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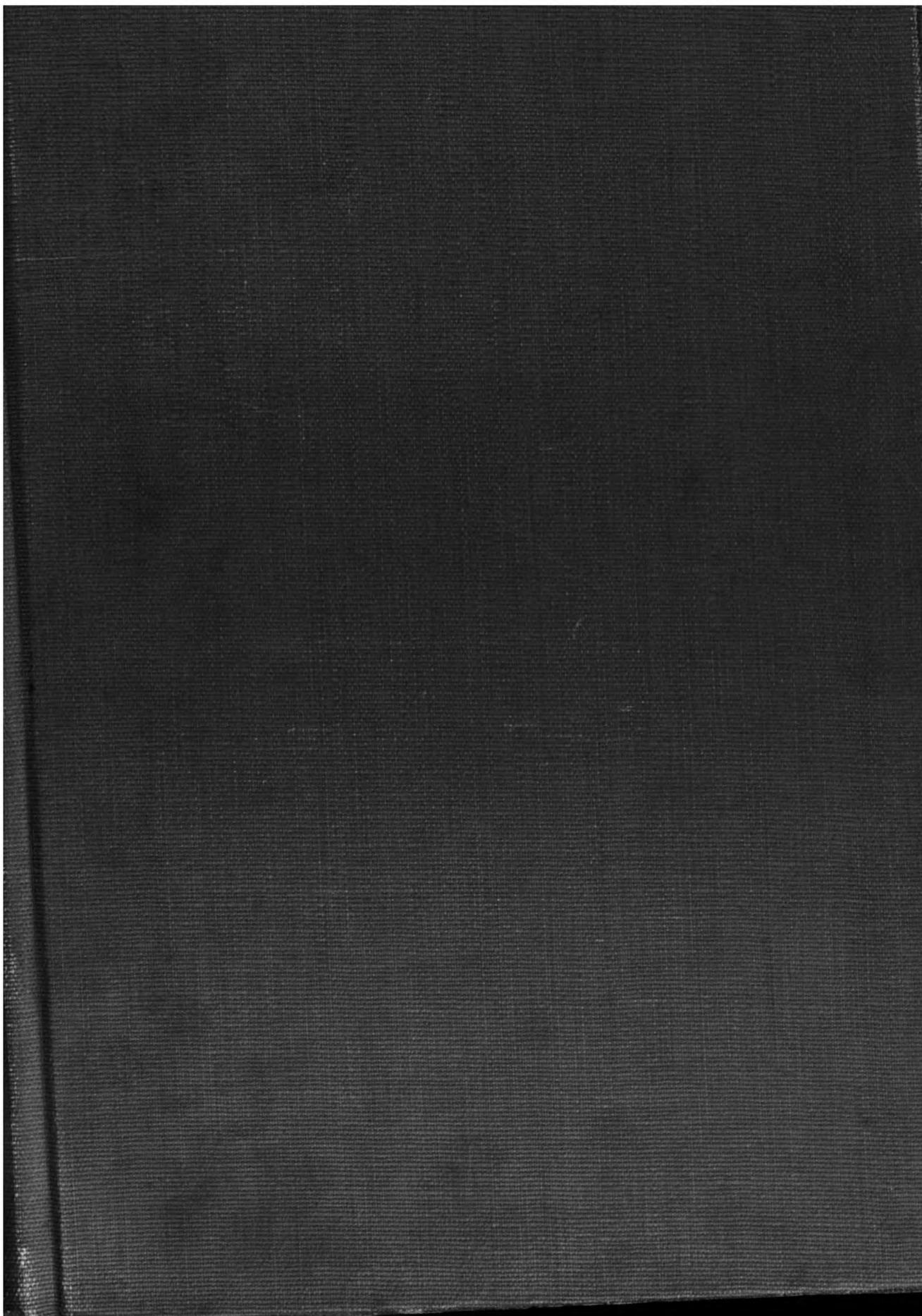
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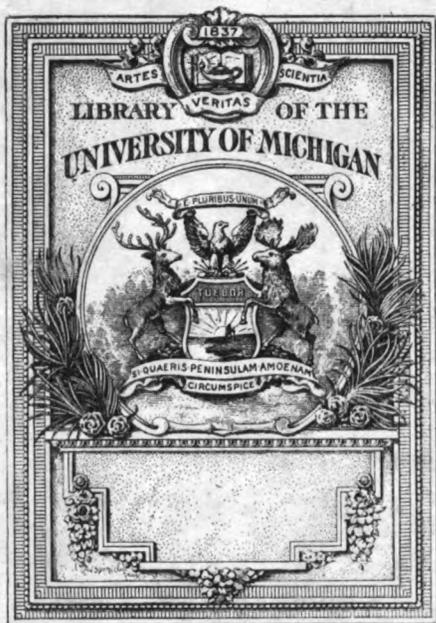
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SWAZILAND.

CORRESPONDENCE

RESPECTING THE

AFFAIRS OF SWAZILAND.

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Presented to both Houses of Parliament by Command of Her Majesty.  
*June 1887.*

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2 Feb. '16 B. E. H.

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SOUTH AFRICA.

CORRESPONDENCE

RESPECTING THE

AFFAIRS OF SWAZILAND.

No. 1.

SIR HERCULES ROBINSON to MR. STANHOPE.  
(Received February 16, 1887.)

Government House, Cape Town,  
January 26, 1887.

SIR,

WITH reference to General Torrens' Despatch of the 15th ultimo,\* I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal, pointing out that the complaints made by the Swazi King respecting the seizure of cattle by Transvaal Boers referred to a matter which was reported in April last, and not, as General Torrens had supposed, to recent thefts by individual Boers.

I enclose also a copy of the reply which I have addressed to Sir Arthur Havelock.

I have, &c.

(Signed)

HERCULES ROBINSON,

High Commissioner.

The Right Hon. The Secretary of State  
for the Colonies.

&c.

&c.

&c.

Enclosure 1 in No. 1.

GOVERNOR, Natal, to ACTING HIGH COMMISSIONER.

Government House, Pietermaritzburg, Natal,  
December 21, 1886.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 8th instant, in reply to my Despatch of the 26th November, forwarding a copy of a communication which had reached me from the Swazi Chief Umbandeni.

2. I enclose the copy of a Minute written by the Secretary for Native Affairs, to whom I referred your Excellency's Despatch.  
Secretary Native Affairs to Governor,  
Minute, 19 December 1886.

3. The complaint made by Umbandeni regarding the trespassing of Boers in his country has already formed the subject of the correspondence noted in the margin, between your Excellency and myself, and you have also intimated to me that the Government of the South African Republic, has been addressed on the subject. This being the case, it would seem that the details of information asked for in paragraph 4 of your Excellency's Despatch, are already in your possession.

Governor, Natal, to High Commissioner,  
6th April 1886.  
High Commissioner to Governor, Natal,  
14th April 1886.  
Governor, Natal, to High Commissioner,  
23rd April 1886.  
High Commissioner to Governor, Natal,  
4th May 1886.  
Governor, Natal, to High Commissioner,  
23rd August 1886.  
High Commissioner to Governor, Natal,  
6th September 1886.

\* No. 70 in [C.-4980.] February 1887.

4. I will postpone sending a reply to Umbandeni, in the sense of your Excellency's Despatch under reply, until I shall have heard again from you.

His Excellency,  
Lieutenant-General H. Torrens, C.B.,  
Her Majesty's Acting High Commissioner,  
&c. &c. &c.  
Cape Town.

I have, &c.  
(Signed) A. E. HAVELOCK,  
Governor.

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SECRETARY FOR NATIVE AFFAIRS TO SIR A. E. HAVELOCK, K.C.M.G.

HIS EXCELLENCY,

THE Acting High Commissioner does not appear to have been aware of all the previous messages from "Umbandeni," relative to the encroachments by the Boers beyond even the boundaries of their territory as assigned to them by the Pretoria Convention of 1881, to their ill-treatment of the Swazis, and to their seizure of and driving off large numbers of cattle belonging to the Swazis.

All these complaints have been made frequently, and, as far as possible, they have given both the names of the Boers, or their leaders, together with the date, as nearly as they could give it.

These people are being oppressed and ill-treated by the Boers, whom they are powerless to resist, and they appeal to the English Government for interference in their behalf and protection, and they do so for the grounds that they have always considered themselves subject to the English Government, and, as they urge, when that Government wanted their aid, and sent for it, it was readily given, and, in their extremity, they now appeal for help and protection.

The High Commissioner, in a previous reply, stated that he had referred the complaints and charges of the Swazi Chief to the Transvaal Government, which had undertaken to inquire into the matter, but up to the present no reply has been received, and the inquiry, if ever made, will not elicit the truth; the charges, rightly or wrongly, will in any case be denied. The only way to get at the truth of these charges is for an independent gentlemen, or commission, to be sent to inquire into and report; and I really do think that, considering the manner in which "Umbandeni" and the Swazis have always assisted us, when required, that some consideration should be shown to them.

I enclose, for your Excellency's information, an extract from yesterday's "Mercantile Advertiser" regarding these raids into the Swazi country; the writer apparently saw it. I have not yet sent the reply, as, were I to do so, it would be in conflict with that sent by the High Commissioner in which "Umbandeni" was informed that the Boers had been called upon for explanation.

19th December 1886.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

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THE STATE OF SWAZIELAND.—MATTERS GETTING WORSE.

(EXTRACT.)

A correspondent in Swazieland writes of his journey from Durban through Tonga country, Portuguese country, and Swazieland. He reports: "Famine in the country and raids by Boers made in the country in a very unsettled state. On the 2nd November one of these raids was made close to where I was. They carried off about 40 head of cattle, shot one Kafir through the leg, cut one Kafir's ear off, and took one boy, about nine years of age, along with them. On the 3rd I found the wounded Kafir, dressed his leg the best I could, and left him, in care of Providence and his people."

## Enclosure 2 in No. 1.

HIGH COMMISSIONER to GOVERNOR, Natal.

Government House, Cape Town,  
January 6, 1887.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 21st ultimo, acquainting me that the complaint made by the Swazi King respecting certain Boers who, he stated, cross over into his country, cause trouble, and steal, referred to a previous complaint, which had been made in April last, and not, as General Torrens had supposed, to recent thefts by individual Boers.

2. The newspaper cutting attached to Mr. Shepstone's minute appears to refer to a recent outrage, the particulars of which have not yet been received by me, and I shall be glad to be furnished with more detailed information, so as to enable me to make a representation to the Government of the South African Republic on the subject.

3. I think, therefore, that as it is desirable to have full and precise information as to the complaints of the Swazi King, the fourth paragraph of General Torrens' Despatch might stand as part of the message to Umbandeen, who might, however, be informed that, as regards the previous complaint, I propose reminding the Government of the South African Republic that I have not yet received from them any report of the promised investigation, and asking them whether the investigation has been held.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.His Excellency Sir Arthur Havelock, K.C.M.G.,  
Governor and Commander-in-Chief,

&amp;c. &amp;c. &amp;c.

Pietermaritzburg.

No. 2.

SIR HERCULES ROBINSON to MR. STANHOPE.  
(Received February 16, 1887.)Government House, Cape Town,  
January 26, 1887.

SIR,

WITH reference to previous correspondence I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal, covering a copy of a message which he had received from the Swazi King Umbandeen, asking for the intervention of Her Majesty's Government in consequence of the condition of affairs in his country.

2. Umbandeen urges that the boundaries of Swaziland as beaconed off by the British Government are not now respected by certain of the Transvaal Boers, armed parties of whom are in the habit of crossing the border, demanding taxes, and, upon being refused, of seizing and carrying off cattle and children.

3. Umbandeen prays that the British Government will interfere to stop these demands and raids upon his people which take place within the boundaries of Swaziland as fixed by the British Government. If they are not stopped he fears he will not be able much longer to restrain his people, and great trouble, probably bloodshed, if not war, will arise.

4. Umbandeen refers also to the extent to which he is troubled by white men and Boers wanting to search for gold in his country. It seems clear from this and other communications received from Umbandeen that the European population of Swaziland is increasing, and that he is unable to exercise any control over them. A man named Charles Dupont is accused of having murdered two white men and having wounded another, and of having endeavoured to get up a filibustering expedition for the invasion of Umzila's country. Umbandeen was authorised by me (Enclosure 2, Despatch of 9th September 1886,\*) to punish Dupont, but nothing has been done, and the European population appear to be living without the control of any law or authority.

