with Mtshitshizelwa. The following morning, therefore, we took nine young men, and their guns down with us. There was a tenth, but he said he had made up his mind to get permission to procure a gun here, and not buy one at the Diamond Fields. These boys, with their guns, were taken to the Magistrate; the guns were then marked, registered, and returned to their owners. After a little while I was again sent, by the Magistrate, to Langalibalele, to ask where the other boys were who were known to have come down from the Diamond Fields with guns. I was also told to say that there were others who had been reported by letter, in addition to those about whose guns Captain Allison had made a report. I went, delivered this message to Langalibalele, and explained that two parties of young men, who were known to possess guns, had returned home, and yet neither of them had brought their guns to be registered. Langalibalele said those boys ought to go down also. They were sent for, and I took them down. I took five boys with their guns; the fifth was one who had been caught by Captain Allison. As to the others, Langalibalele said they had not come to him, and he did not know who they were. These guns were taken to the Office, and detained there, the young men being told they must wait until a letter was received from Pietermaritzburg in reference to them. Those were all the messages I had to deliver about guns. After this Langalibalele went down to Estcourt. The Magistrate was away, but Mr. Rudolph saw and spoke to him, and asked him how it was he was so negligent in doing what he was directed to do by the Magistrate, especially in reference to guns, and how it was that, when he was told to do anything, it was with great difficulty he could be got to do it. Langalibalele said, "I do obey." They then entered the building, and I did not hear what passed. This was a long time ago, before the Secretary for Native Affairs went to Zululand, and before Umyembe came with the first message. Umyembe then came, and the fourth day after he passed Estcourt, I received a summons to go up to Langalibalele's kraal, on horseback, and I went. When I got there Langalibalele told me Umyembe had come to call him, and he wanted to know my opinion. I said what opinion can I give you; if you are sent for to the great place, the seat of Government, you ought to go. Langalibalele replied, "How about my leg? My leg is sore." I said, "Seeing you yourself are called, it is impossible that you can send any substitute; you must go yourself." Langalibalele said, "Yes, I agree with what you say; as it is a summons to me personally I will go." He then told me to go to the Magistrate, to whom the remainder of the taxes were to have been paid on Monday, and tell him, as it was now Saturday, and there had been heavy rain, he would not be able to come in on Monday, as he had been summoned to Pietermaritzburg, and was going straight there. Langalibalele told me he had already arranged with Umyembe to go to the seat of Government, and where to meet him, and that Umyembe had left on his return journey, in accordance with that arrangement. Umyembe had said he would be delayed in consequence of one of his attendants, whom he had to take to a doctor, being sick. I then went home, and on going to the Magistrate's Office on Monday morning, I saw the Indunas, who had to go to Pietermaritzburg to say what they had to say about Langalibalele; they asked whether he was going, or had gone, or where he was. I told them, as far as I knew, he had started on Sunday, or would start on Monday morning, that being the arrangement he had told me he had made. The Indunas contradicted my statements, and said they had that morning heard, from a young man, that Langalibalele had not started. I said, "Well, I do not know." The Indunas, however, went down to Pietermaritzburg, and I went to the Magistrate, and delivered the message about the postponement of the payment of the money. Mr. Macfarlane was vexed that Langalibalele should have put off the payment of the taxes, because there was no necessity for him to come himself, there being plenty of

head-men who might have superintended the payment of the taxes, and hence there was no necessity for any delay in their payment. After some days, I heard that Langalibalele had not gone to Pietermaritzburg, and that he was still at home. This made my heart sore within me, to think that Langalibalele should have deceived me as he had, and made me take a false message to the Magistrate. And so the matter stood until the Indunas returned from Pietermaritzburg, and reported that Langalibalele had not arrived there, but Mabuhle had come instead, and stated that Langalibalele had started, and got as far as Mbunda's, but was then obliged to return home on account of his leg. The Indunas also reported that the Secretary for Native Affairs was angry with Mabuhle for telling untruths. Some time after this I went up to Langalibalele again, and asked him how he could deceive and treat me in the way he had; what fault did he find with me that he should treat me in this way, and give me a false message to take to the Magistrate, saying he was going down to Pietermaritzburg when he was not really going. In reply he said that, in turning over the matter in his own breast, he thought his sons Mango and Mbaimbai and I were deceiving him when we wished him to go down to Pietermaritzburg, and if he could not ride wished him to go in a wagon. I said, "Well, you say, of course it is possible we may, on some occasions, deceive you, but in this case, suppose as you say your leg is so sore you cannot go, what is to be done? We do not know what you are sent for, but you know one thing, the guns are wanted. You should, therefore, collect these guns and send them to the Magistrate at once." He said, "You say the guns ought to be taken down, but the guns are not mine, as you know. They belong to the young men." I replied, "The young men ought to be told to take the guns to the Magistrate to have them registered." He replied, "Will they obey if I do?" And I said, "If they do not obey, seeing you say you are ill, what is to be done?" This was simply a private representation of my own, which I went to Langalibalele on purpose to make. I then went home, and some time after this Umyembe came the second time. I did not go to Langalibalele, or interfere on this occasion, because I felt vexed at the manner in which I had been deceived on the previous occasion. Umyembe went back again without my having had anything to do with the message he took. Just about the time of Umyembe's second visit, we were startled on hearing that some white men had become alarmed at reports that some force was coming up, and had begun to move their cattle and wagons. Some of Langalibalele's tribe were also afraid. This was caused by the assembling of the Volunteers at Estcourt, for drill. We were surprised that this should cause any alarm, because we knew that they had only come for the purpose of practice, as was their usual custom, but there being alarm amongst the Europeans caused it to be amongst the blacks likewise. Langalibalele sent for me that he might hear the truth of the matter. I went to him, and he asked me what was the cause of the alarm, inasmuch as his people on the Little Tugela, and the white people there, had fled, and whether there really was any force intending to do harm. I said no, it was the usual annual gathering of the Volunteers, as was their custom. Langalibalele told me he was uneasy on another point because it had been said that the huts of the young men had not been paid for. He said they had not been very careful about the taxes on the huts occupied by the young men. He then desired Kakonina to go with me to the Magistrate, and admit that the huts of the young men had not been paid for, and promise that they should be paid for; and further to ask for an explanation of this alarm. He told Kakonina to say that the men then present had told him the huts had not been paid for. This message was delivered to Mr. Macfarlane, the Magistrate, who expressed his satisfaction at hearing that the taxes on the huts which had not been paid for would now be duly paid. He expressed himself as very much dissatisfied that Langalibalele had not gone, when summoned, to Pietermaritzburg; that he ought to go; that there was nothing to fear. All that was wanted was an explanation of events which had passed; and he ought to obey the summons. After this, the money for these huts which had not been paid for was sent down. About this time, the Secretary for Native Affairs went to Zululand; and, after his return, Mahoiza came to summon Langalibalele, and went to the great kraal Pangweni. I heard Mahoiza was there; and thought it desirable I should go up and listen to what was going on. When I got there, I found Langalibalele had been startled by the very hard words used by Mabuhle, Nkunjana, and Magongolweni. I found they had reported that Mahoiza had something with him; and, therefore, Langalibalele said he would not go, but the great men must go down to Mahoiza. I was very much startled at this, and said, "Can it be possible that Mahoiza is at the Pangweni, and this can be true of him?" I asked how many people Mahoiza had with him that he should be the cause of any alarm to us. They replied that, including his carriers, his party might amount to twenty. I said, "Why should Langalibalele hesitate to go to meet Ma-

