

Attny Genl 1/6/ 8

Z943 (5892/110)

"I have these paperes referred to by the Resident Commissioner in his telegram. The priosner ~~XXX~~ 'Mafukwnini' is a witness for the Crown in Dinuzulus case. I dont know what effect this arrest may have upon him when giving evidence. Surely the special Commission is not going to sit to try Mr Knights prionsers, they should have arrested long ago.

R 12/89

"To ? damaged "Perhaps you are not aware that Umfunzi was subpoenaed for the defence ~~xxxx~~ and was acting as he always had done as a sort of emissary for the Colenso party. / While all ~~xxxxxx~~ attending at Eshowe after adjournment of the Special court he was arrested and and /?/ on a hcharge of pulbic violence. He has been discharged and his evidence taken for the Crown by the Magistrate who had cause him to be arrested. The arrest has formed a cause of complaing against the authority in Zululand /and tramitted to the S of S. / "I am not aware whether the counsel for the defence are aware that their wintness has been interrogated by the Crown on the evidence he could give at the trial." /On the S of S 's direction s the Gov is investigating. / "Until the inquiry is completed & I must ~~xxxxxx~~ decling in ognorance of the true causes of this injudicious and anauthorized proceeding to ause any subpoena to be served on Umfunzi" /Before you go to Zululand I will have found at the resutls of Hav's enquiry and consult with you / 7/1/89

Trout - depee

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C5892

No143 APS to CO 10/5/89 p208

Refers to sentences against D N and T on 27/4 Hopes that when S of S receives the full reports he will wait the representation from the defence counsel and will take into account the antecedents and concomitants of the alleged outbreaks for which they were held responsible. We urge that the Chiefs shall have a large measure of clemency if not not acquittal. / / makes references to previous correspondence in the BPP when Havelock has ~~xxxx~~ warned the Zululand officials to treat the ^usuthu with care and be careful of the resotraion of Z. shows that whatever crime the ^usuthu committed they froced into such a situation by the actions of Z and the foicials.

Wants S of S about the composition, of the courts, its whereabouts, and so forth.

H himself has warned the officicilas fo their 'miguided Zeal' on many occasions

Calls for an inquiry. As Sir Charles Mithcell is to take ofer H8s office temporarily we find this a good time to review the whole situation in Zululand. /

Long and intelligent letter. Consult later if necessary.

No144 CO To APS 22/5/89

We are going to revie the proceedings, and evidence. Supports the impartiality of the Commission. Does not int4nd to have an inquiry. Supports the actions of Havelock. /

No145 APS to CO 25/5/89 p211

↳aps into the attack onec eagain /212/213/

No152 CO to APS 5/6/89 p228

↳The correspondence continues.

No153 APS to CO 8/6/89 p228

↳Particularly about the treatment of Prison Prisoners

No179 CO to APS 18/7/89 p332

↳Reply to above

No180 APS to CO 24/7/89 p333

↳Reply to above

No179 CO to AES 18/7/89 p332 ↳Answer to No165

No180 APS to CO 24/7/89 p333 ↳Investigate impartially the events after
the return of Z last year.

C5892

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No 204 Mitchell to Knutsford ~~20/9/89~~ 19/10/89

~~Enclosed~~ Osb to Hav 17/10/89

Report on the letter addressed to S of S by Dumat and Escombe on 13/5/89
Osborn's defence, should be ~~xerox~~ xeroxed

C5892

A Trial of
Dumat in England

307

No188 F C Dumat to CO 18/8/89 p338

/He is now in London and has examined correspondence between F Colenso and the S of S, which included S of S comments on a letter from Dumat to Escombe which the S of S said contained inaccuracies which Dumat would like explained

No191 CO to F C Dumat 27/8/89 p391

/CO explains the inaccuracies. Z riding near the imprisoned suthu he conditions of imporsioment. the gift of land to Jantji