5. The contingency which I foresaw would be the probable result of the recent

\* No. 13 in [C.-4980] February 1887.

gold discoveries, appears to be arising, if indeed it has not already arisen, and as it is undesirable that Swaziland should become an Alsatia, I think that Her Majesty's Government should without further delay decide as to the policy to be adopted in regard to that territory.

6. Umbandeen apparently desires whilst retaining his Chieftainship to be protected by the British Government, but I think it very doubtful whether he or his people would submit to taxation to defray the cost of such a measure. A protectorate, too, over native territories containing a larger European population has been proved to be attended by so many legal difficulties as to be unworkable; and, as I have already stated in the memorandum referred to, I do not think we are under any obligation to the Swazis which would require Her Majesty's Government to assume, at the expense of the British taxpayer, a troublesome and costly control over a country which is not accessible through British territory. As I have pointed out Swaziland is surrounded on three sides by the Transvaal, and is bounded on the fourth by the Lebombo Mountains, through which the only pass is by the road from the Portuguese settlement at Delagoa Bay.

7. If, then, it be decided that Her Majesty's Government are not called on to accept such a responsibility I think it would be only fair to Umbandeen that he should be so informed. An intimation might also be conveyed to him that if he should be unable to govern the European population scattered throughout Swaziland, and should desire the South African Republic to annex his country, Her Majesty's Government will be prepared to negotiate with the Transvaal Government so as to obtain securities for the preservation of native rights and interests.

8. The accompanying printed newspaper report of a case which took place in the Supreme Court of the Transvaal in September last would seem to show that if Swaziland formed a portion of the South African Republic, the natives could with confidence appeal to that tribunal for protection against the carrying off of cattle and children by certain Boers as now complained of by Umbandeen.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. the  
Secretary of State for the Colonies,  
&c. &c. &c.

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Enclosure 1 in No. 2.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
January 11, 1887.

SIR,

WITH reference to the previous correspondence relative to the alleged proceedings of certain Boers in Swaziland, I have the honour to forward, for your Excellency's information, a copy of a further message which I have received from Umbandeen, the paramount Chief of that country, urging the necessity of interference by Her Majesty's Government in the present state of affairs in his country.

I enclose a copy of a minute by the Secretary for Native Affairs on the subject of this message.

I have, &c.

(Signed) A. E. HAVELOCK.

His Excellency the Right Hon. Sir Hercules  
G. R. Robinson, G.C.M.G., Her Majesty's  
High Commissioner,  
&c. &c. &c.  
Cape Town.

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Message sent by UMBANDEEN, the Swazi Chief, to the GOVERNOR OF NATAL, by the Messengers UNKONKONI and UMHONITYWA.

UMBANDEEN sends to the Governor to ask whether there is any answer yet to the messages sent by him during the last two years by different messengers, representing the troubles caused to him by the irroads of certain Boers, whose native names are "Habela" and "Tutane," with an armed force, representing themselves as sent by their Govern-

ment to collect taxes, which on being refused, they seized and carried off the cattle of the district, among which were many of the Chief's cattle, all this being done within the boundary line of the country beaconsed off by the Government for the Swazis. In August last, "Umbandeen" sent "Umhlonitywa," "Mandindela," and "Mantatsha" to ask what had been done, as the Boers were again demanding taxes, and he was informed that the matter had been sent to the Boer Government which had promised to investigate and reply.

Umbandeen now begs for a decision, as the matter is getting more serious every year, and he is afraid that if these raids go on being made by the Boers, great trouble will arise, probably bloodshed, if not war. Umbandeen feels that he will be unable to restrain his people, and that some Boers may be killed by the exasperated owners of the cattle.

Umbandeen now specially urges upon the Government the necessity of interference by it, on the grounds that his country was beaconsed off by the Government and the boundaries handed over to him, and these boundaries are not now respected by the Boers, to whom the Government gave back the Transvaal; and because in August last, while "Umhlonitywa," "Mandindela," and "Mantatsha" were in Natal, Habela (Abel Erasmus) with an armed force crossed the Swazi border into the Horo district where "Hanyana" is, and demanded taxes. "Hanyana" refused, without an order from Umbandeen to pay, to whom, he said, the country belonged. Habela, thereupon, seized a large number of cattle among which were many belonging to "Umbandeen," and carried them off, and they also took the children belonging to 19 kraals, and refused to give them up, though their parents prayed for their restoration. The inhabitants of these kraals then followed the Boers who had taken their children, and have not returned.

Again we are to report that just as we were leaving messengers came from the Mahamba district, within the Swazi boundaries, to report that Umtyakela (Ferreira) had sent his head policeman "Umtshiselwako," with his police, to demand taxes. On our way down, we passed through this district and found that, on the people refusing to pay, saying that they and the country belonged to Umbandeen, Umtshiselwako had seized the cattle of four kraals, and made the men of these kraals drive them towards the border; the men, however, ran away during the night. The police were still there, and we do not know whether they have taken any more cattle.

Umbandeen urgently prays that the Government will interfere to stop these demands and raids upon his people, within the boundaries fixed by the Government. If they are not put a stop to, serious consequences will, Umbandeen fears, arise as he will not much longer be able to restrain his people. Umbandeen has also sent us to "Somtseu" (Sir T. Shepstone) to tell him that he is much troubled by white men and Boers, who are constantly coming and asking him to sign papers giving them rights to search for gold in his country, that he knows nothing of writing, and sees that this will cause him much trouble unless he is helped by one in whom he has confidence, and he, therefore, has now sent to his father, Somtseu, to ask him to send him one of his house to come and stop with him, in order that he may take charge of and control all such matters. The letter which we bring from John Gama has the words of Umbandeen.

Made to me,—

Pietmaritzburg, Natal, January 7, 1887.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

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SECRETARY FOR NATIVE AFFAIRS TO GOVERNOR.

(MINUTE.)

HIS EXCELLENCY,

I FORWARD this message. As Umbandeen states, it is now nearly two years since he first reported to the Government these raids by the Boers and begged its interference. On the first occasion they reported about 900 head of cattle as having been taken by "Habela" (Abel Erasmus). In August they state that about the same number were taken. Umbandeen's orders have hitherto been obeyed by his people that they were not to offer any armed resistance as he had appealed to the British Government to interfere, but he now states that his people are becoming so exasperated by these repeated thefts of stock that he fears that there may be bloodshed, and if so he does not know where it will end. He appeals to the English Government because

he agreed with it as to his boundaries, and the beacons were erected by a Joint Commission; that, on the restoration of the Transvaal to the Boers, the British Government handed over the boundaries, of the Transvaal to them as beacons off by that Commission, that the Boers no longer respect that boundary, and that all these acts have taken place within his country. He states that the Boers, on being remonstrated with and told that he has appealed to the English Government to settle the boundary and declare what they handed back to the Transvaal, and that pending such decision nothing should be done, state that the British Government is nothing, that it will not and cannot interfere, and they instance the Zulu country as a proof.

I would state that by the Transvaal Convention it appears to me that the independence and integrity of the Swazi country is guaranteed by the British Government, and I must say that, in my opinion, it is incumbent upon the Government to see that that Convention is respected. The independence of the Swazi people appears to have been acknowledged also by his Excellency the High Commissioner in his reply to the message about the English subject Charlie Dupont.

What I fear is that some pretext may be given to the Boers, by the killing of some of them when they are taking cattle, or some other cause, which may be seized upon by the Boers as an excuse for attacking the Swazis and taking their country.

Great consideration is due to Umbandeen by the English Government; he has always been a faithful ally and given help when called upon for it without any hesitation or question, and he has acted throughout with great patience and judgment in not trying to take the law into his own hands, but in always reporting to the English Government, whose subject he considers himself to be, for interference in all these cases, but hitherto, I regret to say, without the consideration I think he was entitled to expect.

Your Excellency will see that he also reports that he has sent to Sir T. Shepstone, whom he regards as his father and immediate Chief, to beg that he will send up one of his sons to be his agent and representative with all the white people who are now flocking, he says, to his country on account of the discovery of gold there. I am not yet aware whether Sir T. Shepstone will comply with the request. The letter from John Gama alluded to is forwarded Secretary for Native Affairs, 9/87.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

January 8, 1887.

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Enclosure 2 in No. 2.

EXTRACT from the "CAPE TIMES."

Wednesday, September 29, 1886.

JUSTICE IN THE TRANSVAAL.

THE opinion expressed by Chief Justice Kotzé at the close of the proceedings quoted below, suggests the propriety of a wider publicity than that given to them by Transvaal newspapers. The case (reported by the "Transvaal Advertiser"), is that of the Government *v.* W. A. Barclay, E. W. Gesteir, and 10 Kafirs tried at the Lydenburg Circuit Court on Friday and Saturday, September 10th and 11th:—

This case was a remarkable one, and excited much interest in the district.

The prisoners, of whom the evidence showed that Barclay, a young man of about 20, had been the ringleader, were indicted for theft in having, last June, carried off from several kraals on this side of the Lebombo Mountains a large amount of property belonging to the Kafirs in the said kraals, including a large number of sheep and goats, guns, axes, knives, mats, and other articles.

Mr. Morice prosecuted for the Government; the prisoners were undefended.

The Chief Justice questioned the validity of the indictment as an indictment for theft, on the ground that there was no statement of the intention of the prisoners in taking the goods. He reserved the point for argument at Pretoria.

The evidence showed that the prisoners should rather have been indicted for robbery.

The defence of the prisoner Barclay was that he had got permission from Abel Erasmus, Commissioner of Natives, or from P. Swart, Field Cornet, to take guns and ammunition from the Kafirs.

The defence of Gesteir was that he had been taken prisoner by Barclay with four Kafirs as unlawfully dealing in powder, and had been compelled to go with him while he was plundering the Kafirs.

The defence of the Kafir prisoners was that they had been commandeered by Barclay, who told them he was empowered by Abel Erasmus to seize guns and ammunition in possession of Kafirs.

The first witness was Abel Erasmus, who denied having given Barclay any authority whatever to seize ammunition or guns belonging to Kafirs. The witness also deposed to having arrested Barclay and the others on complaints made to him by Kafirs, and having found the prisoners in possession of a large amount of Kafir property. The witness said there had been reasons to fear a serious disturbance as a result of the prisoner's conduct.

P. Swart gave similar evidence.

A large number of Kafir witnesses followed, who gave evidence as to how Barclay and Gesteir had come with a body of Kafirs; how Barclay had in one case fired off his gun to frighten them; how being intimidated by the presence of white men, and by the fact that they stated they came from Erasmus, they had either fled from their kraals or submitted while their property was carried off. They identified their property in court. There was also evidence to show that a Kafir girl had been carried off, and stolen sheep slaughtered.

One of the witnesses whom Barclay called deposed to having heard Field Cornet Swart say that Kafirs selling guns or ammunition must be apprehended with such ammunition.

Gesteir called several witnesses, who proved that Barclay had taken him prisoner with four Kafirs, and induced him to go to the Kafir kraals with him.

The witnesses for the Kafir prisoners did not appear. It was reported that the prisoners had not given instructions in time to summon them. The Kafirs, however, in their statements at the preliminary investigation, admitted having taken property of the witnesses, alleging that they had been commandeered by Barclay, who pretended to have received powers from Abel Erasmus.

Mr. Morice addressed the jury for the prosecution. He laid special stress on the crime of Barclay, who had led others astray, and had usurped the powers of the Government to do deeds of violence and robbery, which it was the special duty of the Government to prevent.

The Chief Justice summed up the evidence on both sides at some length. Subject to the legal question on the indictment, he pointed out that the case against Barclay was very fully proved. Gesteir had failed to prove that he was compelled to do what he had done. As to the Kafirs the jury would judge from the evidence, and their knowledge of the Kafirs of these parts, whether they had really believed that Barclay was empowered to act as he had done, and they were justified in obeying him. It must be remembered that the Kafir prisoners had not confined themselves to seizing guns or ammunition, but had taken other articles, which made it more difficult to believe that they thought they were acting lawfully.

The jury brought in a verdict of guilty against all the prisoners.