hoiza at Pangweni, seeing he has been really sent from the seat of Government? How can Langalibalele hear the words brought by Mahoiza if he does not go?" The other men said I was deceiving the Chief; two of whose relatives had been killed when sent for in the Zulu country. "Well," I said, "if I am deceiving you, how are you going to answer the difficulty in which you are in? If you say these words to me, and I cannot receive them, I can do no more. You have appointed me, and the Chief has appointed me, to live near the Magistrate's office, to be his representative there, to hear from the Magistrate what he may wish to be said to the Chief, and from the Chief what he may wish to be said to the Magistrate; but seeing, in spite of that, you use such language as that to me, I can have nothing more to say to you. If you have any special object, if there is anything you have it in your mind to do, do it; but I have nothing more to do with it. I have advised you to send the guns to Pietermaritzburg, if you prefer that course, or to the Magistrate, in order that they may be registered, but you have refused to do either. I have advised you to go to Pietermaritzburg, and you have refused to do that. I have advised you to go and see Mahoiza, and you decline to do that. It is very evident you want something that will naturally follow from the words you use; and if you mean you are going to have any fighting, I will have nothing to do with it, and wash my hands of the whole matter. I protest at Mahoiza's party, which altogether only numbers twenty, being looked upon with suspicion; or at its being thought possible that they can do any harm to the Chief, in the midst of such a large tribe as that by which he is surrounded. If you won't go to Mahoiza, I am determined to go, and have nothing more to do with it. I came for the purpose of listening to the words brought by Mahoiza from the Government." They used strong language; said I was a liar, as bad as Mahoiza, and together with him a deceiver. I then went home. After spending a few days there I became uneasy, and thought, notwithstanding all that had passed, I had better go up and see what was going on; seeing they might prevail in sending down the men to hear what Mahoiza had to say, instead of Langalibalele going down himself. I went to the Pangweni, and found the people assembled there. I got there a little before Mahoiza arrived from the kraal where he had slept. We then listened to what Mahoiza had to say. He said he had come to call Langalibalele; and appealed to us to be informed why it was, after he had been there so long, that the men were sent, instead of Langalibalele coming himself. He asked where Langalibalele was that he could not see him. Why was he shut out from seeing him? and how could he convey to Langalibalele the message he had been sent to deliver, unless he saw him? The men said Langalibalele wished them to come; and they proposed that he should pay something, as he had already delayed so long to obey the summons. Mahoiza said it might be very proper for Langalibalele to pay for the delay which had occurred; but he (Mahoiza) could say nothing about that. He thought the proper course for them to adopt was to take him to, and let him see, Langalibalele, and satisfy himself that he was ill; and when he was satisfied, he would send for Mr. Rudolph, the interpreter, to confirm his impressions, or see the real state of the case; and if any proposal of that kind was made, it could be made personally by Langalibalele to Mr. Rudolph. The men pressed Mahoiza to consent to receive something in payment. I said to Mahoiza, as far as I could judge from what the men said to him, and his reply, I thought he was right in the view he took. I also said, I saw difficulties had been created, first, by Umyembe's coming to call Langalibalele and his not going; and again by the second message he had brought; and now he had come a third time, accompanied by Mahoiza, and Langalibalele would not meet or speak to him. These circumstances had created a difficulty; and I thought Mahoiza should be taken to Langalibalele, in order that he might see him. For it was quite true what Mahoiza had said, that it was impossible for him to deliver his message satisfactorily to the men, when Langalibalele was not present. Mahoiza persisted in his view of the matter, and the men in theirs, until we dispersed. Some of the great men also took my view, and Mahoiza was ultimately allowed to go to Langalibalele. I went to where Langalibalele was, and on reaching the Ntabatabeni kraal, I found a story current that a pistol had been seen under Mahoiza's coat. I protested against this being believed as true, because a large number of us had seen Mahoiza, and all he had about him, and how was it possible that one boy alone should see this pistol when all the other eyes had not seen it. Surely all the eyes were not blind? I protested again against the story being believed, because I felt quite sure it was not true. I told them it appeared as if they were trying to push Langalibalele into a state of circumstances which must destroy him. How was it so much weight was attached to what had been seen by a single boy, when so many men were present, had seen all Mahoiza had, and had seen nothing of that kind? I again repeated what I had said on a former occasion. I felt I was powerless under the circumstances. I had given

that advice which I believed to be right, and felt, if Langalibalele had obeyed the summons, and gone to Pietermaritzburg, no harm whatever would have happened, and there was no ground for supposing that there would. I said, "I have advised on several occasions the course which it is right should be taken, but you have your own objects and views, and as I don't know what they are, or how they can benefit anyone, I can have nothing further to do with it, I am overcome." They told me I was blinded by the importance attached to me because I lived so near the Magistrate, and as by birth I belong to another tribe, they said, "You are so clever in giving advice, and foreseeing what will, and what won't happen, how was it that, being so clever, your own tribe became destroyed? You think you will overcome us by your words, but we have distinctly declared to Mango, Manaba, and Mbaimbai, as we now do to you, that we refuse to be overcome." I said, "Seeing you are doing what will undoubtedly cause force to be used, and seeing your notion in reference to Mahoiza is entirely groundless, and that you refuse to listen to what I have to say, well and good; but do not, when the force comes, as it undoubtedly will, if you send the answer you propose to send, place any reliance upon me, or think you will have any support from me." I said I should go home; and I started, and went home. I felt very angry and annoyed at what had happened. I felt very uncomfortable also, and thought I had better go back again. I thought, as they refused to listen to what I said, the best thing would be to take Mahoiza and escort him to Langalibalele. I then went to the Pangweni kraal, and sending for Umzwilikazi and Macaleni, protested against their conduct, and asked them how they could possibly act in a way which would certainly destroy the country, the Chief, and all his people; how was it possible that, on the assertion that some boy had said Mahoiza had a pistol, they could act in that way; had not they themselves seen Mahoiza, I asked, and had they seen any pistol? They admitted they had not seen the pistol, but had heard the rumour. I then said that, notwithstanding the hard words they had used to me, and the fact that my advice had not been taken, I could not allow myself to sit quietly at my own kraal, and see Mahoiza go back without delivering his message to Langalibalele; that in spite of all these hard words, and the conduct manifested towards me, I had made up my mind to insist upon their assisting me to take Mahoiza up to Langalibalele; for I could not admit the possibility of allowing him to go home without seeing the Chief. Umzwilikazi agreed with me that Mahoiza should be taken to Langalibalele; that it would be unseemly if he were allowed to go back from where he was without having had an interview with Langalibalele. Macaleni said, Umzwilikazi and I had better take him. I said, "No, I have come to you, because I tried to rest quietly at my kraal but found it impossible to do so, because I thought some serious thing would be sure to happen." I then arranged with Umzwilikazi that he and I should go on and announce that we were bringing Mahoiza, and that Macaleni should accompany him. I gave instructions about starting next morning, and about where they were to sleep. I went straight on without seeing Mahoiza at all. I reached the kraal where Langalibalele was in the evening. I did not see him that night, but the next morning I saw and spoke to him. I asked him why he declined to see Mahoiza. Did he not perceive what would happen if Mahoiza was allowed to return without having had an interview? I felt and spoke very strongly on the subject, recapitulating everything I had said before. I said it seemed to me they were determined to destroy the country and the Chief, and the Chief also seemed determined to be destroyed. I said I knew the country well, and had been all round it, and the English power surrounded us in every direction, and it was impossible, if they determined to do what they were inclined to do, that they could by any possibility escape. There was no way of getting out. I had travelled all round, and knew the surrounding powers, and there was no loophole for them to get out of, though they seemed determined to defy the power which could so easily put them out of the way. I blamed the Chief himself, and the men who were present. I said that because I entertained these views I was bringing Mahoiza, and I felt sure those who differed from me would cause the destruction, not only of the Chief, but the tribe. I said, if they wished for any scape-goat, or person upon whom to vent their feeling, I was there to receive it, but, do what they would, I had insisted upon bringing Mahoiza, who was coming. I cannot again repeat all I said on that occasion. Langalibalele said, "Well, young man, as you have determined to tie me up, in spite of the advice of all the men, and in spite of my own feelings and objections to meet Mahoiza, I must meet him. Let him, therefore, come." It was then arranged that Langalibalele should go from the Ntabatabeni kraal to Nobamba, where the interview really took place. After a messenger had been sent to communicate that this arrangement had been come to, another messenger arrived and said that the Secretary for Native Affairs had arrived at Estcourt, with a force, and that another force was at Mr. Popham's. Langalibalele immediately re-

ferred to me and said, "Now you see, in spite of all I can say, you are trying to induce me to be killed, and to mislead me so that I may be killed, and you persist in such conduct. Listen to the intelligence just arrived. What about that?' I said, "Yes, Chief, I hear, but I don't believe it." I appealed to Magongolweni and Keve, who were present, and said, "You see you pretend to be persons who take care of the Chief, but I have not seen any evidence of your ability to take care of him, or anybody else. You encourage every little piece of false information to be brought to him, and to be magnified. How is it that I, who have just arrived from Estcourt, have heard nothing on this subject?" Langalibalele said to me, "Young man, my son, you had better go home;" and I went home. Langalibalele was then intending to go to Nobamba to meet Mahoiza, who was coming there. I left before Langalibalele had started from the Ntabatabeni Kraal to go to Nobamba, and before Mahoiza had arrived at Nobamba. I was not present at the interview, and personally know nothing of what happened there. Mahoiza then returned, and Mr. Macfarlane sent me to Langalibalele to say that, seeing he had so often refused to obey the summons to come, the Governor was himself coming up, and had accepted what he (Langalibalele) wished him to accept. I told him that now he had set mild measures at defiance, force would be used, and an army was actually coming. When I told him Langalibalele said he had no force to oppose to the forces of the great house, and he was afraid because he had not gone to Head Quarters, because his leg was sore, when summoned. I then returned, and went home. I was not present at any of those ceremonies which are usually used for strengthening the men, but I heard that they had taken place. I know nothing of the arrangements about going to Basutoland, and was surprised when the journey was undertaken. When they spoke to me I said I should stop where I was, and let the force take me. I heard from the Magistrate, at Estcourt, that information had been received in reference to certain proposals which had been made by Langalibalele to Molappo, but I knew nothing of this matter, or of any communication with Basutoland, from the Chief, or any of his tribe. I was present at the interview referred to by Mtshitshizelwa. It did not occur to me that Langalibalele turned his back upon Mtshitshizelwa, and sat looking away from him. His back was not quite turned towards Mtshitshizelwa, who was sitting a little behind to the right. Although I was in the hut afterwards there were so many there all talking together, that I did not hear any special conversation between Langalibalele and Mtshitshizelwa, although such may have taken place. I did not, however, hear what took place, for a great deal of conversation was going on in the hut. The persons who made the greatest remonstrance, or who really remonstrated against the proceedings involving the despising or defying of the Government were Bombo, Manaba, Mango, and myself. When the young man Mbaimbai said anything, his father would not listen to him, and became extremely angry if he attempted to say anything. The younger lads wished to say something to their father, but were afraid. It was our opinion, and urgent advice, that Langalibalele should go to Pietermaritzburg, and we saw no reason to fear any alarm in case he went. The two Indunas, Ngwahla and Mhlaba, assented to what was said, and though not present, I was told that, on one occasion, Ngwahla repeated what I had said to Langalibalele. I don't know of anyone with whom Langalibalele took counsel in this matter, or whether he took counsel with those of Putili's tribe, who are connected by birth with our tribe, and with whom we have been in the habit of being very intimate. I don't know of any specific communication with any tribe. Mawewe, the rainmaker, went to the Zulu country. He remained there a whole year; and returned before the Secretary for Native Affairs went to Zululand. The only fact, as far as I know, which connects the prisoners with these proceedings is, that they are the sons of the Chief, and so necessarily connected. The persons who really are chiefly responsible for all that has happened, are Mabuhle, Magongolweni, Keve, and Nkunjana. When the prisoners Mbaimbai, Manaba, and Mango, the sons of Langalibalele, and I, thought we had overcome Langalibalele, and persuaded him to take one course in the evening, we found these men had overthrown our arrangements in the morning. When Mahoiza was there it was evident what things would come to; and numbers of people, being frightened, took their cattle towards the Drakensberg, in one direction, and those who wished to remain loyal took their cattle the other way. Large numbers of the people took my view of the case; listened to what I said; and behaving as I did, procured loyalty tickets from the Magistrate. I personally did not blame Langalibalele so much as those four men I have mentioned, because I believed, if it had not been for their conduct, Langalibalele would not have acted as he did. I am only sorry these men are not here to answer for themselves for all the mischief they have done. I frequently heard the young men say, when it came to the point, they would come and sweep away all those who were leaving the tribe; but I never heard Langalibalele