No195 Dumat to CO 5/9/89 p394

/Defends himself mainly on the conditions of impsonment. /

SP 30
benefit - received some moderate compensation from the
PCT, sufficient to obtain a 1000-1010 1011-1012 1013-1014
1015-1016 1017-1018 1019-1020 1021-1022 1023-1024
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Thurs Day Defence

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C5892

No134 Havelock to Knutsford 5/3/89

Encl Escombe to S of S 27/2/89 p197

Escombe's makes objections to the trial - no of points mentioned Ntoes
not taken - consult when necessary

Enc2 Report by Attny General 3/3/89 p199

/

No135 Havelock to Knutsford 8/3/89 p200

Enc O - H 2/3/89 p200

Article in the newspaper called South Africa, published in London and
dd 26/1/89 containing correspondence on the trials between H Escombe
and the S of S. O denies the allegations.

cour27/4, 7232 ^{Wmbs}
^{seen}

7234

No136 Havelock to Knutsford 11/3/89 p201

Encl Escombe to Havelock 8/3/89 p201

Further complaints - particularly the fact that the courts sit under
fixed bayonets all of which intimates the southu

Enc 2 Sec for Zululand to Escombe 11/3/89 p202

Enc3 Havelock to Osb 11/3/89 p203.

cour27/4 ~~5120~~ ^{Wmbs}
^{seen}

No137 Havelock to Knutsford 19/3/89 p203

Encls answer to No136

Enc O-H 16/3/89 p203 / 204/ 205 Denies truth of the allegations.

cour27/4 ~~7234~~ 7777

^{Wmbs}
^{seen}

No141 Havelock to Knutsford 31/3/89 p206

Having learnt that the defence are going to subpoena him to appear as a witness H asks for the ~~xxx~~ opinion asked Mr Morcom, counsel for the prosecution whether he would bound to appear and what the effect would be on the native mind. Answer is that he is not legally to appear and that it would have an prejudicial effect on the native mind to see the Supreme Chief in the witness box.

No142 Knutsford to Havelock 30/4/89 p207

Acks No 134 and tell Escombe that S of S cannot discuss details of pending judicial proceedings and regrets that he attempts to object to rudolph and fannin /

Minutes "Mr Escombe certainly makes a not ill founded criticism on the language of the proclamation IV of 1889 when he complains that it takes the guilt of the accused for granted speaking of them as offenders, who have committed certain crimes and offences ~~wheras~~ wheras the question for trial is whether they have or have not committed these offences. But it is clear from the whole tenour of the proclamation, however awkwardly it may be worded, that the Court is not forced to assume and find guilt of the accused except in so far as their guilt may be proved by evidence before the Court. It is difficult to understand how any one with any experience could have drafted in these terms, but the Instrument will serve its purpose. We were not consulted before hand about its terms. As to the attack on Mr Fannin it is in reality nearly as ridiculous as that on Mr Rudolph; but it is more plausible on the face of it, and in view of the probable publication of this despatch it may be as well to state what are the facts connected with Mr Fannin's employment on the Survey of Usbebu / gives details of Fannin's survey and the deviations from the line given by Bulwer. Fairfield rejects the implication made by Esc towards Fannin. Moreover he could not be called as a witness - any more than a persons who has seen the beacons. /

/ Bramston thinks the letter must be dealt with shortly

/ Minute by Fairfield shows there searching for Rudolph's denial of saying shan ga The can't remember where it is and don't bother to look it up /