The prisoner Barclay was sentenced to five years' imprisonment with hard labour, the prisoner Gesteir to two years, also with hard labour.

The Chief Justice asked the jury whether they recommended the Kafir prisoners to mercy, and finding they did not, sentenced the 10 Kafir prisoners also to two years' imprisonment with hard labour.

The execution of the sentences was to be postponed till the law point was decided.

The Chief Justice further ordered the sheriff to restore to the Kafir witnesses their sheep, goats, and guns, which were then before the court, and to provide them with passes to return home.

The jury was then dismissed after a few remarks by the judge, who, referring to the last case, expressed his opinion that the protection which had been afforded by this trial to Kafir subjects in the Transvaal would make a good impression not only in this country but abroad.

## No. 3.

SIR HERCULES ROBINSON to MR. STANHOPE.  
(Received February 16, 1887.)

Government House, Cape Town,  
January 26, 1887.

SIR,

WITH reference to my Despatch of this day's date,\* I have the honour to forward a copy of a Despatch which I have received from the Governor of Natal, transmitting a copy of a letter addressed to the Secretary for Native Affairs by Umbandeen, requesting that Mr. T. Shepstone, C.M.G., may be allowed to proceed to Swaziland to take charge of matters for him.

2. I forward also copies of telegraphic correspondence which I have had with Sir Arthur Havelock on the subject.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,

High Commissioner.

The Right Hon. the Secretary of State  
for the Colonies,

&amp;c.

&amp;c.

&amp;c.

## Enclosure 1 in No. 3.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietmaritzburg, Natal,  
January 11, 1887.

SIR,

WITH reference to my Despatch of this day's date, enclosing a copy of a message received by me from the Paramount Chief of Swaziland, I have the honour to transmit to your Excellency a copy of a letter to the Secretary for Native Affairs, brought by the messengers who delivered that message, written by John Gama at the instance of Umbandeen, containing an urgent request that Mr. T. Shepstone, C.M.G., might proceed to Swaziland to take charge of matters for him and to stay with him.

2. I am informed that Mr. T. Shepstone, who is a son of Sir Theophilus Shepstone, recently visited Umbandeen in Swaziland, and that it is reported that Umbandeen has appointed him to be Gold Commissioner for Swaziland. Mr. Shepstone is now in Natal, but it is believed that he intends to return to Swaziland.

I have, &amp;c.

(Signed)

A. E. HAVELOCK.

His Excellency the Right Hon.

Sir Hercules G. R. Robinson, G.C.M.G.

&amp;c.

&amp;c.

&amp;c.,

Cape Town.

## J. GAMA to the SECRETARY FOR NATIVE AFFAIRS.

Swaziland, December 23, 1886.

TO MY LOVED CHIEF BY JOHN GAMA, YOUR SERVANT,

I AM directed by Umbandeen the Chief; he says I must write his words that they may go to you, you who are the hand of the good Chief, the Governor. Here are the messengers who are sent, "Umkonkoni" and "Umklonitywa."

By these words he reports the troubles he is troubled with by the Boers, and by all the white people also, because in his country gold has been found; he has been caused trouble, he sees that (his country) is going, and that his authority is being overthrown. He sends on these accounts to you, his Chief; he says he wishes to do nothing without your concurrence and knowledge. This is what he wants: he wishes that Offy Shepstone, his brother, may go and stay with him, that he may place him in charge of all his country, that it may not be injured by the gold, that he may collect for him the money (gold dues), that he may see to all those matters and things in which he (Umbandeen) might be deceived (by want of knowledge of writing), and that he may look into the

\* No. 2.

beacons of his country, that they may be known, and the boundaries of his country be clear and undisputed and cared for and be kept intact for his successors.

Umbandeen prays for this.

He says, report that the persons he wishes for, whom he does not want to part with are John Gama and S. Muzolo; he says they are one with Offy; he says he cannot part with those persons.

This is all, Chief. The words of Dhlamini with regard to this matter (the request for Cffy) are, he says, that before Offy's arrival he had long decided upon it. The matter which he now reports is that in the Umjindini district, one of his own kraals and the cattle belonging to it have been taken away to Tutane, a Boer headman.

The second matter is that "Umtyakela" (a Boer) has sent policemen and seized his cattle, above the Mahamba Mountains, within his beacons; this matter he has not yet sent to "Umtyakela," to inquire why and for what his cattle have been seized; he says he now reports it to you, his Chief, in order that you may report to the Governor.

He asks why he is not listened to, and attention paid to his troubles so frequently reported, because he does not like war himself (but this will lead to it).

With regard to Offy, he says he is in earnest about him, he begs that you will not refuse him, his own people wish that he should come to take care of him, and take charge of everything for him, that his Chieftainship and authority may be cared for and saved. He does not wish to be taxed, he has done nothing wrong that he should be deprived of his country, having done no wrong.

The great matter which troubles "Umbandeen" is the business of Charlie Dupont, who introduced an evil matter (into the country). Habela (a Boer) who seized his cattle and took possession of part of his country. Again, Charlie has done another bad thing, he has killed a white man, and another has escaped wounded, "Ungogolo." Again, this man "Ungogolo" has taken possession of cattle belonging to Umbandeen's people, on account of the quarrel between him and Charlie.

"Ungogolo" is now with Umbandeen, and Offy knows all about this business; he heard it. Umbandeen reports all this to you.

These are all the words of Umbandeen, and my messengers "Unkonkoni" and "Umhlonitywa" will explain them. These matters "Umbandeen" asks that you will report to "Rodoba" (Sir T. Shepstone) his father, that is to say, that "Umbandeen" wishes that Offy his brother should come to take charge of matters for him, and stay with him.

He wishes that he should come at once, let him not delay. These are the words of "Umbandeen," the Chief of the Swazis.

It is I, your servant,

(Signed) JOHN GAMA

To Gebuza, who has in charge the affairs of the coloured people, Pietermaritzburg, Natal.

Translated by me,

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

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Enclosure 2 in No. 3.

TELEGRAM from GOVERNOR, Pietermaritzburg, to His Excellency the HIGH COMMISSIONER, Cape Town.

Referring to my Despatch of 11th January, would recommend that Swazi King be informed that person named is in no way accredited by Government, and that if he returns to Swaziland it is in private capacity. Despatch follows by mail.

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Enclosure 3 in No. 3.

TELEGRAM from High Commissioner to His Excellency the GOVERNOR, Pietermaritzburg.

19th. Yours 17th. I concur with you in thinking that Umbandeen should be informed that person named in your Despatch of 11th January is in no way accredited by Government, and that if he returns to Swaziland it is in a private capacity. If the Swazi messengers are waiting you might cause a reply in this sense, and written by my direction, to be sent to Umbandeen. The other questions raised in your Despatches 1 and 2 will be answered later by Despatch after communicating with Secretary of State.

No. 4.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

TELEGRAPHIC.

February 17, 1887.—Swaziland. Appointment Commissioner under Article II. London Convention of 1884 strongly pressed on Her Majesty's Government. Interests of British subjects in the country much increased. Do you concur in this course?

No. 5.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received February 19, 1887.)

TELEGRAPHIC.

19th February. Yours 17th February.\* Matters have gone so far in Swaziland that I cannot now advise Her Majesty's Government to appoint a Commissioner unless they are prepared to follow it up by annexation. Without this such officer would be quite unable to control the large European population of Boers and diggers now in country, very many of whom are not British subjects. The appointment of a Commissioner with a small police force would cost not less than 8,000*l.* per annum, and would, I believe, as in Bechuanaland, almost immediately necessitate annexation. The country, I have shown, is inaccessible through British territory, and I believe the Swazis would not pay taxes. For a full statement of my views on this subject see my Despatch to you of 26th ultimo.†

No. 6.

SIR HERCULES ROBINSON to MR. STANHOPE.

(Received February 24, 1887.)

Government House, Cape Town,

February 2, 1887.

SIR,

WITH reference to my Despatch of the 26th ultimo,† I have the honour to enclose, for your information, a copy of a letter which I have received from Mr. W. F. Faviell, respecting the state of Swaziland and the risk of complications arising from the lawless conduct of bad characters in that country.

I have, &amp;c.

(Signed) HERCULES ROBINSON,

The Right Hon. the Secretary of State, for the Colonies.

High Commissioner.

&amp;c.

&amp;c.

&amp;c.

Enclosure in No. 6.

Mr. W. F. FAVIELL to Sir H. ROBINSON.

Down Place near Guildford,

January 6, 1886 (??).

DEAR SIR HERCULES,

I FEAR you will consider me a troublesome correspondent, but I think it my duty to keep you informed respecting the state of Swaziland, and the risk of complications arising from the lawless conduct of various persons in that country and the prospect of their increasing. I have before me a letter from the agent of "Forbes Reef Company," dated November 20th, 1886, in which are the following remarks:—

"There have been disputes and fighting on the Le Bombo, about some cattle that had been stolen from the party who are to bring up some of the companies (sic) goods

\* No. 4.

† No. 2.

from Delagoa Bay. One man named Constable was shot dead, and McNab is shot through the lungs and head and not likely to recover. This, I fancy, is the beginning of reckless conduct and violence in the Swazi country, and from what I hear, and my own observation, I fear the Swazi country will become the haunt and home of the most desperate characters in South Africa. A very firm hand and control is immediately requisite, or this country will become worse than the Zulu country has been of late."

We are all hoping that the British Government will take steps to establish a Protectorate over the country; or at any rate a resident, with sufficient power and authority to restrain such lawless conduct.

This must be my excuse for troubling you with this letter.

I am, &c.  
(Signed) W. F. FAVIELL.

No. 7.

SIR HERCULES ROBINSON to MR. STANHOPE.  
(Received February 24, 1887.)

Government House, Cape Town,  
February 2, 1887.

SIR,

WITH reference to my Despatch of the 26th ultimo,\* I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal, communicating a copy of a message which he had caused to be sent to the Swazi King, Umbandeen,

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. the Secretary of State  
for the Colonies.

Enclosure in No. 7.

SIR A. HAVELOCK to SIR H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
January 25, 1887.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's telegram of the 19th instant, in reply to my telegram of the 17th instant, on the subject of the request of the Chief Umbandeen of Swaziland, which I forwarded to you in my Despatch of 11th January, that Mr. T. Shepstone might proceed to Swaziland to take charge of matters for him, and stay with him.

2. In accordance with the terms of your Excellency's telegram, I caused the message, a copy of which I attach, to be delivered to the Swazi messengers, informing Umbandeen that Mr. Shepstone is in no way accredited by the Government, and that if he returns to Swaziland it is in a private capacity.

3. The messengers started on their return to Swaziland on the 22nd instant.

I have, &c.  
(Signed) A. E. HAVELOCK.

His Excellency the Right Hon.  
Sir Hercules G. R. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.,  
Cape Town.

MESSAGE to UMBANDEEN.

The Governor of Natal has received Umbandeen's message to him contained in John Gama's letter, sent by the messengers Unkonkoni and Umhlonitywa, and he has forwarded it to Her Majesty's High Commissioner at the Cape, who wishes Umbandeen

to be informed in reply to the request therein contained that Mr. T. Shepstone may go and stay with him and arrange all those things for Umbandeen in which the Chief might be deceived from want of knowledge of writing; that the High Commissioner desires it to be understood that it is a matter entirely between the Chief and Mr. Shepstone; that if the latter consents to go and do as Umbandeen wishes, he does so on his own responsibility and in his private capacity; and that he is in no way sent by the Government.

The Governor of Natal is requested by the High Commissioner to inform Umbandeen that the other matters mentioned in his message and in John Gama's letter are being considered, and answers will be sent by-and-by.

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No. 8.

SIR HERCULES ROBINSON to MR. STANHOPE.  
(Received March 2, 1887.)

Government House, Cape Town,  
February 9, 1887.

SIR,

WITH reference to my Despatch of the 5th ultimo,\* I have the honour to enclose for your information a copy of a Despatch which I have received from the Governor of Natal, covering a Minute by the Secretary for Native Affairs, and a copy of a letter from Messrs. Savage and Hill respecting the alleged attempt to obtain a cession of Swaziland to the South African Republic.

28 January 1887.

8 February 1887.

I enclose also a copy of a Despatch which I have addressed to the President of the South African Republic on the subject.