use that threat; and I cannot say it was a threat emanating from him, since I only heard it from the young men. Langalibalele took the advice of these four men in preference to other advice which would have saved him from getting into this trouble; and because he has taken it, he is in his present difficulty. I do not know anything about their intentions after they got over the mountain. As far as I knew, they did not intend to go. Langalibalele told me he would stay where he was, and, if he was to be taken, be taken there. The cattle were under the mountain for a long time, but that is to be accounted for partly by the fact that it was very dry below, and the people were in the habit of sending their cattle up when the grass grew. But it is a fact that cattle from the Tugela, which is a long way off from the Drakensberg, were driven up, in flight, past the Pangweni kraal when Mahoiza was there, towards the Drakensberg. About the same time, when Mahoiza was there, the corn was taken to be put into the rocks.

The Court rose at 2·45 p.m., and adjourned until the next morning at 11 o'clock.

W. B. MORCOM,
Clerk of the Court.

NINTH DAY.

TUESDAY, 17TH FEBRUARY, 1874.

The Court resumed at 11·30 a.m.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
Mr. BIRD, R.M.
Mr. HAWKINS, R.M.

And the following Native Chiefs and Indunas: TETELEKU, NONDONISE, ZATSHUKE, MANXELE, and MAFINGO.

The record of the last day's proceedings was read over.

Mr. JOHN SHEPSTONE called the following witnesses:

Umbalekelwa, duly cautioned, states: I belong to the Hlubi Tribe, and was born in it, but my father was not a Hlubi by birth. I was living at the Mission Station, among the Hlubi Tribe, when the first disturbance took place. The first alarm was caused by Umyembe's first visit, and afterwards by the assembling of the Volunteers, at Estcourt, for drill. When Umyembe came the second time, the people fled to the mountains, but returned again. When Mahoiza came they began to take their things to the rocks and caves. From these circumstances I concluded they were determined to run away. I remained at my kraal the whole time with my cattle and other property. My cattle were taken at the kraal by the Government forces. I hid no property away, and remained loyal to the Government. I do not know that any of Langalibalele's people obeyed the proclamation, calling upon the people to return to their allegiance, either on the day or night following its publication by Adam. I saw no one return. Those who came down did so for the first time after Putili's cattle had been seized. My cattle were seized by Captain Lucas. I was also taken prisoner by him, and flogged by his orders. Neither I nor my cattle left my kraal, nor did I hide away any of my household effects. My cattle were seized by an order being given that they must remain at the missionary's kraal. They may be there to-day, but I do not know. When a tribe is in this condition it never has any plan, and no plan was ever communicated to me.

Frederick Heeley states: I know the prisoner Ngungwana. He has been in my employ, off and on, for the last six years. Since my return from England he has worked for me in Pietermaritzburg, and before that at Bushman's River. As far as my memory serves me Ngungwana left me to return home, after the Zulu expedition had left. I believe he was with me when the members of the Weenen Yeomanry Cavalry passed through the city. I really cannot remember whether prisoner was sent for, but I believe he gave me the usual notice that he wished to leave at the end of the month. Two or three Kafir servants from Bushman's River left me about the same time, without giving notice. I believe prisoner was tired, and wanted to go home after his nine or ten months' service. Prisoner was always a good boy, and I could not wish for a better servant. At Bushman's River he was my herd boy, and also nursed one of my children. In Pietermaritzburg he has been my stable boy. I have never had occasion to have him before the Magistrate, or reprimand him in any way.

Umzimazane, duly cautioned, states: I belong to Faku's Tribe, Estcourt. I first commenced service with Mr. Heeley, at Bushman's River, and have been off and on in his service ever since. I know the prisoner Ngungwana; we were in service together at Heeley's. He left while I was absent, and just before the forces went up.

The prisoners were asked if they wished to say anything; but all said they had nothing to say.

The Court rose at 1 o'clock, p.m., and adjourned until Thursday, the 19th instant, at 11 a.m.

W. B. MORCOM,
Clerk of the Court.

TENTH DAY.

THURSDAY, 19TH FEBRUARY, 1874.

The Court met pursuant to adjournment; and the minutes of the proceedings of the last meeting having been read over, adjourned until Saturday, the 21st inst., at 11 a.m.

W. B. MORCOM,
Clerk of the Court.

ELEVENTH DAY.

SATURDAY, 21ST FEBRUARY, 1874.

The Court met pursuant to adjournment; and, after consultation, adjourned until Monday, the 23rd inst., at 11 a.m.

W. B. MORCOM,
Clerk of the Court.

TWELFTH DAY.

MONDAY, 23RD FEBRUARY, 1874.

The Court met pursuant to adjournment; and, after consultation, adjourned until Wednesday, the 25th inst., at 12 o'clock, noon.

W. B. MORCOM,
Clerk of the Court.

THIRTEENTH DAY.

WEDNESDAY, 25TH FEBRUARY, 1874.

The Court met pursuant to adjournment; and, the minutes of the last meeting having been read over, adjourned until to-morrow, Thursday, the 26th inst., at 12 o'clock, noon.

W. B. MORCOM,
Clerk of the Court.

FOURTEENTH DAY.

THURSDAY, 26TH FEBRUARY, 1874.

The Court met pursuant to adjournment; and, after consultation, adjourned until Friday, the 27th inst., at 11 o'clock, a.m.

W. B. MORCOM,
Clerk of the Court.

FIFTEENTH DAY.

FRIDAY, 27TH FEBRUARY, 1874.

The Court met at 12·45 p.m.

Present:—THE SECRETARY FOR NATIVE AFFAIRS, President.
Mr. HAWKINS, R.M.
Mr. BIRD, R.M.

And the following Native Chiefs and Indunas:—TETELEKU, NONDONISE, HEMUHEMU, HLANGABEZA, and MAFINGO.

The indictment was read over by the Clerk.

The Secretary for Native Affairs read the Judgment and Sentence of the Court, as annexed hereto.

And the Court rose at 1·15 p.m.

W. B. MORCOM,
Clerk of the Court.

JUDGMENT.

The Court, having carefully considered the pleas advanced by the defendants, and the evidence given on the trial, find that—

The prisoners Manaba, Mbaimbai, Mango, Ngungwana, Siyepu, and Mazwi, are guilty of the crimes charged in the 1st, 2nd, and 4th counts of the indictment.

The prisoner Malambule is guilty of the crime charged in the 1st, 2nd, and 4th counts; and also of that charged in the 3rd count, in so far as it sets forth resistance to the authority of the Supreme Chief, by firing upon certain of Her Majesty's subjects, sent to enforce his surrender.

The prisoner Mhlaba is guilty of the crime charged in the 4th count.

The prisoner Maqobodo, *alias* Ngwahla, not being proved to be an Induna of the Chief Langalibalele, cannot be found guilty under any of the counts in the indictment.