C5892

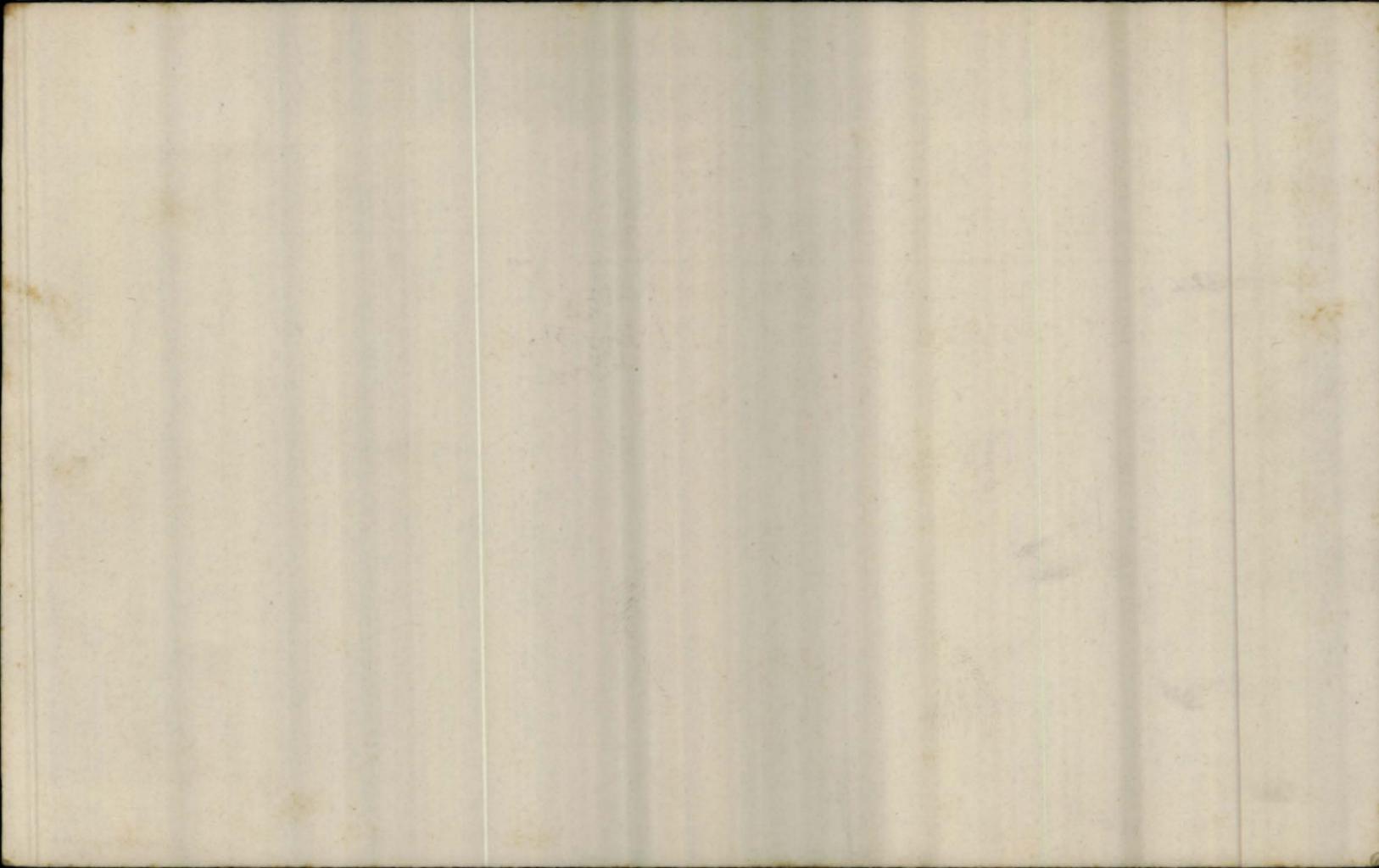
No148 Havelock to Knutsford 1/5/89 p216
Enc Escombe to S of S

"Record of the Proceedings at a Meeting of Usutu Chiefs and Headmen
at Eshowe at Noon, Monday, April 22/4/89"

Worthwhile Xeroxing together with Osborn's reply in

No156 Havelock to Knutsford 13/5/89 p231.