I have, &c.

The Right Hon. the Secretary  
of State for the Colonies,  
&c.

(Signed)

HERCULES ROBINSON,  
Governor and High Commissioner.

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Enclosure 1 in No. 8.

FROM GOVERNOR OF NATAL TO HER MAJESTY'S HIGH COMMISSIONER.

Government House, Pietermaritzburg,  
Natal, January 28, 1887.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch No. 1 of the 5th instant, informing me, with reference to previous correspondence, that your Excellency had received a letter from the State Secretary of the South African Republic denying that General Joubert had urged the Swazi King to sign a cession of his country to the South African Republic.

2. I beg to transmit, for your Excellency's information, a copy of a Minute by Mr. Shepstone, the Secretary for Native Affairs, giving the substance of a statement on the subject made by the Swazi messengers, to whom the denial on the part of the Transvaal Government was, by my direction, communicated. I enclose also a copy of a communication from Messieurs Savage and Hill, forwarding a report from their agent in Swaziland, which appears to be in accordance with the account given by the Swazi messengers.

Secretary Native Affairs to  
Governor.  
Minute 23/1/87.

Messrs. Hill and Savage to  
Private Secretary.  
25 Jan. 1887.

I have, &c.

(Signed) A. E. HAVELOCK.

His Excellency the Right Hon.  
Sir Hercules G. R. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.,  
Cape Town.

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\* Not printed.

## SECRETARY FOR NATIVE AFFAIRS TO GOVERNOR.

## MINUTE.

HIS EXCELLENCY,

I HAVE informed the Swazi messengers of the denial by the Transvaal Government. All they said was that they were not surprised, as it was the custom of the Boers to deny what it was inconvenient to admit.

I then asked if they were present when the Boer deputation arrived, and if they had heard what had taken place: they said that they were. I must here state that I had not previously mentioned the matter to them, and that I called them into my office without any notice of what I wished to see them about.

I asked them to tell me what had taken place, and only to say what they had seen and heard.

They stated that Piet Joubert, accompanied by "Klaas" (Nicholas Smidt, called by the Boers the fighting general), Tutane (Frantz Joubert, Commandant of Lydenburg District), and Ungongoio (Andries Laas, a farmer), who acted as interpreter. Inkosi Leehlaza (Mr. Krogh) was also present, but he was not part of the deputation; he had come about a gold concession, and he took no part in the interview.

They state that on the evening of the same day two messengers were reported as having arrived from Natal named Ungalunkulu and Mancinzana, and that Unkonkoni was sent to identify them, which he did. The next morning the interview with the Boer deputation took place, and our two messengers were sent for and asked whether they knew the Boers and if they thought the Boers would know them; they replied no. They were then asked to be present at the interview, in order that they might hear for themselves what took place and report to this Government. In order to avoid any suspicion of them by the Boers they were asked to take off their clothes and hats, which they did, and on going to the meeting place they were separated and asked to seat themselves in different parts. The Boer deputation was then sent for.

Mr. Joubert then said that he had come about the reports made by Umbandeen to the English Government regarding encroachments on his territory and the taking of cattle, and he asked what Umbandeen meant by constantly sending them false reports about them; that if he had to come again on the same subject it would be in a different fashion.

Umbandeen replied yes, that he had reported these matters, and that he should continue to do so should occasion arise; that he belonged to the English Government, and would report his troubles to it, and as to the reports being false why there was Tutane (Mr. F. Joubert) who was one of the persons complained of by him, and they could not deny it that he had taken their cattle from within their boundaries.

Mr. Joubert then said yes, that Tutane had seized cattle because of non-payment of taxes, but that this was from natives who were living, he said, in their country, and that the other cases were similar. Umbandeen denied this, and stated that they had not only taken large numbers of cattle, but they had carried off young children from the kraals and removed the beacons placed by the English Government and replaced them in other positions so as to cut off large tracts of his country.

Mr. Joubert appears then to have suggested that the best means of putting an end to all these disputes would be for Umbandeen to place himself and people and country under the Transvaal, and he produced a paper or asked them to sign a paper to that effect, and as an inducement to him to do so stated that they would remove all beacons, that the Swazis could re-occupy the country cut off from them by the English Government, and that they and the Boers would all be one and have no more quarrels, &c., and he further promised if this were done that all the cattle he alleged had been taken from him and his people would be returned. He urged this strongly upon them and stated that they would thus be under the protection of the Boer Government and would be in peace and security.

Umbandeen refused to sign the paper, stating that he had always acknowledged the English Government, and never that of the Boers, and that he had signed a paper to that effect before Tshela (Mr. G. M. Rudolph, now Resident Magistrate, Ladysmith,) that he had done so willingly and of his own accord and that he had no intention of withdrawing from it.

Mr. Joubert was very angry, and replied as is stated in our messengers' report, stating that the English were far away, &c., and were slow to move. The deputation left after this. In introducing the subject of a cession of themselves and their country to the Transvaal, Mr. Joubert alluded to his previous visit on this matter in 1885, when he

stated that he was put off by a statement that some of the Indunas were ill, and that all must be present when the matter was discussed, and that he would send and let Mr. Joubert know when he was ready to meet him; this he stated had never been done.

This message referred to was delivered here on the 16th September 1885, and was forwarded, but no reply has been, as far as I know, received. The Government may mean in denying this that Mr. Joubert, if he did so, did so without authority.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

23 Jan. 1887.

Messrs. SAVAGE and HILL to PRIVATE SECRETARY.

DEAR SIR,

Durban, Port Natal, January 25, 1887.

WE have received from Swaziland through our agent there two communications relating to what is transpiring there between the Boers and Umbandeen, the Chief, and venture to enclose herewith two extracts from our letters covering his remarks on the same. We are aware of course that his Excellency's commission extends no further than Zululand, but we take it that if information is considered of importance as relating to affairs of Native States in alliance with Great Britain that such coming within the knowledge of his Excellency would be transmitted to the High Commissioner.

Under date November 8th, Mr. Rathbone writes from Ruditini:—

“On October 28th Mr. P. Joubert and staff with Mr. Kroch, Landdrost of Wakkerstroom, paid the King and Chiefs a visit, the purport of which was a demand from the Transvaal Government that Umbandeen should place himself and country under their protection.

“The King and Chiefs were required to sign certain documents which would place him under Transvaal protection. This the King and the Chiefs would not agree to. Joubert asked the King why he would not sign the papers for them. The King said the Boer Government had encroached on his north-eastern border, and that the Boers have taken between three and four hundred head of cattle, and when the King sent to Pretoria about the cattle and the boundary line no notice was taken of his complaint.

“Joubert and staff left on 1st November, leaving Mr. Kroch with the document to try and get the King to sign it. I am told the documents were represented as a gold concession paper wanted by Mr. Kroch. They would not sign it, not even for Mr. Kroch, so they (the Boers) all went back as they came.”

Under date 8th January 1887, he again refers to this matter as follows:—“A message from Mr. Kroch, Landdrost of Wakkerstroom to Umbandeen, King of Swaziland, saying that both he (Kroch) and the Transvaal officials that were down about a month ago were not treated well by the King of Swaziland, and for that reason, Mr. Kroch, on behalf of the Transvaal, tells the King that a Boer Commando will be sent against the Swazi nation this winter. The King has sent me to Wakkerstroom to find out if it is true. About three weeks ago the King declined an offer made by another Transvaal official, who wanted the upper part where it is gold bearing for a piece of grazing land they would give in exchange. The King told them he liked gold. I am sorry to say the Boer Government are trying hard to get the country into a scrape.”

We believe that every reliance may be placed on the statements above quoted, and submit same for his Excellency's information.

Gerald Browne, Esq.,  
Private Secretary to his Excellency  
Sir Arthur E. Havelock, K.C.M.G.

We have, &c.  
(Signed) SAVAGE AND HILL.

Enclosure 2 in No. 8.

Sir H. ROBINSON to STATE PRESIDENT.

Government House, Cape Town,  
February 8, 1887.

SIR,

WITH reference to Mr. Bok's Despatch of the 27th December last, acquainting me that there was no truth in the statement that General Joubert had urged the Swazi King to sign a cession of his country to the South African Republic, I have the honour to enclose for your Honour's information a copy of a Despatch which I have received from the Governor of Natal on the subject.

I shall be glad to receive and transmit to the Secretary of State any remarks which you may desire to offer on the statements made to Mr. Shepstone by the Swazi messengers and to the Governor of Natal by Messrs. Savage and Hill

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

His Honour the State President,  
Pretoria.

No. 9.

SIR HERCULES ROBINSON to MR. STANHOPE.  
(Received March 2, 1887.)

Government House, Cape Town,  
February 9, 1887.

SIR,

WITH reference to previous correspondence on the subject, I have the honour to enclose for your information a copy of a Despatch which I have received from the Governor of Natal, covering a copy of a letter which he had received from Mr. T. Shepstone, reporting the substance of certain threatening messages purporting to have been sent to the Swazi King by the Landdrost of Wakkerstroom.

I enclose also a copy of a Despatch which I have addressed to the President of the South African Republic on this subject.

I have, &c.

(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

The Right Hon. the  
Secretary of State for the Colonies,  
&c. &c. &c.

Enclosure 1 in No. 9.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
February 1, 1887.

SIR,

I HAVE the honour to transmit for your Excellency's information with reference to my previous Despatches relative to passing events in Swaziland a copy of a letter addressed by Mr. Theophilus Shepstone, C.M.G., to the Secretary for Native Affairs, enclosing a letter which he had received from Mr. T. B. Rathbone, who is said to be the trusted interpreter of the Swazi King, reporting the substance of certain messages of a serious and threatening nature which had been delivered to Umbandeen by messengers purporting to have been sent by Mr. Krogh, Landdrost of Wakkerstroom, on behalf of the Transvaal Government.

I enclose a copy of a Minute by the Secretary for Native Affairs on the subject.

I have, &c.

His Excellency the Right Hon. (Signed) A. E. HAVELOCK,  
Sir Hercules G. R. Robinson, G.C.M.G., Governor.  
Her Majesty's High Commissioner,  
Cape Town.

Mr. T. SHEPSTONE to SECRETARY NATIVE AFFAIRS.

Pietermaritzburg, Natal,  
January 29, 1887.

SIR,

I HAVE the honour to enclose for his Excellency the Governor's information an original letter which I have received from Swaziland dated the 21st instant and signed by T. R. Rathbone.

I may state, for his Excellency's information, that Mr. Rathbone is the King's trusted interpreter, and that when I left Swaziland last month I arranged with the King that

Mr. Rathbone should act for me in my absence, and that if anything important occurred Umbandeen could communicate to me through Mr. Rathbone.

The letter is written at the King's request, and I venture to submit requires the immediate and grave attention of Her Majesty's Government.

I had anticipated that some effort of the kind mentioned in Mr. Rathbone's letter might be attempted in April or May, because from various sources I had learnt that Dr. Clark, M.P., had, during his recent visit to the Transvaal, suggested to the Boers that they should take the same course with Swaziland as they had taken in Zululand, and that the proper time for doing so would be during the coming winter season, when the Boers would be in Swaziland by virtue of their so-called grazing licenses.

I had not, however, anticipated that any action would have been taken so soon.

I have to-night heard from a reliable source, and through Boers who are against the action of their countrymen, that there are 1,000 men ready to go in and try and take the country.

I am also informed that a Boer called Laas is riding about the country trying to raise more volunteers for the same object.

His Excellency will remember the terms of the Convention now subsisting, and the responsibilities which Her Majesty's Government and that of the Transvaal undertook thereby.

The Swazi King is, and always has been, a faithful ally of Her Majesty's Government, and during the Sekukuni war contributed a good deal to its successful issue by placing at Sir Garnet, now Lord, Wolseley's disposal a large portion of the Swazi army.

He is, however, especially anxious to avoid collision with any white people and depends upon Her Majesty's Government to insist upon the terms of the Convention of 1881, which were renewed and embodied in the London Convention of 1884, being respected, so that he and his people may be saved from the fate which befell the Zulus. With reference to the averment made in the message sent by the Transvaal Landdrost as a ground for the threat conveyed in it, namely, that the King has been giving away his country to the English, I would remark that Umbandeen has been careful in all the concessions granted by him to reserve his sovereign rights to the land and to his authority over it.