In determining the sentence to be passed on the prisoners, the Court does not lose sight of the facts that speak in mitigation of their offence. As regards the sons of Langalibalele, it is obvious that they, more than any men of the tribe, must have been under the influence of the Chief. Siyepu and Mazwi are boys of no more than fifteen or sixteen years of age. It is reasonably certain that three of his sons, Mango, Manaba, and Mbaimbai, used their influence in endeavouring to induce Langalibalele to obey the first order to repair to the seat of Government. But the Court has also been bound to notice the fact, that, if the influence of natural ties is on the one hand to be regarded as lessening their guilt; on the other hand, their

rank and social position have made their treasonable acts more momentous and dangerous to the peace of the Colony, and their crime against society relatively greater.

The sentence of the Court is—

That the prisoners Mazwi and Siyepu be imprisoned for six months, with hard labour;

That Mango, Manaba, and Mbaimbai, be imprisoned, with hard labour, for two years;

That Ngungwana be imprisoned, with hard labour, for two years and a half;

That Mhlaba be imprisoned for one year, with hard labour;

The imprisonment to be in each case at such place, and the hard labour of such kind, as the Supreme Chief (the Lieutenant Governor) may direct;

And that the prisoner Malambule shall suffer transportation to such place as the Supreme Chief (the Lieutenant Governor) may direct, for the term of five years.

T. SHEPSTONE,
Secretary for Native Affairs, President.
ARTHUR C. HAWKINS, R.M.
JOHN BIRD, R.M.

TETELEKU, his X mark,
Chief of the Amapumiza Tribe.
NONDONISE, his X mark,
Chief of the Amatuli Tribe.
HLANGABEZA, his X mark,
Chief of the Amancolosi Tribe.
HEMUHEMU, his X mark,
Chief of the Mafunzi Tribe.

Interpreter of Contents, and Witness to Marks of Teteluku, Nondonise, Hlangabeza, and Hemuhemu,

T. R. BENNETT.

MAFINGO, his X mark,
Induna, Resident Magistrate's Office, Durban, and Chief of the Amaqwabe Tribe.

Witness to Mark,

WM. R. GORDON,
Clerk and Interpreter.

W. B. MORCOM,
Clerk of the Court.

In terms of the warrant given under my hand on the 29th January, 1874, I hereby confirm the above judgment and sentences, and authorise their being carried into effect.

Dated at Durban, this 23rd day of March, 1874.

BENJ. C. C. PINE,
Lieutenant Governor and Supreme Chief over the Native Population of Natal.

APPENDIX.

The same Court which tried the Sons and Indunas of Langalibalele also tried several members of the tribe who had been made prisoners.

This duty occupied the Court twelve days, commencing with the 5th March, judgment being given on the 31st of the same month.

The pleas of 221 prisoners were taken; and our readers will readily suppose that, where the crime charged was in each case the same, the respective pleas would not present striking contrasts; although, as a whole, interesting in the extreme, as showing the part which each prisoner took in the recent rebellion, and, in many cases, the reasons which influenced him.

The length to which this pamphlet has already extended prevents us from publishing the whole of the record in these cases; but we have selected the pleas of twenty-one prisoners, whose statements will, we believe, be read with interest.

In many instances, the other pleas would only repeat the story of the journey to Basutoland, or narrate other simple and unimportant incidents connected with the arrest and removal to Pietermaritzburg of the prisoners.

In order that our readers may understand the charges to which the prisoners were called upon to plead, we publish the indictment. The prisoners, as members of the tribe of Langalibalele, were charged with "The crimes of Treason and Rebellion, in that, being clansmen and adherents of the late Chief Langalibalele, and well knowing that such Chief had been placed in power over them and others of his late tribe, and located in the County of Weenen, within the territory of the Colony of Natal, one of the possessions of the Queen, by the Supreme Chief, the representative of Her Majesty; and well knowing that the said Langalibalele was, and did by various tributary acts periodically and annually make acknowledgment of being, together with his tribe, subject to the authority and command of the Supreme Chief; and also well knowing that, according to the Law and usage of the Natives resident in this Colony, as well as in all the countries adjacent thereto, the removal of a tribe from its recognised Location beyond the boundaries of the Territory, without the permission and public sanction of the Supreme Chief, and in armed numbers, and driving before them and taking with them the cattle of the tribe, is an act of open defiance of the lawful authority of the said Supreme Chief:

"1. They did agree and conspire with their Chief Langalibalele, and with each other, to withdraw into fastnesses or other places of concealment, for the purpose of avoiding obedience to the Laws of the Colony, and setting at defiance the lawful orders of the Supreme Chief, repeatedly issued, expressed, and impressed upon them.

"2. That they did wrongfully, illegally, and with rebellious intent remove from the said Colony without the legal and necessary sanction aforesaid, and remove or assist to remove the cattle of the tribe from the lawful jurisdiction of the Supreme Chief; having with them their arms and munitions of war, for the plain and manifest purpose of defying and resisting the emissaries or forces of Her Majesty, who might be sent to obstruct their departure, or constrain them to return.

"3. That, acting in accordance with, and in furtherance of such agreement and conspiracy, they, or one or other of them, did, after the issuing of the proclamation of the Supreme Chief, calling upon all members of the Tribe to submit themselves to his authority, resist such authority by firing upon, killing, and wounding certain of Her Majesty's subjects sent to enforce such surrender.

"4. That, notwithstanding and in defiance of the repeated orders of the Supreme Chief to submit themselves to his authority, they persisted in defying and disobeying such orders, until, overpowered by superior force, they were captured with arms in their hands."

The Court gave judgment on the 31st March; and stated that an unanimous verdict had in each case been arrived at. In the very great majority of cases, their verdict had been founded on the admissions of the prisoners; evidence having been taken only to establish the truth of admissions of serious guilt, and when those admissions were equivocal, not distinctly acknowledging guilt or asserting innocence, or when testimony was required to confirm the denial of criminality.

One prisoner was found guilty under the third count of the indictment, he having fired upon and killed one of Her Majesty's subjects (a native) sent to enforce his surrender. The sentence in this case was twenty years' imprisonment, with hard labour. Seven other prisoners were found guilty under the second and third counts, in that they withdrew into fastnesses for the purpose of avoiding obedience to the laws of the colony, and setting at defiance the lawful orders of the Supreme Chief, and resisting his authority. Three of the seven were sentenced to seven years' imprisonment, three more to five years' imprisonment, and the last one to three years' imprisonment, with hard labour in each case. 146 prisoners were found guilty under the second and fourth counts, in that, wrongfully and illegally, and with rebellious intent, they did remove, or assist to remove, the cattle of the tribe, and persisted in defying and disobeying lawful authority, until they were captured with arms in their hands. The sentence of the Court in each case was three years' imprisonment, with hard labour. Twenty-four prisoners were found guilty under the first count, in that they did agree and conspire to withdraw into fastnesses, or other places of concealment, for the purpose of avoiding obedience to the laws of the Colony, and setting at defiance the lawful orders of the Supreme Chief. Ten more were found guilty under the second count, in that they did wrongfully and illegally, and with rebellious intent, remove or assist to remove the cattle of the tribe, without the sanction and in defiance of the authority of the Supreme Chief. The last thirty-four were each sentenced to two years' imprisonment, with hard labour. The hard labour in every case to be of such a nature, and performed at such place, as His Excellency the Supreme Chief may direct.

We append the pleas of twenty-one prisoners, referred to above:—

(19). Vunguzane, *alias* Nozaza, states: I ran away because all the tribe ran away, following the Chief. I was to have left with the Chief, but one of my brother's horses having been lost, I had to go back and look for it; so that I did not go up the Pass with Langalibalele, but some little time afterwards. As I was going up with the women who it was intended should accompany the tribe, word came down from above that there was an armed force there, and that there had been fighting; that stopped the women from going. I afterwards followed on, and came up to Langalibalele and the people at the Orange River, at a place where willows grow beside it. I then came back again, and descended the Drakensberg by another Pass, with the intention of joining the women; but I found they had left and I went down to Table Mountain, but found the women before I got there. I was present at Table Mountain when four attacks were made upon it. On the night of the fourth attack, I and my brother determined to leave, and let the children take care of themselves, as we could not protect them any longer. We then went up the Little Tugela, and mounted the side of the Drakensberg. We were met by a force, which gave us chase, and was gaining upon us; we then agreed to throw away our guns to lighten ourselves, in order that we might get away. We did so, and when our pursuers came up, they took the guns, and left off chasing us. We then altered our course of flight, crossed the Tugela, went towards Ladismith, and were taken prisoners in the Klip River Division. On the first occa-

sion of the Government force coming to the cave in which I was, they fired and we fired; none of us were hurt, but we saw one of the Government force, a man with a ring on, shot dead. I do not know how many others of the Government force were hurt. This was after all the tents had disappeared from the Location. There were in this cave, in addition to myself, three men whose names I know; two of these men had guns. Their names were Nomleti, Sibanyana, and Tshiyaguqa; the last of these had no gun. I admit having fired upon the Government forces.