Seen CO



W.M. C.C. or sentence

314

C6070

No3 Knutsford to Mitchell 13/2/90 p17

No4 Knutsford to Mitchell 14/2/90 p19

Recommendations on the sentences of the men ~~finex~~ sentenced by the
Special court but for ~~three~~ leaders.



GH (4) 722

Z419/89 The papers on the examination of Zibebhu reproduced in 5892/190
Contains Z's deposition (p367) Gadhla's (p370) Umlokotwa's (p372)
Uhoye's (373) Gundane's (374) Usikizane's (376) Uzula's (378)
Umqubula and Funwayo's (382). Also the evidence of 12 wintesses for the p
rosecution between pages 352 -365 and 383-6

Minute by Saudners on 20/5/89 see (352

" " Osborn 21/5/89 See (351 en 9)

etc all minutes in b b crrrect with originals

Z419A contains the rest

Vanu Mocis

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C5892

No149 Havelock to Knutsford 6/5/89 p222

Incl Reprt by C R Saunders Res Mag Eshowe 24/6/89 p222

Enc 2 Deposition and 2 Despitison.

General conclusion from above is that the "suthu are siad to intend to rescue Dinuzulu on the day he is sentenced and that on 23/4 they rsuhed him and his escort when he left the court until an Usuthu headmen Nqatsha stopped them saying that they were killing their king.

Seen C. O.

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CO 427/5

13752

~~Handwritten~~

Mithcell to Knut 118 11/6/89 reprinted in C 5982

Case of Siziha & others Molesteaion of Usibebu' Location
Fo wards letter from Dumat & Campbell.

Minutes "the white authorities deny their having authosed any opporressive
acts; but the charges of misconduct against the Native police
remained to be cleared up E F 12/7/89"

Usutu Affairs + Interference

GH 720

Z233

280

Further on Usutu interference in the courts. and with prisoners

Minutes Saunders writes that two men charged with shooting at White and Knight and awaiting judgement give statements. They asked to make statements and that it brought to the Govt.

Depositions by C R Saunders Ehswe 16/3/89 by Mabonsana

Says that a prisoner Nsukuzonke said he had message from D and N warning us not to adhere to the statements that any wrongs committed were by order of Dinuzulu ~~and~~ That would be killing D and we would be killed to. We were told not to place any faith in Mr O who was charge with a greater crime than anyone else and we would be killed with him these orders had been conveyed to Miss Col ~~by~~ and the lawyers who had sent several messages to them not to make any statements blaming D. Once again admits the crimes they committed but says they were on D's orders. Another statement follows on the same lines. they were afraid to blame D in court because of threats.

Z234 Depsitions before Knight at Melmoth on 16/3/89 by Offy St George Ka Ngoza

Is policeman at Melmoth office and went to first day of Tshingana's trial and heard Mr Escome but didn't understand but John Joseph Meek told me

"Our man from Natal (meaning Mr Escome spoke well. He spoke in a contemptuous language of all the Zululand officials - and turned them into fools (Zipukupulu) that he spoke in the same way about the Special Commissioners - and that his words were so convincing that the Commissioners were unable to make any reply. that all they could say was you have spoken words that cannot be contradicted. You have spoken the law and we

are compelled to agree with you' In fact, that Escobme had gained a complete victory. Meek went on to say that Escombe was a great man, and the Governor had a great respect for him & agreed to all he said. "that even if the Commission went on with the case and passed sentence on Cinuzulu it would never come to anything as the Commissioners had no power that Dinuulzu's fate would be settled in England." Also said that Mnymanana would be forced to come as a witness as Mnymanana knew everything and would prove D's innocence. "I don't know what Meek is doing here but he was summoned through Magema. He is connected to me through marriage and lives at Biggargerg and we are on friendly terms

Z235 A prisoner who turned Queen's evidence against those charged with him for murder. Says that message arrived from Miss Col and the lawyers saying that they must not give evidence and say they were terrorized into giving the statement. Says he will report to magistrate and the suthu said he didn't care as he would die with D and the other suthu said they would just deny what he said. Notehr depositions by one arrested for murder and then the evidence used against others and he is released Usual story. been told to deny former statements which implicate D. /

15.10.2346. [Usuthu rush D after his on 23/4. Great consternation + M.O. puts every policeman he can round the court 29/4 Trial over Usuthu were told to go home.]