I would also beg to be allowed to remind his Excellency that any action such as that said to have been threatened by the Transvaal Landdrost on behalf of his Government, or of any body of freebooters from the Transvaal and the Orange Free State (a much more likely contingency), would at once involve a serious struggle between the white races as well as the black, the consequences of which it is impossible to foresee, because it will arouse the worst and strongest forms of human passion on all sides.

I shall be glad, if his Excellency wishes it, to wait on his Excellency personally on the subject, as I start for Swaziland on Wednesday morning and will reach the King the following Tuesday.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
On behalf of the Swazi King.

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Mr. T. B. RATHBONE to Mr. T. SHEPSTONE.

DEAR SIR,

Swaziland, January 21, 1887.

My object in writing this is to bring to your notice (and which I think you will see calls for immediate attention) a somewhat serious matter which has occurred since you left here the latter end of last month, viz. :—

Four indunas or petty Chiefs (Blowake, Slofa, Umketche, and Umadola), living under Krogh, Landdrost of Wakkerstroom, arrived here with a message from the said Krogh, on behalf of the Transvaal Government, early this month with the following message :—

That the Swazi King had been granting mining concessions and giving his country away to the English, while they, the Transvaal Government and Boers, had been left in the dark, and that in consequence of this action of the Swazi King a commando from the Transvaal Government would be sent in for the purpose of taking the country and annexing it to the Transvaal.

Yesterday, the 26th instant, Usedanana and another messenger arrived here, also from Krogh, with the message that he, Krogh, had been given to understand that unless the Swazi King at once hands over his country to the Transvaal a commando consisting

of Transvaal and Free State freebooters under one Stoffel Townsend and three others, will march into the country during the coming winter.

To both of these messages the King has replied that he is at a loss to understand why this threat should be made to him, as he has given them no cause; that he has granted to the Boers, when asked, grazing rights, and that they have never asked for mineral rights or concessions. He further said that he fully relied upon what General Wood told him when passing through the country "that if ever he was in any difficulty he might rely upon the English giving him their aid if he was in the right." And it is evident that he looks forward to this if occasion should arise in this matter, and should an attempt be made to carry these threats into execution.

He, the King, seems anxious for your arrival that he may further consult you as to what course he had better pursue. I am under the impression that Dr. Clark has been playing a double game with the Transvaal Government, and has in consequence precipitated matters.

Hoping that you will start immediately for here, if you have not already done so.

I am, &c.

(Signed) T. B. RATHBONE.

Witnesses :

(Signed)	ETEKUJA	his × mark.
	UMGELAKA	his × mark.
	UMGUBUBA	his × mark.
	SANDLANE	his × mark.
	G. T. ECKERSLEY.	

T. Shepstone, Esq., jun.,  
Pietermaritzburg.

SECRETARY FOR NATIVE AFFAIRS TO GOVERNOR.

MINUTE.

HIS EXCELLENCY,

MR. SHEPSTONE forwards a letter he has received from Mr. Rathbone, the interpreter to the Swazi Chief Umbandeen, the contents of which, if true, are very serious and call for the attention of Her Majesty's Government.

Mr. Rathbone states that two lots of messengers had arrived with two messages purporting to have been sent by Mr. Krogh, who is the Landdrost of Wakkerstroom, on behalf of the Transvaal Government. The messages will speak for themselves, and are of such a character that I cannot believe that they have been sent with the knowledge or authority of that Government, because they are in direct contravention of the terms and conditions of the London Convention of 1884.

There appears to be but little doubt that there are Boers agitating to go into the Swazi country and take possession as they did of the Zulu country, and it is possible that some of these have sent in the native messengers named, and ordered them to say that they were sent by Mr. Krogh by order of the Government.

The Boer Laas referred to is the man named Ungongolo, I think, who acted as interpreter in the interview between Mr. Piet Joubert and Umbandeen referred to in the last message received from the Swazis.

Umbandeen is evidently very much alarmed by these messages. The proclamation of a protectorate over the Swazi country would, I think, effectually stop any such unauthorised proceedings by irresponsible Boers, and there would be no expense incurred by such a course unless it were thought necessary to appoint a Resident.

(Signed) H. C. SHEPSTONE,

Secretary for Native Affairs.

January 31, 1887.

## Enclosure 2 in No. 9.

Sir H. ROBINSON to STATE PRESIDENT.

Government House, Cape Town,  
February 8, 1887.

SIR,

WITH reference to previous correspondence on the subject, I have the honour to enclose, for your Honour's information, a copy of a Despatch which I have received from the Governor of Natal, covering a copy of a letter which he had received from Mr. T. Shepstone, reporting the substance of certain threatening messages purporting to have been sent to the Swazi King by the Landdrost of Wakkerstroom.

I shall be glad if your Honour will acquaint me whether the Government of the South African Republic has sent any threatening messages to the Swazi King or has authorised any message such as that attributed to Mr. Krogh.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.His Honour the State President,  
Pretoria.

## No. 10.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

TELEGRAPHIC.

5th March 1887. — Referring to your Despatch, 9th February,\* you should call on Government of the South African Republic for explanation referring to Article XII., London Convention of 1884, and desire them, if they admit truth of statement, to give explicit instructions to their officers that any interference with independence of Swaziland, unless with consent of Swazi King, would be breach of Convention.

## No. 11.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 7, 1887.)

TELEGRAPHIC.

7th March.—Yours 5th March.† Answers from Government of South African Republic sent by mail 23rd February and 2nd March. They deny truth of statements, and furnish proofs in support of their denial. Umbandeen seems to have been double dealing, complaining of Boers to me and of English to President of Republic. Government of South African Republic states that they have no intention of interfering with independence of Swaziland. It appears to me that if the apprehended encroachments are made on Swaziland, they will be, as in Zululand, by individual Boers from Transvaal, Orange Free State, and Natal. Government of South African Republic are no more able to control these men or European diggers when beyond their jurisdiction than we are. Umbandeen is allowing Boers to enter Swaziland for winter grazing, and has sold gold concessions over nearly the whole of his country, in some cases three or four deep for the same area, while squandering proceeds in dissipation. He apparently expects Her Majesty's Government to protect him and save him from consequences of his folly. I think if we do not want the country ourselves we should now allow it to be placed under control of Transvaal. I advise that Umbandeen be informed we do not mean to protect or annex his country, and that if he cannot control the Boers and diggers whom he has himself allowed to enter Swaziland, he had better place himself under Government of South African Republic, with whom, if he wishes, we will negotiate for the security of native interests.

\* No. 9.

† No. 10.

No. 12.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 8, 1887.)

SIR, Government House, Cape Town,  
February 16, 1887.  
WITH reference to my Despatch of the 9th instant,\* and to previous correspondence respecting complaints which have been made by the Swazi King Umbandeen, I have the honour to enclose for your information a translation of a telegram which I have received from the Government of the South African Republic, intimating that a full reply to the complaints will soon be sent to me.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.  
The Right Hon. Sir H. T. Holland, Bart., G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 12.

TELEGRAM.

FROM STATE SECRETARY, Pretoria, to his Excellency the HIGH COMMISSIONER.

TRANSLATION OF DUTCH.

15/2/87.—WITH reference to the correspondence regarding the complaints of Swazi King, I have received instructions to acquaint your Excellency that a full reply to the whole matter will soon be ready and will be sent to your Excellency.

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No. 13.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 22, 1887.)

SIR, Government House, Cape Town,  
February 28, 1887.  
WITH reference to my Despatch of the 9th instant,† covering a copy of a Despatch which I addressed to the President of the South African Republic respecting the statements made to the Secretary of Native Affairs of Natal by certain Swazi messengers as to an effort alleged to have been made by General Joubert to induce the Swazi King to sign a cession of his country to the South African Republic, I have the honour to enclose for your information a translation of a letter which I have received from the State Secretary of the South African Republic on the subject.

I have, &c.  
(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.  
The Right Hon. Sir H. T. Holland, Bart., G.C.M.G.,  
&c. &c. &c.

\* No. 9.

† No. 8.

## Enclosure in No. 13.

## TRANSLATION.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

Government Office, Pretoria,

February 17, 1887.

YOUR EXCELLENCY,

REFERRING to your Excellency's Despatch, dated 8th instant, I have the honour to acquaint you that the said Despatch cannot now be fully answered as his Honour the State President is travelling. As soon as his Honour is back your Excellency's Despatch will be laid before him.

I have, &amp;c.

(Signed) W. EDUARD BOK,  
State Secretary.To his Excellency the High Commissioner,  
Cape Town.

## No. 14.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 22, 1887.)

Government House, Cape Town,

February 28, 1887.

SIR,

WITH reference to previous correspondence respecting the alleged encroachments by officers of the South African Republic on Swaziland, and an attempt alleged to have been made by General Joubert to obtain a cession of Swaziland, to the South African Republic, I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal on the subject.

I communicated a copy of this Despatch to the President of the South African Republic, and I forward a copy of the reply which I have received, giving the result of the investigations made by the Government of the South African Republic into the charges which had been made against their officers.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.

## Enclosure 1 in No. 14.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,

January 25, 1887.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 6th instant, relative to Boer proceedings in Swaziland, and to forward, in reference to the desire expressed in paragraph 3 of your Excellency's Despatch to have full and precise information as to the complaints of the Swazi King, copies of a minute and a report upon the subject by the Secretary for Native Affairs.

I have, &amp;c.

(Signed) A. E. HAVELOCK.

His Excellency the Right Hon.  
Sir Hercules G. R. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.  
Cape Town.

SECRETARY FOR NATIVE AFFAIRS to GOVERNOR.

MINUTE.

HIS EXCELLENCY,

January 23, 1887.

THE Boers who are complained of are three in number, and are all three officers of the Transvaal Government, and do what they have done in the name of that Govern-

ment. I hear that in the last inroad headed by Habela and Tutane they drove off about 1,000 head of cattle belonging to Hanyana, the young man referred to in Secretary for Native Affairs <sup>1886</sup>/<sub>88</sub>, and his people, and included a number of the Chief's cattle, so that in 1885 and 1886 these men have taken off about 2,000 head of cattle.

I have heard nothing more of the incident alluded to in the extract from the "Mercantile Advertiser." I have written a report of all the complaints made by the Swazis. Your Excellency will see that the first was made in June 1882, then there were no more messages until March 1884, the reason for the long interval being that the Boers had stopped previous messengers, being afraid of their bringing small-pox back.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

REPORT giving all the PARTICULARS in my possession with reference to the SWAZI COMPLAINTS against the BOERS.

IN June 1882 Unkonkoni and Majolongwana came to condole on the death of Sir G. Pomeroy Colley and to report that in the previous month "Umtyakela" Ferreira the Native Commissioner had with an armed force entered the Swazi country and carried off 110 head of cattle; that this has not only been done but the Boers have shifted the boundaries as laid down by Rudolph, and moved the beacons further into their, the Swazi, country.

In September 1885 Ukwahlakwaha, Umgewemleni, and Gobongwane arrived to report the visit of Piet Joubert with the object of trying to get the Swazis to place themselves and their country under the Boer Government. They also reported Boer encroachments on their country and the taking of Swazi cattle by Habela, Abel Erasmus, a field cornet of the Lydenberg district.

In July 1885 Mr. Spring reported direct to the High Commissioner what he had himself observed during a recent visit to the Swazi country regarding the proceedings of Mr. Ferreira. This was sent by the High Commissioner for the report of the Boer Government, and in reply he was informed that the Government knew nothing of the matter, but that a thorough investigation would be made and the result reported. Nothing further, to my knowledge, has been heard on this matter.

In April 1886 Unkonkoni and Nornaudatsha arrived and reported the taking of 900 head of cattle by Habela during the previous winter; this was first reported in Secretary for Native Affairs <sup>590</sup>/<sub>1886</sub>, to which the messengers asked if there was no reply yet.

In the same month another message was received by C. E. Dupont and a Swazi named Sivalu reporting encroachments on his territory by the Portuguese, who, he states, were selling his land on the Libombo Mountains to Boers, and he states that he has already reported several times the doings of the Boers themselves. These messengers also asked whether there was no reply yet to their messages regarding the 900 head of cattle which they had reported as having been taken by a Boer armed force under Habela, Abel Erasmus, and Tutane, Franz Joubert.