(24). M'Bobo, *alias* Sibanyana, states: I went up the mountain with the cattle before the action at the Bushman's River Pass. When that occurred, I had already passed on, and was in front. I had a gun with me. I was taken prisoner at the Klip River. I turned back at the Orange River to come and fetch the children. I was present at the attack upon Table Mountain spoken of by Vunguzane, *alias* Nozaza. After we had been there a great many days, we found a force was approaching. They fired at the cave in which, or the rock under which, we were, but we made no answer to the fire. Two of the men then came up to the entrance to look in, and eight of us fired at them. One of these two men was killed on the spot. I don't know which of the shots killed the man, but I know I killed him. I don't know who fired at the others, but I fired first. We were sitting in a line inside the entrance. After the man was shot his comrades made a rope of bark, put it round his neck, dragged the body away, put it under a rock, and covered him with stones and branches. Then the eldest of us, named Tshiyaguqa, said to me, "As you have killed this man you must search for him, and cut him open to let out the air." We accordingly searched for him, found where they had concealed the body, drew it out, and I cut him open. The other part of the force was standing outside when these two came up to look into the cave, and one of them was shot. The reason why I was told to cut this man open was because, if I had not done so, I should have swelled up as he did. We did not fire at the men who removed the body, because they did not come under fire.

(53). Nqandela states: The first intention of a large portion of the tribe was to go to the upper part of the Little Tugela, and they went there with their cattle. An order to go over the mountain was afterwards given, and the people had to go back along the base of the Drakensberg in order to reach the Bushman's River Pass. The order for the cattle to go over the mountain reached us at the sources of the Little Tugela, after we had been there two days; we then drove our cattle towards the foot of the Bushman's River Pass. I afterwards heard that there was a force on the top of the mountain, and saw some of the cattle coming down again. The next evening we ascended the Pass by moonlight, and passed by the scene of the action in the dark. We went on until we arrived at Molappo's. We were there disarmed. I then returned to the Colony by the Olivier's Hoek Pass, was made a prisoner, and taken to Mr. Arthur Shepstone, at Capt. Allison's. Capt. Allison had then returned. I had assegais with me at Molappo's, and I procured another with which to return to the Colony.

(56). Gehlana states: When the tribe went up the mountain I felt a great objection to go with them, because I had been accustomed to white men all my life. I hesitated a great deal before I went. I, however, did go, and followed the cattle until we reached the red rocks on the other side of the mountain. There I remained for several days, seeing the different parties of people and cattle arrive. I passed the scene of the action, on the Drakensberg, at the head of the Bushman's River Pass, on the day after the action had taken place. I determined to return. I could not see what was to be gained in the future by going on, and I felt inclined to come back, and see what I could do down below. When I reached the Ntabatabeni kraal, on my return, I heard that the Government forces were at Hlatikulu. I then made up my mind to go straight to my old master, Scheepers, for whom I used to break horses. He lives on the other side of the Blauw Krantz River. He took me to the Magistrate, and I was made a prisoner. I had only one assegai with me when I went up the mountain, and that I borrowed from the son of Mehlwana.

(58). Unkambi states: I went up the mountain with Langalibalele on horseback. Langalibalele rode, and I rode, but he walked up the steepest part of the mountain. The first night after crossing the mountain we slept at the red rocks, and on the third day we heard that an action had taken place. When this report was made to Langalibalele, he said, "Why have these young men done this; I know I have done wrong in not answering the summons to appear, but why have they fired upon the white men?" It was reported that Jantje, the son of Selile, Mabuhle, Maohla, the son of Luhoho, and Puluzimati had each killed one of the Government force. The son of Tulisa was

killed by the man he killed. Mabuhle came up at the spot where some temporary huts had been erected. He made the same report to Langalibalele, and enumerated himself as one of those who had killed his man. Langalibalele made the same remarks to Mabuhle as he had to the messenger. We then went on until we reached the place where Langalibalele left us to go on to Molappo's. I remained behind until the police came up, when I went to them, and was disarmed. I was armed with assegais; was taken prisoner by the police, and came back with the Natal force.

(70). Bejisa states: When the Government forces came up I was in the rocks in the Table Mountain. We had deposited provisions of corn there some long time before, even before Mahoiza arrived, because we heard that the Government was angry because Langalibalele would not answer the summons to go down to Pietermaritzburg. When the division, with which was the Secretary for Native Affairs, passed under Table Mountain, and pitched its camp near, we were in the mountain, and saw all that was done. Fohlela was with me. While there, some young men came and told us that the cattle had all been taken at Molappo's; they said they were going down to follow the women. I still remained there. When the force came, made fires, fought, and so on, I was in the inside of the cave in the dark. I don't know who fought with them, or what force it was that was fighting. I went as far as I could into the cave with the women, as I am not a fighting man. Twelve men were killed on this occasion; four who refused to come out were killed by the fire which the natives made, and eight in the fight. Three women were also killed. I don't know whether the men inside the cave were killed by the fire, or by the shots. I was inside all this time. After dark I came out with the rest of the women and men, who had refused to come out during the day. There were a large number of women. Some of these determined to go to the Drakensberg, and they were made prisoners the next day. I decided to go down the Bushman's River, and there I was taken prisoner. As we came out of the cave I said to Nomleti, who had been firing, and who had a gun, "Well, what have you done; so many of our side have been killed, how many have you killed?" And he said he really did not know, but he thought he had killed some one, or done some mischief. I was caught by Klaas, near his kraal, down the Bushman's River. Before going down the Bushman's River, however, I went to another cave on the opposite side of the mountain. I was there with Sibanyana, Nozaza, Dukwana, Siyingana, Fohlela, Nomleti, Gazana, Tshiyaguqa, and Mtshukangubo, *alias* Mashumi. We were again attacked there by the Government forces. One man of the Government force was killed, but I don't know by whom. I afterwards managed to escape from the cave, and went down the Bushman's River, where I was made a prisoner by Klaas, Mr. Macfarlane's man. I was armed with assegais. Pakadi's people took them away, but I had two left then.

(75). Tshiyaguqa states: When the Government forces moved, my brother Mxakaza, who was afterwards killed, ordered his cattle to be driven off. I said, "Let us first go and ask the white man." We were living on Mr. Mellersh's farm. I went to him, and told him that my brother had ordered the cattle to be driven off. Mr. Mellersh said no, the cattle on his farm must not be driven off, but must remain where they were. When I went back, I found my brother had already sent the cattle away. I remonstrated with him; but he said, "Now they are gone, let them go. How do you know that the *impi* would not kill us." Next morning, I started with my brother, and the women and children, after the cattle. We went into a bush, and there stayed. From this bush we could see the approach of any force. Then an order came to say that all the people in the mountains and bushes must come down, and re-occupy their kraals, for they would be killed if found in the bushes or mountains. We then went back to the kraal. I again went to Mr. Mellersh, and told him the people were alarmed, and the women would not stay in the houses. He said they must stay; and gave us a paper to put on the huts. Some time after this, the mother and wives of Sibanyana came to our kraal. They had been out with the tribe in flight. Shortly after this, Sibanyana and Nozaza came. These men said they had come from the cattle, which had gone a long distance, and had come to fetch their families. My brother then said, to our surprise, that we must now go; that the cattle had been successfully taken over the Pass, and were safe, and we must go. I remonstrated, and said I would not go; it was better to remain there. I would not go, and act contrary to the advice of the white man. My brother then said the force might perhaps come back in that direction, and we should suffer from what they might do. I said, "It is better to lose our cattle by remaining here than to follow the flight." During that night they started, my brother Sibanyana, Nozaza, and the women also. My family remained with me. I then went and reported to Mr. Mellersh what had