C O 427/4

6638

Hav to Knut 46 1/3/89 / the desp is not in this minute paper/

"Sends copy corresp with Mr Osborn, states steps taken in connection with infringement of Regulation that natives whoulds report their arrival to ResDient"

/I take snippets from the Minutes/

"These natives haveingomed the law as to passes & reporting themselves. Sir A Havleock has ordered the law to e enforced as regards natives coming from outside Zululand, the lwyers for the defence of Dinuzulu &c being informed of the names of any natives so dealt with. As regards natives merely moving within Zululand, their offence will beoverloodked.

261 witnesses for defecne already reported, & more to follow!

Mr Osborn thinks that some of the ^Usutus are losing faigh in Miss Colenso"

SW 2/4

"this Special Commission will be ruinous E F2/4/89

"This information is very serious - it is eviden that if the ^Usutu choose they can rescue Dinizulu & kill every white man in the palce - ought not troops to be moved up within strking distance?

Miss Colenso's intrigues are more than mischeivous ' I fear that Dumat & Campbell are no better J E 3/4

/Herbert agrees and wonders whether troops should be sent to the neigbouhood of the trial and so does de Worms and thinks hav should informed and
"Miss Colenso's intrigues should be topped if possible"

Knut ays thereis no vidence against Miss Colenso on which we can act. It is discovered however that there wereover 1000 troops in Zululand.

Fairfield and Branson are surprised and the question about troops is omitted by ~~xxxxxx~~ from the teleg to Hav approving of his action sent on 5/4/89 /

GH(Z) 719

Z190/89

Havelock to S of S 4/3/89

"I have the honour to represent that, owing to the large expenditure that unfortunately had to be incurred on account of the disturbances last year, part of which expenditure is still continuing in connection with the CSC for Zululand, the financial condition of the Zululand Treasury has become seriously affected. / / I find there is at present a ~~less~~ balance of only £889, which is not adequate to meet the expsnes of the Government upto to the end of this month, and as there is no probability of current revenue being in the meantime received in sufficient amount to meet necessary disbursements up to the beginning of June next, I trust YE will be pleased to authorise such arrangements as amy appear advisable in the circumstances / requests overdraft of £5000 at a reasonable rate of interest

J Couper for General Mamaner of the Natal Bank to Sec For Zululand 8/3/89
/ 5% chargeable month on daily balance with guarantee from the Governor for repayment. /

2374 4/5/89 Additional O/D of £1500
MO-Haw

"The total amount overdrawn will be paid off as early as possible in due arrangements having been made for the collection

of the But Tax from the first of June promptly. " C.R. (N.Y.D.)
C. D. C. S.

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Verdicts : Knutsford on Trial ~~in~~ ^{Exile} ~~Service~~

C5893

311

No2 Knutsford to Mitchell 5/12/89

"Sir I have the honour to acquaint you that the completed notes of the evidence in the trials of the Zulu Chiefs were some time ago delivered to me by Mr. Justice Wragg, and although I have not yet consulted that gentleman or Sir Arthur Havelock upon the cases, a careful perusal of the evidence for the prosecution and defence leads me to anticipate that in the case of the three principal prisoners, at all events, I shall be unable to advise a remission of their sentences of imprisonment; and in these circumstances I quite concur in the views which have been expressed, both by Sir Arthur Havelock and yourself, that the prisoners should not remain in Zululand during the term of their confinement. I arrive at this opinion not only on political grounds, connected with tranquility of Zululand, but from a feeling of what is best in the interest of the Chiefs themselves. If they remain in Zululand there will be no alternative but to subject them to a strict and irksome incarceration, whereas in a more isolated British Possession, they may, subject to their good behaviour, be allowed a large degree of freedom from personal restraint. I am advised by the Law Officers of the Crown that, in the circumstances of the case, their removal may lawfully be effected under the authority of subsection (d). of section 2 of the Colonial Prisoners Removal Act, 1884 (47 & 48 Vict. c. 31), and I have selected St Helena as the British Possession which