With regard to these proceedings it appears that the High Commissioner wrote to the Government at Pretoria on the subject in May last, and in June telegraphed for a reply, and in August received a letter signed by the State Secretary in which it is stated that the Government were not aware of the complaints mentioned, but that the matter would be thoroughly investigated and a report of the result furnished to His Excellency. This has, as yet, I believe, not been done; it is in fact a similar answer to that sent in reply to the High Commissioner's letter forwarding Mr. Spring's letter for report. In August 1886 messengers were sent to ask for replies to previous messages regarding Boers.

In October 1886 Umbandeni, by a letter written for him by John Gama, a Christian native, again brings these matters forward, and begs most earnestly for the interference of the English Government.

During this month Unkonkoni and Umhlonitywa have arrived to ask whether there is yet no reply to all their Chief's messages during the last few years reporting the troubles caused by the inroads of certain Boers. He reports that Habela, Abel Erasmus, and Tutane, Franz Joubert, had again last year, while Umbandeni's messengers, Umhlonitywa, Mandinhela, and Mantalsha were in Natal (August last year), gone into the Swazi country and carried off a very large number of cattle and a number of children. Umbandeni also reports that just before sending the present messengers he had received

information that Umtyakela, Ferreira, had sent his head policeman Umtshiswako (this is the same man alluded to in Mr. Spring's letter) with his native police to demand taxes from the Swazis living below the Mahamba Mountains in his country. These messengers passed through this part and found that a number of cattle had been seized and driven off, and that the police were still there.

Habela is Abel Erasmus, a field cornet of Lydenberg district.

Tutane is Franz Joubert, commandant of Lydenberg district.

Umtyakela is Ferreira, a native commissioner on the Swazi border.

Secretary for Native Affairs Office,

Pietermaritzburg, January 23rd, 1886.

(Signed)

H. C. SHEPSTONE,

Secretary for Native Affairs.

Enclosure 2 in No. 14.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

(Translation.)

Government Office, Pretoria,

February 18, 1887.

YOUR EXCELLENCY,

In reply to your Despatch dated 4th February 1887, and with reference to my Telegram dated 15th February 1887, I have the honour to enclose, for your information:—

1st. Letter from Landdrost, of Wakkerstroom, to Superintendent of Natives, dated 26th September 1885, and accompanying sworn declaration of four Swazi Captains.

2nd. Letter from the Right Honourable the State President to the Swazi King, dated 2nd October 1885.

3rd. Letter from Jacob Steyn to the Right Honourable the State President, with attached minutes of a conversation with Swazi envoys at Pretoria (Ermelo?).

4th. Minutes of a conversation with Swazi envoys at Pretoria.

5th. Report of the Commission consisting of the Honourable Mr. P. J. Joubert, Commandant-General, the Honourable Mr. N. J. Smit, then Chairman of the Honourable Volksraad, and the Honourable Mr. G. R. von Wielligh, Surveyor-General, deputed by the Right Honourable the State President to erect the beacons in accordance with Convention, dated 11th November 1886.

6th. Report of the Commission consisting of the Honourables N. J. Smit and G. R. von Wielligh, deputed by the Right Honourable the State President for the purpose of instituting an inquiry into complaints made against the Honourable Mr. P. J. Joubert, Commandant-General, by your Despatch dated 4th May 1886, dated 11th November 1886, which documents show the inaccuracy of the alleged complaints, and at the same time indicate how much trouble is taken to arouse misunderstanding between this Government and that of Her Majesty.

His Excellency the High Commissioner,  
Cape Town.

I have, &c.

(Signed)

W. EDUARD BOK,

State Secretary.

Landdrost's Office, M. W. Stroom,

September 26, 1885.

HONOURABLE SIR,

I HAVE the honour to enclose herein a declaration made before me by Mataffin, Umhlaba, Kwawaba, and Umquano, in the name of Umbandini, King of Swaziland, regarding the demanding of taxes by the Native Commissioners, J. J. Ferreira and Abel Erasmus, from people of Swaziland, according to their account, and regarding the making of the line between this Republic and the northern side of Swaziland by the Honourables C. Joubert, Vice-President, and the Surveyor-General.

I have, &c.

The Hon. the Superintendent of Natives,  
Pretoria.

(Signed)

J. C. KROGH,

Landdrost.

APPEARED before me Johannes Christoffel Krogh, Landdrost of Wakkerstroom; Mattaffin, Captain; Umhlaba, Captain; Kwawaba, Umquano.

Umhlaba speaks:—We are sent to you by Bandine, King of Swaziland, to request you to go with us to Pretoria, and also Gougol (A. J. M. Laas). We must tell you that Abel Erasmus has taken a piece of Swaziland and has demanded taxes from a portion of Bandine's people. On the other side of Swaziland Umchagel (Commissioner J. J. Ferreira) has also demanded taxes from Swazis living in Swazi country. I (the speaker) was one of the line makers and know the line well, and now taxes are demanded far over the line. The line which has now been made by Iboch is wrong, for thereby Swaziland loses a piece of ground. Umchagel has also demanded taxes from people of Bandini living in Swaziland. Bandini asks why he is to be persecuted. He wishes to live in the same manner and (on the same) conditions with the Republic as his grandfather and father. They were always on a good footing with the Republic, and he wishes similarly to live in friendship. He requests that the Republic will rectify the lines. A large number of cattle were taken by Abel Erasmus and Umchagel from Bandini's people for taxes; now Bandini says, if he has done any wrong, then the Republic may keep possession of these cattle. Bandini has also said, that the Portuguese take his ground on the other side, and if it is to continue thus, where will he then afterwards live. He trusts that the Government will not desert them but let justice be done them.

Mark of × MATAFFIN.

Mark of × UMHALABA.

Mark of × KWAWABA.

Mark of × UMQUANO.

Before me

(Signed) J. C. KROGH,  
Landdrost.

As Interpreter

(Signed) A. M. J. LAAS.

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Greetings of President S. J. P. KRUGER to Swazi King UMBANDIEN.

Government Office, Pretoria,

October 2, 1885.

THE Government has seen the declarations made by Captains Mattaffin, Umhlaba, Kwawaba, and Umquano who complain about the pointing out of the beacons by the Honourables C. J. Joubert and the Surveyor-General, and about the demanding of taxes by J. J. Ferreira and J. A. Erasmus.

The Government had heard that those captains were to come to Pretoria. The Government is certain of it, that when those captains had come to Pretoria they would be convinced that the whole complaint rests on a misunderstanding, and that the Government has no intention whatever to take an inch of ground from Umbandien or a head of cattle from his people, and the Government will be glad if those captains come to Pretoria that they would come and tell the Government why they think that the beacons are not correct, and from which people any animal or money has been taken which is not right; for it is the strong desire of this Government to maintain the most perfect peace with King Umbandien, as formerly with his father Amazwaas.

I remain your friend,

(Signed) S. J. P. KRUGER,  
State President.

(Signed) W. EDUARD BOK,  
State Secretary.

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The Right Honourable S. J. P. KRUGER, State President of the South African Republic at Pretoria.

RIGHT HON. SIR,

As the representative of King U'Bandine and Diplomatic Agent of Swaziland, I approach your Honour with all respect and speak these words as the earnest wish and strongest desire and longing of the King and the undersigned, the Great Council of the Amazwasi territory.

First.—The King's earnest wish is to remain independent Chief in his country like his father old Zwas.

And the King's strongest desire and longing is to stand on a friendly footing with your Honour, like a child with his father; for the King cannot see what the hindrance can be to his living in peace with your Honour like his father old Zwas.

But the King feels much touched by the following questions, which he, the King, puts to your Honour.

First.—If it is true that your Honour is ready to make war with the King on account of an accusation that he, the King, supported Mapoch with ammunition in the last war to fight against your Honour?

Secondly.—If it is so, that your Honour's people are at one with the people in Zululand to take the King's country from him?

Thirdly and lastly.—The King has a sole and friendly request to your Honour, and it this, that your Honour will and shall give him, the King, the full assurance that there exists true peace and friendship between the King and your Honour's Government, and whether your Honour's Government will not be so good and friendly as to make an arrangement with the King about the boundary line to the north of Mataffin's town, for which, should it happen, the King will be and remain very thankful to your Government?

And with respect the King calls himself your Honour's obedient servant and friend.

U'BANDINE,  
Great Chief of the Amaswazis.  
Captains DABAMBIE,  
UMCHINCO,  
LANCHAN,  
JACOF,  
MALAAI,  
U'JASLHAN,  
TILKAEBU,  
THABEN,  
WACHUHELEK,  
KOMAN,  
UMGIBEH,  
BAELAN,  
UMBANJAN,  
UMCHABA.

Thus done at Umbekelen 26th February 1886.

By Order

(Signed) JACOB STEYN,  
Government Secretary,  
Swaziland.

ON the 20th March 1886, before 8 o'clock in the morning, came Jacob Steyn with nine sub-captains of U'Bandine, Paramount Chief of the Swazi Kingdom, with a letter from said Paramount Chief of the Swazi Kingdom and his Council to the Right Honourable the State President of the South African Republic, dated Umbekheleen, 26th February 1886, with a request to have a secret interview with the Right Honourable the State President, which interview was granted by his Honour, and immediately commenced at the house of the Landdrost of Ermelo, in the presence of P. C. Steyn, N. J. Smit, J. Eloff, and the interpreter.

The President asked one of the Chiefs, "Where do you come from, and what is your name?"

Answer: "From the King of Swaziland; my name is Umslaba, and this" (pointing to another) "is Bovaan, a general, who has come with us."

Bovaan: "I am Commander-in-Chief (Groot Generaal) of King U'Bandine."

President: "Are there more Chiefs here?"

Umslaba: "There are also Maribo, Bobas, Matowaan, Makaha, Mosaban, Sankoho, and Umbunsan, all here present."

President: "Are there more Chiefs?"

Umslaba: "No."

President, to Jacob Steyn: "Have you been sent with these Chiefs by U'Bandine?"

Jacob Steyn: "Yes."

President: "Have you a written order?"

Jacob Steyn: "No; these Chiefs here present are witnesses."

President, to the Chiefs: "Has this Jacob Steyn been sent by King U'Bandine, and was he instructed by U'Bandine to tell me anything?"

Chiefs: "Yes."

President: "Were the questions put down in writing?"

Jacob Steyn: "Yes, in the letter handed to you."

President, to the Chiefs: "What is the message sent by U'Bandine? Tell it me verbally."

Umhlaba, in the name of the Chiefs:—

"1st. To inquire whether the friendship between our Kingdom and the Republic is still the same as formerly when Pretorius was President. Whether the same friendship still exists between you and U'Bandine that there existed between President Pretorius and old Zwas."

"2nd. We are also sent to speak about the line at Bomatie."

"3rd. About cattle taken from Swazis by Commissioner Erasmus."

"4th. About cattle taken from Swazis by Commissioner Ferreira."

President: "Were those cattle within the Republic?"

Chiefs: "In Swazi territory."

President: "Is that in the questionable ground or not?"

Chiefs: "Yes, in the tract where the question is about the boundary line."

"5th. King U'Bandine is accused of having delivered gunpowder to Mapoch during the Mapoch Expedition; that is untrue; nobody can prove it."

"6th. People have gone about who say that the white people in Swaziland and Zululand wish to unite to take the Swazi territory for themselves."

"7th. King U'Bandine asks that his father, President Paul Kruger, will have the beacons between Swaziland and the Republic erected to obviate further differences."

"8th. King U'Bandine wishes that an agreement can be concluded between the Republic and Swaziland for the extradition of criminals."

"9th. The King sends to ask his father, President Kruger, to be friendly towards him, as President Pretorius was toward old Zwas."

10th. "The Portuguese Government have taken and have given to Boers a piece of Swazi country to the west of the Lobombo Mountains."

As it was now 9 o'clock and time that the meeting with the inhabitants of Ermelo was to commence, his Honour the State President said that they (the Chiefs) were to come again in the afternoon and hear his answer, and to speak further about the subjects submitted.