happened. Mr. Mellersh said, "You go contrary to my advice. I told you not to go. You will all be killed by the forces in the mountains, and it is your own fault. I believe you know all about it, and are as bad as your brother." Mr. Mellersh reported the circumstance to the Magistrate. I became alarmed; because I was told that I might perhaps be taken prisoner by the police. There also was a report that the Government force would arrive that night. I saw some spies; and presently there was an alarm, and numbers of people were running to Mr. Mellersh's. My family also ran. I went and told them there was no cause for alarm; it was only the spies; the force had gone on. I then thought I had better run away; for I thought the white man was displeased with me, and I might be taken prisoner; so I thought I would join my brother, find out where he was, tell him the circumstances of the case, and induce him to return. I went to Table Mountain to look for him, and found him and his family there. I slept there that night; and the next morning the Government forces came there. My brother was shot. He was killed when trying to escape on the top of the mountain from the Government force. I had, previously to this, had some conversation with him on the day of my arrival. The Government force reached the mountain at daylight; and a great many people were seen rushing to their caves and places of security. I don't know who were killed or wounded on the Government side. There were present in one cave, in addition to myself, Tsimbi, Nomleti, Pangweni, the son of Gudu, Nkunjana, Ngazana, ten young men whose names I do not know, my brother, Mxakaza, Lupundhle, Umteta, and Bejisa. There were a large number of women in the cave, probably ninety or one hundred, but I could not count them. The next morning I went down to my kraal. During the night, nearly all those in the cave had gone away, in different directions. Then Faku's force came down; and I heard that some one had been killed at Ralarala's kraal. I then went back again to Table Mountain, and told my family to go to Mr. Mellersh's house. I then thought, seeing all the camps had gone, that I would go back to my kraal. As I started to do so, I saw Pakadi's force in the direction in which my path lay, and I went back into the Table Mountain. This force afterwards came up to where I and nine others were concealed on the western side of the mountain. We kept ourselves very quiet, and they went away again. After this, having spied out where we were, they came again. They came to the entrance of the cave, and Sibanyana shot one of them dead. Nyosi, the son of Sibanda, fired the first shot, but did not hit anyone. Sibanyana then shot his man; then the others in the cave, who had guns, fired also. No shots had been fired by the Government forces when this happened. The attacking party then fired a great many shots into the cave. One of the Government force used shot, and wounded, but not seriously, two of the men in the cave. One of them was Bejisa. The Government force managed to take away their dead companion without showing or bringing themselves under fire. The people in the cave who had assegais stood on one side, to get out of the way, for they could do neither good nor harm with their weapons. Those with guns were appointed to guard the entrance. When we went out we found the dead man had been taken away. The Government force then left us, and went away. We then had a consultation, and thought it would be best to leave that place; but we did not do so, and some days afterwards the force came back again. This time it had two white men with it, and one of the white men went close up to the cave, spoke to us, and asked us to come out, and give up our guns, saying nothing would be done to us if we surrendered. We said we were afraid. If the white people were alone it would be all right, but the black people would not let us escape after what had happened. The white man said we were to go to his wagon, which was in sight, and we promised to do so, but said we were still afraid. The arrangement about the wagon came to nothing, and the white man then ordered that the force should sleep there, and blockade the cave by means of rocks and branches, and make a fence outside. When it became dark we forced ourselves out of the cave through the fence, rolled rocks down upon the force, and fired upon the men; this startled them, and made them withdraw, and we then made our escape. The next day I still saw Pakadi's force in the direction of my way home. I thought, if I tried to avoid them, they would come after me, and I should be killed, and I went straight to the commanding officer, Umbonjana, and asked for the white man in command. He was not there, and the common men wished to kill me at once, because they found out I had been in the Table Mountain, and engaged in the affair that had happened a few days before, but Umbonjana prevented them, saying, "He was too much for you in the mountain, and now you want to kill him in the flat, and get me into a scrape." I had my assegais taken from me, and I was made a prisoner. I did not go with Sibanyana to open the dead body of the man who was killed, but I heard from him that he had been to do so, and that he had found the corpse under some rocks. It is not our custom that anyone not engaged in killing

a man should go to him after he is dead; it is only the man that kills him, and his friends, that go. I did not go. In addition to those named by Bejisa, there were also in the cave, Nyosi, the son of Sibanda, and Nkunjana.

(83). Nomleti states: My kraal is on the Bushman's River, just above Mr. Mellersh's farm. When I saw the Government forces occupying Langalibalele's country, I took my brother's wife down to some of my friends on the Tugela for safety. I slept at the kraal of Mayezi, who then took me to the farmer who lives close under Mr. Moodie's house; the farmer told me to wait until after Sunday. Before this I had gone over the Drakensberg with the cattle; our cattle went up first. Two days after we had crossed the Drakensberg we heard of the action that had taken place at the Pass. After going some distance further on with the cattle, I turned back, and came down the mountain by the sources of the Little Tugela. I then went straight to Table Mountain. Hlabaza, Punzana, and Sikoboyi accompanied me. I and Hlabaza were on horseback. We had four horses; three of them belonged to me, and the fourth to the other mounted man. I was taking my third horse for my younger brother, who had gone on before me, with others, on foot. As we arrived near the foot of the Pass we met five of Putili's men, who were among the rocks; they had five guns with them, and were evading the order to give up their guns. Hlabaza's horse having become tired, he remained behind, and I went on alone with the three horses; the other two men remained in the Little Tugela, with the five men of Putili's tribe. When I reached Table Mountain I went to the large rocks near the base, and found nobody. I stayed there that night, and when it became day tied up the horses in the bush; at night I hobbled them and let them feed, and watched them. While I was there the Government force came; it reached the mountain at daybreak, and awoke the people from their sleep. It was my practice to go at daylight and bring in the horses. As I went this time, I saw the people below were being pursued by the force, and when I saw that, I went back to where I had slept. When I got there I heard firing at a cave where there were a great many people. I then thought that I would go to this cave, but I found I could not get to it because it was already invested. I then took my assegais and gun and went to a spot where I found shelter for myself under some rocks. Part of the force came in my direction, along the footpath by which people usually went up. The force saw where I had gone in. I heard them say, "There he goes; he is in there." They very soon arrived where I was; they were firing about in all directions. I heard them say, "There is only one in here; there is no reason why some one should not go in and fetch him out," and an order was given accordingly. I saw the shadows of the people about, and thought the only chance of escaping was to startle them by firing a shot; my gun was loaded with shot, and I fired with that object. I heard them say, "This is not worth delaying about; he is alone; there are a great many people already in action, we will leave him and go on to them;" and so they left me. I then heard a great deal of noise, firing, and talk, and at last I heard the force declare that if the people did not come out they would make a fire so as to force them out; they collected some wood, and made a fire, and at last I heard a child crying. This was due to the fact that the women had asked to be allowed to come out, and this child had come out with its mother and was crying. The women had called out to the force to take the fire away, and they would come out, and this having been done, they came out. Towards evening the force withdrew. I then went out and saw that the force had gone; I heard some people talking, and thinking they belonged to us, I went to them, and found Tshiyaguqa, Zukuza, son of Sibaye, Ntsundu, son of Magenqa, Magaba, son of Mkebengane, Nteta, son of Natyana, Lupundhle, Manamane, and Bejisa. I asked them how it had fared with them, they told me that eight men had been killed, and they thought some women had been killed by the fire, but I only saw one woman dead, and she had been shot. They said they had determined to go to the upper part of the Little Tugela. I told them I could not go with them, because I had not my children with me, but they had theirs with them. I said I should go down the Bushman's River, and conceal myself among the bushes opposite Mr. Mellersh's farm. I left them standing there, and went down accordingly. A relative of mine, Mcimezo, had been killed that day. I was accompanied by Nteta, Manamane, and Lupundhle. Before leaving they told me they they had killed four of the Government force. Zukuza and Tshiyaguqa told me this. Zukuza told me he had shot one, and Magaba another. Magaba told me he had a double-barrelled gun, and thought he had killed two of the Government force. Ntsundu told me he had killed another. I only fired once, and did not hit anyone; my gun was loaded with shot, and was so loaded before I came down the Drakensberg. Manamane and Lupundhle separated from us. Nteta and I remained in the bush opposite Mr. Mellersh's farm until we saw Faku's force come from Captain Lucas. We saw it because we were on high ground in the bush. From this position we saw all the

operations of Faku's force. We remained concealed. After the force had gone away, Nteta told me he should go and stay with Mr. Botterill, and I consented to his doing so, but I said I should return to Table Mountain, where my relative had been killed, and see if I could find what had become of his family. I desired Nteta, however, to remain in the bush until I returned, and I left my gun and other things in his charge. I went and slept on the mountain without seeing anyone. The next day I went over the top to examine the western slope. I there saw smoke, and went to it, and there found my relative's family, with Tshiyaguqa, Sibanyana, Nozaza, a young man whose name I do not know, and Bejisa. These were all I saw. There were only three guns there. Sibanyana, Nozaza, and the other man whose name I do not know, each had a gun. Nozaza's gun was double-barrelled. When I got there I said, "You did not go then as you intended," and they said that those who had gone had been taken prisoners after going a short distance, and so they had remained where they were. They told me they were very much harassed by the Government forces, but said they had killed one of the men. I asked how they had managed to kill him, and they said because he had come to the mouth of the cave, and they had taken up such a position inside that the bullets from the Government force could not touch them. When the sun went down I went back again to Nteta. I did not sleep in that cave, it was raining. When I got back to Nteta I found my younger brother was with him. I received my gun, and all my other things from Nteta. At sunset I saw a woman and girl coming towards the bush, I went down to see who it was, and found it was my brother's wife, with a little girl. I then took them back into the bush. Nteta then went to Mr. Botterill's; I went down towards the Doorn Kop with this woman and girl, and there I was captured, as I have already described.

(108). Mzungulu states: I was living on Mr. Mellersh's farm, and was taken prisoner by him, because the cattle of our kraal, and some of the women, had left the farm and joined Langalibalele. The cattle went over the mountain. At the commencement of the disturbance I went to the Table Mountain, all the people living on Mr. Mellersh's land, except those belonging to the kraals of Kwebula, Ralaraia, and Magwevana, went to the Table Mountain, and the cattle of the last-named went over the mountain. Then we all went back again, and Mr. Mellersh gave us loyalty tickets. After this some of the people came for their wives. Sibanyana was one of those who came, and all went off again in the night to Table Mountain, I followed two days afterwards. The Government force came to us there one morning, at daybreak, while we were still sleeping; we then all got into caves, and remained there until sunset, when I came out with the rest. I was wounded in the leg. I was trying to prevent the force from placing the wood and making a fire. They told us to come out, but we were afraid to do so; some of the girls and women went out, and were requested to tell their male friends to come out also. They did so, but the men would not go out. I did not hear the threatening language which is said to have been used towards the Government forces on their approach, nor did I see whether our people fired first. I then took my family with me, and went to Mr. Mellersh's farm. Mr. Mellersh was angry with me for having gone back again to the rebel forces. About three days after this Faku's party came; I concealed myself, and was not found. I then went to Mr. Mellersh, and he told me I must go to Estcourt. He gave me a letter, and sent me in, and I was made a prisoner. I was armed with assegais.