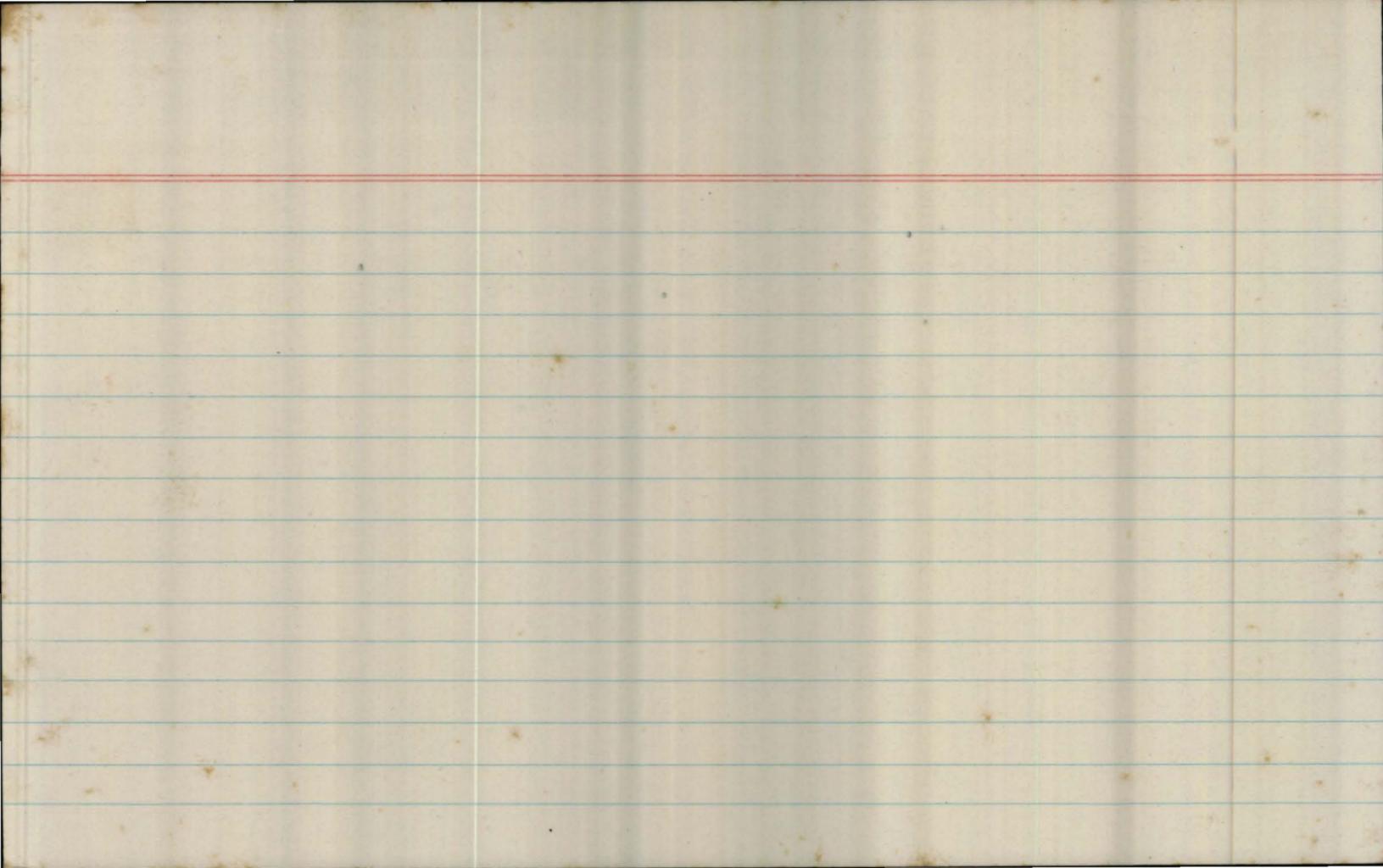
which, on climatic and other grounds, is best adapted for t e purpose.
To avoid delay have enclosed the necessary orders and have sent the
originals to the Officer Admin the Gov of St Helena. Take no action
until you hear that t e sentences are confimred._/