In the afternoon, at half-past 5, Jacob Steyn came with the Chiefs and said that General Bovaan was ill and could not come, and further, that they withdraw points 3 and 4 about the taking of cattle by Commissioners Erasmus and Ferreira; they had nothing further to bring forward.

President: "Why do you ask if the friendship between us still exists? Why does U'Bandine think that that friendship has been broken?"

Umslaba: "Evil speaking made the King fear that the friendship no longer existed as formerly. So many lies are told him."

President: "My heart is sore to learn that U'Bandine lends his ear to such talk. Whatever is said, nothing will break the friendship from my side. When old Zwas was still alive we were friends, and I still have the same friendship. I am loath to hear that such lying talk arouses anger between us. U'Bandine is my child, if anything happens which is not good we can always rectify it with words. When I require help I shall ask him help, and he must do so also. During this winter I shall send a commission to rectify the line between us and the Swazis, then the King can point out what arrangement he wishes to have. The convention line cannot be altered, yet by means of arrangement I can, if needs be, let him have some ground on this side of the line on which to live. I must, however, first bring it before the Volksraad. No complaints have been received by me of the accusation that U'Bandine has sold ammunition to Mapoch. I take no notice of such talk. Whenever I hear anything of this sort I shall say to U'Bandine 'my child, why have you done that?' A parent will not summarily punish his children.

"Whenever I hear anything of the kind I shall send someone to him. If such tales are again told, and I do not let him know anything about them, he must know that it is a lie, and if I send anyone he must have a letter from me.

"Has the King appointed this Jacob Steyn to negotiate with me? Can I believe him when he comes to me as envoy of U'Bandine?"

Umslaba: "Yes, you can believe him, he has been appointed by U'Bandine."

President: "When the King sends him to me he must give him a letter. Jacob Steyn has always spoken well of the King to me. When I write a letter to U'Bandine I will send it through Steyn if I do not send anyone direct from here.

"The report which the King has heard that the white people of Swaziland and of Zululand will take away his country is not true. They dare not take his country. The King must not believe anything of it."

"Regarding an agreement for extradition of criminals I cannot enter into. The Volksraad must decide that. Crime must be punished, and although they have no written laws from which one can see what their laws are, I am of opinion that a means will be found to make such an agreement.

"Tell King U'Bandine that I have learnt that some of my burghers trek into his territory in the winter, saying that they have received permission from him to go over the boundary into his territory.

"I wish that this may always remain in peace. If some of my people go into his territory without his permission, he must let me know of it, then I will recall them.

"Tell the Swazi people that they must live quietly and tranquilly. If they do not muddle their own affairs they will be able to live in peace, if they do not draw their hand out of mine I will hold theirs."

Jacob Steyn: "I wish that the Government would appoint Mr. N. J. Smit to treat with the Swazis. They were very contented with his former transactions with them."

President: "What do the Chiefs say of that?"

Chiefs: "It is the wish of the King that N. J. Smit for the Government of the Republic, together with Jacob Steyn will negotiate with the King."

President: "I cannot positively promise that I will always send Smit, it may perhaps happen that I shall sometimes be obliged to send another. The Volksraad must decide on this also."

"I shall send a copy with Jacob Steyn to King U'Bandine of all that we have spoken here."

Ermelo, 20th March 1886.

(Signed) JAN ELOFF,  
For Private Secretary.

CONVERSATION on this the 2nd August 1886 between the Right Hon. the State President and envoys of the Swazi King U'Bandine, named Umquanaba, representing King U'Bandine and Town Captain (Stadskapitein) Hicoba, Masjobana representing Umbocoan, Pangwenie representing Santlaan, as well as Mr. J. Stein (Umlala-Awoete), as representative of the Swazi Kingdom and country. Also present the Hon. P. J. Joubert, Superintendent of Natives; the Hon. N. J. Smit, Chairman of the Right Hon. Volksraad; the Hon. C. J. Joubert, member of the Right Hon. Executive Council; and J. P. Mare, also a member of the Executive Council.

Maraba as interpreter.

The Right Hon. the State President asks, "Where do you come from?"

Umquawaba says, through Mr. Steyn, "We come from Swaziland, as deputies of King Umbandine, which King transmits his greetings to the Government of the South African Republic."

State President: "What message have you brought?"

Umquawaba: "We are sent by King Umbanden to the President of the Transvaal to talk over and complain of things which are troubling him in his country.

"The trouble in his country is from white people, not from Boers but from Englishmen. The names are: 1st, Charlie (Du Pont); 2nd, Hellem; 3rd, Umdjwailnemba."

The Right Hon. the State President says: "He has much work, so now give all messages to the Superintendent of Natives which you have to bring from your King Umbandine. When it has all been written down I shall read it and see what you have said, and then appoint an hour when you must again assemble."

Hereupon his Honour, with the members of the Right Hon. Executive Council and the Hon. N. J. Smit, leave the meeting.

By mouth or interpretation of Mr. Steyn, in the presence of interpreter Maraba, Umquawaba now says further as follows:—

"We are sent by King Umbandine to complain to the Transvaal Government about the dealings in Swaziland of the three above named and of other persons, which others are also English. Charlie (Du Pont) has summoned a commando of white men at

Moodie's Gold Fields and other persons professing to be resident in the Portuguese territory. And then he, Charlie (Du Pon) went to Hanjaan, a son of Marwéwé, a descendant of Manekoes and brother of Umziela, and asked him, 'How is it, would you not wish to rule in your ward from which you have been driven?' Then Hanjaan said, 'Who would not like to rule?' And thereupon, so the English relate, Hanjaan then promised them that he would give each of them a number of cattle if they, through their actions, placed him as King there in his kingdom, the kingdom from which his father was expelled, whether they fight for it or not. Then the father of Charlie (Du Pont) called in Kafir Umtyiepa, came and gave notice to King Umbandine that his son had raised a commando to fight against a Kafir captain named Hanjaan, probably living in Swaziland. And when they (the commando of Charlie (Du Pont)) came to the town of Hanjaan, he fled to the town of Umbandine. And then the English followed up Hanjaan to the town of Umbandine, and there Hanjaan denied to the King having signed a document or having had any negotiations with them regarding the kingship.

The English there said to Hanjaan that he must pay them 750 head of cattle. Thereupon King Umbandine said in answer to this that Hanjaan has no cattle. The cattle that run with him (Hanjaan) belong to him (King Umbandine), and he wished to know by what right Hanjaan can promise the cattle to them (the English), or by what right they (the English) wish to take those cattle from Hanjaan. The King Umbandine then sent to fetch a number of his cattle which ran over the Lebombo, and probably over the line of his country. And the King thus gives notice of this to the Transvaal Government, that it may not afterwards be wrongly taken up or related. Thereupon Umtyiepa (father of Charlie (Du Pont)) said to King Umbandine that he would go to Abel Erasmus with the people whom he has there to fetch a commando to fight with him. And thereupon King Umbandine replied, 'I acknowledge Abel Erasmus as a captain of the Transvaal Government, and I acknowledge the line between us and the Transvaal according to convention, and for what reason do you thus wish to go to him to get a commando to fight against me.' And thereupon King Umbandine sent a Boer of the man (name?) of 'Jan' to the people of Hanjaan to say that they who live within the line of the Transvaal must pay their hut tax to Commissioner A. Erasmus, and thereupon Umtyiepa with his party said 'if Abel Erasmus will not help us then we go to the English to get a commando to fight you.' And now King Umbandine gives further notice to the Transvaal Government that he has given commands and orders that the English who live in his country and create disturbance, may no longer remain there but must depart. And that those captains and people who went to fetch the cattle at Lebombo have not yet returned, and that he will not be responsible if, through the action of Charlie (Du Pont) and his party, white blood is also shed, for he washes his hands in innocence, and he gives the Government notice that if the blood of white people is shed he is not responsible for it."

2. Umbandine further sends to tell and complains to the Government of the Transvaal. He wishes to live like his father in peace with the Government and be taken up as a friend. And he will never prevent his Kafirs, who live over the line in the Transvaal, from paying hut tax to the Government, but he will on the contrary command them to do so, and he leaves it to the judgment and the mercy of the Government whether it is right, if the people have no cattle to pay and there are cattle there of the King (his property) whether it is equitable to take the cattle of the King for the debt of his people, as has been done by Toedaan and Habel.

3. And then there is still one matter which the King asks that the Government may take into consideration and may be so friendly as to help them therein. There is an uncle of Umbandine named Nyabeen, fled to the South African Republic and he has taken some of Umbandine's sisters with him, and they are now married, and according to Kafir law the cattle of his sisters through their marriage now belong to the King, but Nyabeen will not give them, and Umbandine asks if the Government cannot help him to these cattle which are his property.

4. And then King Umbandine further says that the Town Captain who lives in his town, named Hicoba, had a wife without children, who ran away to the Transvaal. Hicoba had before that time given her a child of one of his other wives as a help, which child she has taken with her to the Transvaal, and the request of the King is alone to get the child back.

5. The request of the King Umbandine is further conformably with the stipulations when our first deputation came and the Right Honourable the State President was then at Ermelo, and the King always still adheres to the agreement, and at the same time again requests that the Right Honourable Government of the Transvaal will adhere to it to send a Commission to Swaziland to inquire into all the complaints, and the King adheres to his former request that Mr. N. J. Smit will form one of the members,

6. King Umbandize says that we as deputies now here have no right or power to enter into any agreement or anything similar with the Government, but that we must only bring forward the above complaints, which can then be investigated and regulated in Swaziland by the Commission.

Upon the question of the Superintendent of Natives, Umquawaba says, "That is all we have to say, or messages we have."

All this is read to the three deputies and in the presence of Mr. Steyn interpreted by Maraba, and they say that everything is correct and right, and that they have nothing further to say.

(Signed) JACOB STEYN,  
Representative of Umswaziland.

(Signed) Mark × UMKWALABA.

Mark × MACHABAN.

Mark × UMQWANQWEN.

As Witnesses,

(Signed) FRITZ STIEMENS.  
MARABA.

In my presence

(Signed) P. J. JOUBERT.

Superintendent of Natives.

Pretoria, August 2, 1886.

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REPORT of the COMMISSION appointed by EXECUTIVE COUNCIL RESOLUTION, ARTICLE 142,  
dated 24th July 1886.

To the Right Hon. the STATE PRESIDENT and MEMBERS of the Right Hon. EXECUTIVE  
COUNCIL, Pretoria, South African Republic.

RIGHT HON. SIR AND GENTLEMEN,

YOUR HONOURS' Commission appointed by Executive Council's Resolution, Article 142, dated 24th July 1886, have the honour, in accordance with instructions given them dated 20th August 1886, to report as follows:—

That they repaired to the town of Umbandine, the Swazi King, in order to give effect to their instructions, and that they, by virtue of the power mentioned therein, met the King Umbandine and his Council to institute inquiry into all complaints and matters.

Your Honours' Commission have found that the only complaint or dissatisfaction which the King and his Council wish to bring forward was the taking of cattle by Abel Erasmus and J. le Clerq for hut-tax. It clearly appeared to the Commission that the King and his Council very well understand and acknowledge that the cattle were not taken on Swazi territory, but from Kafirs living within the borders of the South African Republic.

The King and his Council entirely refused to say that the cattle were taken within Swazi territory, but they wish to pretend that those cattle were the King's property.

The King and his Council will not declare that any of the beacons or lines have been altered by the Boers; but that they thought that the lines should go from Kamhlobana, with the same mountain ridge to the Crocodile River, and from there to Mananga; but that they have now seen and understood that the beacons and lines are right as our Government acknowledges them.

Your Honours' Commission requested the King that he would send a deputation with them in accordance with Article 2 of their instructions, to erect the beacons according to the convention. The King did not see the necessity of it, unless we agree to remove that beacon from Kamhlobana to the Crocodile River; and also, moreover, because Rudolf (and) Allyne were not present, and he has now only one Captain who is acquainted with the lines and he is now far away. The King knows all the lines laid down in the convention chart shown to him. Consequently your Commission did not go from beacon to beacon.

Your Honour's Commission is of opinion that an end must once for all be made to uncertainties about this boundary line, and that it is absolutely necessary thereto that a proper survey and an accurate chart of the whole Swazi border should be made.

(Signed) P. J. JOUBERT.