(123). Baleni states: I went up the Pass, with the cattle, before the action took place; I heard of it after we had gone on some days. After a time Silevu caught us up, and told us that our families were being collected. I then determined to go back with Mbilingo, the son of Makaza, Mtendezane, and Umqina. We tried to come down by the Little Tugela; a mist came over as we were at the top, and we separated, two going in one direction, and two in another, to look for a passage down. I did not see Mbilingo again until I met him in Pietermaritzburg, I have not seen Mtendezane since. When we reached the bottom, Umqina said he should go and look for his sick brother whom he had left at Putili's. I would not go with him, and there we parted. I then went up towards Olivier's Hoek, and thought I could go past all dangers in the night, but I did not manage to reach a place of safety before daylight, and I was made a prisoner by Mr. Arthur Shepstone's men. I had a gun and assegais.

(133). Mgebisa states: I drove the cattle up the mountain. As I was doing so I heard an alarm from the top to the effect that the Pass was occupied by a force, and I saw the cattle turning back. Mahlatini had gone up before me. I heard the order that the impi was to go up, and I went up, following after Mahlatini. Just as I had

nearly reached the top I heard guns firing, and when I got up the white force had left. I saw a dead beast, and as I went further saw to my left the bodies of two white men. I saw the body of a third a little further on, also the body of the Basuto, who was killed, below the white men. When I had gone a little further on I met Mabuhle returning to the head of the Pass. I asked him how it was there had been fighting, and he said they had found that the white force had killed one of the cattle; he said one of the Basutos had fired first, and that had brought on the firing. He further told me that he had killed one of the white men, that Jantje, the son of Selile, had killed another, that Latyinga, the son of Tulisa, had killed a third, and that Puluzimati had killed the Basuto. I then went on to Molappo's, where we were dispersed, returned to the Colony by Olivier's Hoek, and was with Mnwana taken prisoner by Domba. I had a gun, but it was not of much use.

(138). Kabangobe, *alias* Klaas, states: I lived opposite the Magistrate's house at Bushman's River, and started, with the women and cattle belonging to me, on the day the Secretary for Native Affairs reached Estcourt. That night I slept at Mavuka's kraals, the next day I reached Maqobodo's kraals, and slept at his kraal under Table Mountain; on the next day I passed on to the Ntabatabeni kraal, and slept there. I there looked for a cave for myself and the women, and sent the cattle over the mountain. The cattle went up on Tuesday, and were taken up by my two brothers, Bangizwe, and Dulela; they ascended the Pass sometime during Tuesday. I have heard that my brothers are in town, as prisoners, but I have not seen them. On Thursday I went after the cattle with Nqola, the son of Maqala. When we ascended the Pass, the first thing we saw was a cow, half skinned, lying on the top. A little further on we saw Mabuhle and Umzwilikazi, who remained to see all the cattle up the Pass. Mabuhle and Umzwilikazi told us that there had been an action the day before, and that three white, and two black men had been killed. They told me the action had taken place on Wednesday. I saw two of the bodies. I did not see the third; that was out of sight of the spot where I was standing. They ordered us to take the direction of the Olivier's Hoek Pass, along the top of the mountain. This track again came into the other track near the red rocks, so that we only took a different direction for a short distance. Besides Nqola, Coboza, son of Mgahlazeli, and Mhai, also a son of Mgahlazeli, were with me, and will know better than I do the people who were with Mabuhle and Umzwilikazi. When near Molappo's I, and all the others with the cattle, were sent for by Langalibalele. When I got to where he had been, I found he had left, and on enquiring from Puluzimati, who had been travelling with Langalibalele, where he was, I was told that he had gone on to Molappo's. When we were dispersed in Basutoland I came back to Natal, with Malambule, and a number of others, and was the first of the party taken prisoner by Mr. Arthur Shepstone's force. Malambule and the others were taken prisoners afterwards, and conducted to Mr. Arthur Shepstone. I was armed with a gun and assegais.

(148). Nqola states: When the disturbance arose I had just returned from the Diamond Fields with my two brothers, Demana and Maqala. We each had a gun. On the day I arrived the cattle of my kraal left to go up the mountain. I took a day to collect my things, and the day after started with the women and children. We took the women and children into some rocks in the upper part of the Bushman's River. On Thursday I started with Mashumi, son of Umsipula, to go after the cattle, when we had gone a short distance we overtook Kabangobe, *alias* Klaas. On the top of the Pass we found a dead cow, half skinned; a little further on we saw some people, and went up to them. There were Mabuhle and Umzwilikazi; when we reached them they at once boasted a great deal of what they had done, saying we had not been there. They told us they had had a fight, and driven the enemy away, that they had killed three white men, and two natives, while on their side they had only lost two, and one of these was not yet dead, though they were afraid he would die. They told us our cattle had gone as if towards the Olivier's Hoek Pass. We went after them, and, when we had gone a little way, we saw the bodies of two white men. We then went along the track which we were told our cattle had taken, and found that it ultimately led into the main track some distance ahead. We then went on, but, before we had crossed the Great Orange River, Langalibalele ordered a number to go back to Natal, with his son Mhai, to see how the women and children were getting on; we obeyed. We were afraid to come down the pass we had gone up, so we descended by the Little Tugela. The party all came down by that pass, but at the bottom I left them, because I wished to go and look after some things which I had concealed. I remained a day or two in the neighbourhood of the kraal I had left, and then went down to the Doorn Kop, to Mayezi, who took me to the white man, by whom I was sent to Estcourt, and made a

prisoner. I had a gun and assegais. I saw Mabuhle and Umzwilikazi at the top of the Pass, and Puluzimati was with them. I saw Mabuhle and Puluzimati dancing (giyaing) at the top of the Pass. I did not see Jantje there. We ascended the Pass on Thursday, and the action took place the day before.

(149). Nyosi states: I came down to Pietermaritzburg, from Mr. Mellersh's farm, where I lived with my father Sibanda. My object was to buy a blanket and coat, because the fact that we were going to leave the colony had already been made known. I came down before the force left Pietermaritzburg. I started with Bombo, and when I got back the cattle had started, and I found all the women of our kraal had gone. I then went to where the women were at the upper part of the Umtshezana. I then went back to buy a horse from Newman Robinson, as my feet were sore from my journey. I paid £5 for the horse. I loaded the horse with grain, and took him to where my father's family were at the rocks. I then went to the Ntabatabeni kraal, and from there, having risen early, I went up the pass. At the top of the pass I saw a cow which had been half skinned, and I there met Mabuhle, Umzwilikazi, Puluzimati, Maohla, Moyeni, Mabaleka, and Zitshozi, son of Nenevu. These were sitting together, and I asked them where our cattle had gone. They told me the action had taken place the day before, and that they had killed three white men, and two black men. When we got near the Orange River I came back with Mhai, son of Langalibalele. I did not go down the Drakensberg with him, but went higher up to the sources of the Little Tugela, and came down there. Nomleti was travelling with me. We went together to the Table Mountain. I found a great many people in the mountain, and heard that some of our relatives were herding Mr. Robinson's cattle; and after staying a couple of days in the mountain, I went down to them. After asking all the particulars I wished to know about the friends I had left behind. I started to go back again to Table Mountain. I was away one night from Table Mountain. I met Mzungulu, who told me there had been fighting on the mountain the day before, and that he had been wounded in his thigh; he further told me that Umcinezo was the only person belonging to our family who had been killed. At the Table Mountain I met Dabankulu, who told me my people had left the Table Mountain and gone towards the Drakensberg. I went with him after them. We then went up the Drakensberg a second time, by a pass near the Little Tugela. We did not follow the track of the cattle, but went towards the Olivier's Hoek along the top of the mountain. There we met a man named Badedele, who told us that Langalibalele had been made a prisoner. Some Basutos came upon us there, fired upon us, and gave us chase; we threw away our guns and came down the Drakensberg. When we had got down my two companions said they were going to Table Mountain. I objected, saying it was dangerous; they persisted and went. I went to Hlubi, the Basuto chief, who made me a prisoner, and sent me to Estcourt.