GH(z)

Z 726

Antobus to Mitchell 22/12/89 St ^Helena Private

"I shall be gald to have full particulars from you as to the climate etc which wd suit them. I am afraid the country here would be too damp and cold; but I hardly think they could be kept in the Twon. I assume that they are to be more or less at large. We have no prison into which we could put them."



GH(Z) 726

Z 59/90

~~Knuts to Mitchell 3/1/89~~ Confidential

"On the 31st ultimo, I telegraphed to you to the effect that HMG had decided to confirm the finding and sentences of the CSC for Zululand in the cases of Dinuzulu, Undabuko and Tshingana, but would cause them to be removed to Saint Helena, where, as you are probably aware, it is intended that they should not be kept in close imprisonment, but should have such personal liberty as is compatible with their safe detention in the island, subject, of course to their good and quiet behaviour. I informed you that it was proposed that the prisoners should embark from Port Durnford on the Zulu Coast, and were intended to be transhipped at Capetown, continuing their voyage to Saint Helena by the Union Company's steamer of the 15th February. I said that each of the Chiefs should be accompanied by one male attendant; and I requested you to engage suitable English interpreter, who should be in charge of the party, and also a Zulu interpreter of a good class, who should also act as head attendant. Both interpreters, I mentioned, would be expected to remain at St Helena for the present. / the English interpreter should / "be a person known already to the Chiefs and whom they have confidence, and competent to act as their guardian in St Helena

"It is not my intention that the party should reside at St. Helena unaccompanied by women and children, but these must follow later, say in a month or two. I suggested that Dinuzulu might select two females as his future attendants for cooking &c; and that each of his uncles... might ...select one wife and family to be their companions..."

I approve Sir Arthur Havelock's suggestion that each wife should be accompanied by a female attendant. Whether the wives should only take those of their children who are under ten years of age, as Havelock suggests, is a point which I leave to your discretion after you have consulted Mr. [unclear]. ...Havelock... recommends that this second party of women and children should be accompanied by two Natives of good position known to the Chiefs, and that the whole of the second party should be in charge of a European. You will naturally take care that one of that party must be capable of acting as interpreter. I concluded my telegram by informing you (with a view to your carrying the information to the Chiefs) that those of their wives and families who would be left behind would not be allowed to want. Furniture... / "You will take especial care that both the Chiefs' party, and the party of women and children who are to follow, have adequate warming for the sea voyage.

"You will explain to the Chiefs generally what will be their mode of life in St Helena, pointing out that the comparative freedom and comfort of their future can only be accorded to them in some place other than Zululand outside of South Africa so that their transfer to St Helena really constitutes a most material mitigation of the punishments which they have incurred."

GH(Z) 725

Z 849

HEC to Mitchell 15/12/89

✓Acks receipt of letter from S of S / "on behlaf of the Zulu political prisoner, Mafukwini, enclsing other papers concerning the same case for ~~whicxxx~~ persual of which I have to than YE.

"I believe it to be now my duty to proceed to England in support of the ~~xxerxx~~ cause of the Zulus & their chiefs. I propose to do so without dealy , & I have to request that YE will be pleased to intimate my intenion to the RH the S of S "

282

283/25. HISTORY OF THE

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