(176). Deke states: I was with the prisoner Mawela. I was sent for by Langalibalele to go to the Amahendeni kraal, with the rest of the people, to talk about getting some money together in order to offer it to the Government instead of Langalibalele going down to Pietermaritzburg. Bombo was sent down to make some terms of that kind. After this, when the report reached us that Bombo had been made a prisoner, for it was so reported, we had another meeting. At this meeting the people discussed what should be done. The original intention had been for the whole tribe to escort the women and cattle straight from Weenen County to their old place across the Buffalo. The plan was that one force should go before, and clear the way, and another bring up the rear, but the failure of Bombo's mission made the time too short. And then the idea was that English soldiers only would come, and the men said as to them, that they did not care much about them, because Langalibalele's people had a great many guns, and would be mounted on horseback, and those who had not guns had assegais, which they carried in a quiver; that those who had guns would fire on the soldiers, and create confusion, when those with assegais would go in and finish them off. The arrangement then was that the cattle should be taken to the fastnesses of the Little Tugela, and defended there; it was not then intended to go over the mountain. But when we heard that a black force was coming too, and that it was coming from all directions, we were obliged to go up the mountain. The cattle did first go to the sources of the Little Tugela, but all these plans were set aside by the news which was brought by Bombo, to the effect that forces were coming from all directions. I was taken prisoner with Mawela. I went over the Drakensberg with the cattle, before the action at the Pass took place, and turned back at the Orange River, and entered the Colony by the Giant's Castle Pass. There were four of us, Lunyawana, son of Mancatsha, Mazwi, son of Tambo, Tabayeswa, son of Matshitshiwane, and myself. We followed the day after the two sons of Tabiyana. I had a

gun, but it was broken, and tied up in a mat. I was taken prisoner at the same time as Mawela, by the people of Teteleku.

(180). Nkaitshana states: I had been away, and on my return home Bombo came from Pietermaritzburg, and said that the Government forces were already on the march. This was on Saturday. On the Sunday morning Langalibalele started, and I went with him over the mountain. We took no cattle up with us, but the cattle of the Amahendeni Kraal went up before Langalibalele did. I went with Langalibalele the whole journey, and was taken prisoner with him at Molappo's. I had assegais and a gun. Our cattle came after us.

(185). Mtshikitsha states: It is true that we belonged to the Government, and so did Langalibalele. When the man who had charge of us for the Government ran away, every one ran away; we thought the waters of the sea were coming, seeing the Government was coming, and that no one would escape My kraal was on Mr. Walter Macfarlane's farm. When I left I intended to go up the mountain. I got to Table Mountain, and there I found the Government forces. I stayed there until sunset, then went on to the Little Bushman's River, ascended the Drakensberg, slept on the top alone, and next morning caught up the cattle. After remaining four days with the cattle, I heard that the women and children were being collected, and I came down again. I went up and came down by the same pass, that at the head of the Little Tugela. I then went to the Table Mountain, and found it unoccupied. I then went to the Bushman's River, stayed there two days, and went back again in the night to the Table Mountain. When morning broke, I saw a force coming; and found there were other people belonging to the Amahlubi tribe there besides myself. I ran and concealed myself in a cave; the force saw and pursued me. I had assegais and a gun, but the latter was disabled. I got wounded by an assegai in the foot; and from that cave got into another, where I met my wife. They then commenced to make a fire; and my wife said she would go out. She received a grazed wound from a bullet, and went out. I stayed in until dark, and then went out and joined my wife, and took her to another bush. The Government force came there too. I then left the women, made along towards the Little Tugela, and crossed, and went up towards Olivier's Hoek. I there met some more of our people coming from over the mountain; and heard from them that Langalibalele had been made a prisoner. We slept together; and next morning were all made prisoners by Mr. Arthur Shepstone's force. Our cattle went up the mountain with Langalibalele. Satan was the cause of all this trouble.

(200). Kolwane states: I lived on the Tugela, below Colenso. I had nothing to do with the rebellion. Did not move from my kraal; and was engaged in cultivation when I was made a prisoner. The charge against me was that my cattle had gone over the mountain. It is true that, in consequence of the bad grass down where I lived, I had sent some of the poorest of the cattle up to the high lands of the location, to my friends there, for grazing purposes; and, when the alarm was given, these cattle went away with the rest; but not with any one belonging to my kraal.

Umfundisi, *alias* Lutshodo, states: The prisoner Kolwane sent up his cattle to Langalibalele in pursuance of, and in obedience to, an order from Langalibalele. I know that this is the case, because Moyeni, the brother of Umgijimi, came down from Langalibalele with that order; and to say that if any of the people changed their doors [did not remain loyal to him] he would know the reason why.

Prisoner admits this message was sent; but says that was not the reason he sent the cattle up.

Umfundisi states: The cattle went up after this message was delivered.

Prisoner says: I admit it was after the receipt of the message that the cattle were sent up.

Umfundisi further states: Prisoner is one of those in the habit of going up to all the great meetings of the tribe. Four young men of that kraal went up with the cattle over the mountain. There are five kraals close together, of which the prisoner's is one. From each of these kraals one person went with the cattle. Prisoner's cattle went with those of the other kraals; but he sent no son of his own, because he had none. His son works for Mr. Craig.

(201). Ntsimbi, son of Mtshoko, states: I sent up my cattle, with my son, to the high lands, for grazing purposes. When the Government forces came my cattle went up the mountain with my son, with the cattle of Langalibalele, and went on to Basutoland. This was after the message had been brought by Moyeni. The message

was brought in the winter, while the Secretary for Native Affairs was in Zululand. I lived in the kraal adjoining the last prisoner, and my cattle were taken away on the same grounds that his were.

(215). Mundisa states: I started with Langalibalele, and went up the Pass with him; we were about as many as are in this room (forty). The first day after going over the Pass we stayed at the red rocks. On the fourth day after leaving the top of the mountain I heard of the action at the Pass, but I heard that the information had been received the night before. About ten days after crossing the mountain Mabuhle arrived. I was not present when he arrived, but I saw him afterwards, and also Umzwilikazi, and all those who had been conspicuous at the Pass, and had killed members of the Government force, travelling together with Langalibalele. When we got to Molappo's, and were dispersed, I was taken prisoner by the Natal column, and returned with it to this Colony.

(221). Umyovu states: A relative of mine, named Pangweni, who was crippled in consequence of an injury received from a horse, desired me to go up the mountain with his cattle. I had no cattle of my own, and I had only lived among the Amahlubi tribe during one year, having gone there from the Amaswazi country. The cattle had started on the previous day, and I followed. When we reached the Bushman's River Pass we observed that the cattle, which had reached the top, or nearly so, were being turned back. We had come up to a large body of men who were eating a beast they had killed some way up the Pass. While we were there some one said that a force was above. This was looked upon as impossible, but ultimately we ourselves saw that a white force was there. We saw their white caps. Presently a messenger came, but I forget his name, saying he had been sent by Mabuhle to order all the force to come up, and telling us that the Government force was up there. We also heard that the force, instead of making an attack, was merely talking, desiring the people already up there to go back. Our party then started; many of them were mounted, and led their horses up the Pass. I went up also, and as we neared the top, and when perhaps one-half the number of those who had been eating beef had reached the top, and the other half were still ascending, I heard firing. I was with the advanced party, and saw the Government forces retreating. They seemed to me to be firing with their guns over their shoulders. They were pursued a considerable distance. I also saw those that had been killed. Soon after this the Amahlubi force returned singing its war song, and when they reached the place where the bodies, which had been already stripped, lay, Mkinindane, the doctor, wanted to know where all the goods belonging to the slain were, and desired that they should be brought together. The things were then collected and placed in a heap; the force formed a circle, and danced around them. There was a great contention for the honour of having killed the different persons who were killed, and the contention grew very strong. After this the doctor, Mkinindane, ordered a beast to be killed, in order that fitting medicine should be given to a force which had been engaged in putting people to death. As that was about to be done, we, who belonged to the Imfishlweni portion of the tribe, were ordered to go along the crest of the mountain to see where Captain Allison's force was intending to ascend, and by force to prevent the force from ascending the mountain. We went along the top of the mountain for a considerable distance, to where we supposed Captain Allison's force would come up, and as we did not see it we returned. Two of the Amahlubi force followed very closely after the Government detachment; one of them was shot in the neighbourhood of the Giant's Castle, but the other one returned. When we turned back, after going to seek Capt. Allison's force, we did not return to the spot where the action had taken place, but went into the road further on. I saw that one of the bodies of the white men had been mutilated; a finger and other parts of the body had been removed. This was done by the doctor, Mkinindane. On the bodies of the other two white men I saw a great number of wounds, but I did not examine them closely, so as to observe whether any parts of their bodies had been removed. Langalibalele was very near at hand when this happened, and I heard several remarks made as to what a narrow escape he had had, as he had just left, after seeing the cattle come up the Pass, when the white force came in sight. I was on foot, and carried assegais. I went on, and when I found things were going wrong at Molappo's, I came back again. Mtshikitsha was present at the Pass when the action took place. On my return I went to my old master to ask for a pass to come and look for my children. I told him I had come from the mountain. I came down to Pietermaritzburg with this pass to look for my family. It was generally known that we should be encircled, and it was expected that Captain Allison would come up one of the passes, and the Imfishlweni force was sent to check him.

DISPLAY CASE

NATAL

OC. 727

NATAL: KAFIR REVOLT IN NATAL 1873

THE

KAFIR REVOLT IN NATAL

IN THE YEAR 1873,

BEING AN ACCOUNT OF THE

REVOLT OF THE AMAHLUBI TRIBE,

UNDER THE

CHIEF LANGALIBALELE,

AND THE MEASURES TAKEN TO VINDICATE THE AUTHORITY OF THE GOVERNMENT, TOGETHER WITH THE OFFICIAL RECORD OF THE TRIAL OF THE CHIEF, AND SOME OF HIS SONS AND INDUNAS.

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