N. J. SMIT.

G. R. V. WIELLIGH,

Pretoria.

11th November 1886.

REPORT of the COMMISSION appointed by EXECUTIVE COUNCIL RESOLUTION, ARTICLE 142, dated 24th July 1886, to the Right Honourable the STATE PRESIDENT and MEMBERS of the RIGHT HONOURABLE EXECUTIVE COUNCIL, Pretoria, South African Republic.

RIGHT HONOURABLE SIR AND GENTLEMEN,

YOUR Honours' Commission appointed by Executive Council's Resolution, Article 142, dated 24th July 1886, for the purpose of instituting inquiry about complaints lodged by his Excellency the High Commissioner in a Despatch dated 4th May 1886, in which General P. J. Joubert is accused, in certain declarations, that he asked Umbandine to sign a paper declaring that Umbandine and all Swazis must accept to go over to and to acknowledge the authority of the Boer Government, and to have nothing to do with England, have the honour to report as follows:—

First of all the declarations of the three envoys at Pretoria were read to the King and his full Council and interpreted by his own interpreter "Klaas." After clear interpretation the King and his full Council declared that they understood the message well, and that those were certainly the King's words, that that was correct and nothing else than the message sent.

Afterwards your Commission requested the King to cause those deputies who brought the above-mentioned complaints against Piet Joubert to appear. Thereupon Inkonkoni made his appearance and declared as follows:—

"We were not sent by the King to Maritzburg to bring the message, but we were sent by the King to Hlomos on the other side of Maritzburg; when on the road we arrived at Colonel Cardew's, and he asked us, 'How is it going on in your country?' Then I said, 'Not very well, the people on the other side of the line have made another line, and in this way they are troubling us. Another trouble that we have is that Abel and Tutane take our cattle.' I said, 'Abel and Tutane take the cattle within the line.' We then went on to Hlomos. On our return Lugaai (a black man) asked, 'How is it going in your country?'"

The King then prevented that speaker from going further, and said that there was another present of the name of Ukwahla-Kwahla, who knew all about the matter. Thereupon the letter from his Excellency the High Commissioner and the declarations were read to the King and his Council and translated by the King's interpreter Klaas.

After this the question was put to the said Ukwahla-Kwahla whether this declaration was his words, but thereupon the King took up the conversation, and after having made many subterfuges, remarked that, "If Kwahla-Kwahla has said so (that is as in the declaration) then he did not speak the truth. A few words of the letter are true, but the others are untruth."

Your Honour's Commission then pointed out to the King and his Council the gravity of the case, whereupon the King and his leading Councillors "Sandlaand" and "Bomovaan" declared "that they have never sent such complaints to the Governor of Natal, and that Piet Joubert has not said this."

(Signed) N. J. SMIT.  
G. R. VON WIELLIGH.

11th November 1886.

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No. 15.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 22, 1887.)

Government House, Cape Town,  
February 28, 1887.

SIR,

WITH reference to my Despatch of the 9th instant,\* covering copies of correspondence with the Governor of Natal and the President of the South African Republic respecting certain threatening messages which were alleged to have been sent to the Swazi King by the Landdrost of Wakkerstroom, I have the honour to enclose for your information a translation of a letter which I have received from the State Secretary of the South African Republic on the subject.

I have, &c.

The Right Hon. (Signed) HERCULES ROBINSON,  
Sir H. T. Holland, Bart., G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.

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\* No. 9.

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## Enclosure in No. 15.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

(TRANSLATION.)

Government Office, Pretoria,  
February 18, 1887.

YOUR EXCELLENCY,

IN reply to your Excellency's Despatch, dated 8th instant, regarding the sending of certain messages to the Swazi King by the Landdrost of Wakkerstroom, I have the honour to inform you that this Government knows nothing whatever of the matter.

An inquiry will, however, be instituted.

To his Excellency the High Commissioner,  
Cape Town.

I have, &amp;c.

(Signed) W. EDUARD BOK,  
State Secretary.

## No. 16.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 29, 1887.)

TELEGRAPHIC.

29th March.—Governor Natal telegraphs he has received message from Umbandeen, stating he has been warned that strong force of Boer adventurers will invade Swaziland on 5th April. Umbandeen adds he has called up no force, and relies implicitly on protection of English and Transvaal Governments. The Natal Secretary for Native Affairs thinks truth of report improbable. I concur, and think that some of the Europeans about Umbandeen are playing on his fears for personal object. The assurances of the Government of the South African Republic to Umbandeen, which have been repeated to me, are, I think, satisfactory, and if apprehended occupation of Swaziland takes place, it will probably be by individual Boers from the neighbouring countries, without the complicity of any of their Governments. I have told Governor Natal to inform Umbandeen's messenger, who is waiting at Newcastle till to-night for reply, that, although British and Transvaal Governments have promise to recognise his independence, they are not bound to undertake the responsibility for, and expense of, doing the police work of his country, over which he has sold grazing rights to Boers and gold concessions to Europeans. If his country is entered and occupied without his permission by a gang of marauders, he should not remain inactive, but should collect a force and expel them.

## No. 17.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

SIR,

Downing Street, March 30, 1887.

I HAVE the honour to acknowledge the receipt of your Despatch of the 28th of February,\* transmitting a copy of a Despatch from the Governor of Natal, and copies of papers which you had received from the Government of the South African Republic relating to the complaints made by the Swazi King against the officers of that Government.

Sir H. Robinson.

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

\* No. 14.

No. 18.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 31, 1887.)

Government House, Cape Town,  
February 9, 1887.

SIR,

WITH reference to previous correspondence on the subject of Swaziland, I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal covering a copy of a letter from Mr. A. Hulley, communicating the result of an interview with the Swazi King, Umbandeen.

2. The rumours communicated to Mr. Hulley respecting a projected Boer invasion of Swaziland have been contradicted by the Government of the South African Republic in a letter which was forwarded to you under cover of my Despatch of the 28th ultimo,\* and I do not anticipate that any filibustering expedition will receive the approval of that Government.

3. On the other hand it is to be expected that the encroachments by Transvaal, Orange Free State, and Natal Boers, as well as by gold miners in Swazi territory, will continue, and that if a rich gold mine be discovered such encroachments will greatly increase; but the British Protectorate, for which the Swazi King and his councillors express themselves anxious, would be insufficient to remedy the evils of which they complain. It would simply involve Her Majesty's Government in heavy responsibilities, without conferring the jurisdiction or legislative authority necessary for their fulfilment.

4. I see no reason, therefore, to depart from the views which I have already expressed in my Despatch of the 26th January last.† In my opinion our only choice now lies between abstaining from any active interference in the affairs of Swaziland, or annexing the country, and the sooner a decision is come to in the matter the better it will be for the Swazis and ourselves.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

The Right Hon.

Sir H. T. Holland, Bart., G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 18.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
February 21, 1887.

SIR,

WITH reference to previous correspondence relative to the affairs of Swaziland, and especially with reference to my Despatch of the 1st instant, I have the honour to forward to your Excellency a copy of a letter addressed to me by Mr. A. Hulley, acquainting me that he and Captain Grey, Inniskilling Dragoons, who have just returned from a visit to Swaziland, had an interview with the King Umbandeen, in the course of which they were informed that the Swazis were aware of an intention on the part of the Boers to take over their country. It appears that Mr. Hulley and Captain Grey had heard from other sources that a Boer expedition was organised to take possession of Swaziland.

2. You will observe that the Swazi King and his counsellors, having received an explanation of the difference between a Protectorate and annexation, expressed themselves as being anxious for British protection, and willing to act on the advice given by Mr. Hulley and Captain Grey to send a deputation to me to petition for British protection.

\* No. 14.

† No. 2.

3. There is little doubt, I fear, that the encroachments of the Boers in Swaziland, unless checked, will end in the occupation of the whole or of the greater part of the country.

His Excellency, the Right Hon.  
Sir Hercules G. R. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.  
Cape Town.

I have, &c.  
(Signed) A. E. HAVELOCK.

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Mr. HULLEY to Sir A. E. HAVELOCK.

YOUR EXCELLENCY,

Pietermaritzburg,

February 21, 1887.

ON the occasion of Captain Grey's and my visit to "Swaziland" we had an interview with the King, who had asked (us?) to advise him in his trouble with the Boers.

We found at this interview (at which all his councillors were present) that they were aware of an intention on the part of the Boers to take over their country, and we understood them to say they would offer no resistance unless they had the support of the English, which they seemed to count upon on the grounds that they had always been their allies, instancing the Sekukuni affairs, and how they were ready, and expecting to be called out during the Transvaal war.

After explaining to them the difference between a Protectorate and annexation, they expressed themselves as anxious for the former and willing to act on our advice, the substance of which was to send a deputation to your Excellency without delay to petition for British protection.

We told the King that we also heard that a Boer expedition was organised to take possession of "Swaziland," their leader and officials chosen, and that it would almost certainly start this next winter. This information we obtained from influential people during our journey through the Vaakenstroom (Wakkerstroom?) district and we also learned that the expedition would be composed of English as well as Boers.

We made the King understand that we had no authority from the Government to interfere in his affairs, but would do as he wished and endeavour to acquaint your Excellency with what we had heard in the Transvaal, and also of the King's intention to send a deputation to Maritzburg without loss of time.

I have, &c.  
(Signed) ARDERNE HULLEY.

His Excellency Sir Arthur Havelock, K.C.M.G.

It has occurred to us that the deputation might be turned back, if by any means its object became known to the Boers.

(Signed) A. H.

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No. 18a.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND  
(Received March 31, 1887.)

TELEGRAPHIC.

31st March. Referring to my telegram of 29th March,\* having communicated with Government of the South African Republic, State Secretary telegraphs that nothing is known by them of a proposed raid on Umbandeen by Boers, but they will inquire.

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\* No. 16.

No. 19.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

TELEGRAPHIC.

5th April 1887. In reply to your telegrams of 29th March and 31st March.\* You should urge Government of South African Republic to take any steps necessary to prevention of raid from their territory on Swaziland.

No. 20.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received April 6, 1887.)

TELEGRAPHIC.

6th April. Yours 5th April.† I have communicated with Government of South African Republic as instructed; but I do not believe report, which has probably been invented to try and force our hand. Governor of Natal has inquired from officials of Newcastle and Ladysmith, who do not believe any raid is contemplated. There is ill-feeling between the Europeans around Umbandeen, to whom he has sold gold concessions, and the Boers, to whom he has sold winter-grazing licenses for the same ground. The time is coming round for the cattle to be driven in as usual on the authority of these licenses, and this has probably for interested object been magnified into a coming raid. I am writing to you full *re* Swaziland by to-day's mail and advise you to await receipt of my letter before coming to any decision in matter.

No. 21.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received April 11, 1887.)

TELEGRAPHIC.

11th April. Referring to my telegram of 6th April,‡ following telegram received from President of South African Republic in reply. Begins:—

“This Government much regret that so much notice is taken of unfounded rumours and communications which are circulated solely for the purpose of creating difficulties between this Government and yours. This Government knows full well the obligations which London Convention of 1884 imposes on both parties. They have always kept these obligations in view, and will in future continue to observe them. Letter will follow.” Ends.

No. 22.

FOREIGN OFFICE to COLONIAL OFFICE.

SIR

Foreign Office, April 11, 1887.

I AM directed by the Marquis of Salisbury to transmit to you herewith, to be laid before Secretary Sir Henry Holland for any observations which he may have to offer thereon, copy of a Despatch from Mr. Petre, Her Majesty's Minister at Lisbon, reporting

\* Nos. 16 and 18a.

† No. 19.

‡ No. 20.

a conversation he had held with the Portuguese Minister for Foreign Affairs, relative to the alleged filibustering attack on Swaziland by Boers.

The Under Secretary of State,  
Colonial Office.

I am, &c.  
(Signed) T. V. LISTER.

Enclosure in No. 22.

MY LORD,

Lisbon, March 30, 1887.

MONSIEUR BARROS GOMES spoke to me to-day about the alleged filibustering attack on Swaziland by Boers with a view to the annexation of a portion of it to the new South African Republic, and he asked me whether I could give him any information on the subject. I told his Excellency that Her Majesty's Government had been questioned with reference to this matter in the House of Lords, and I referred him to the Earl of Onslow's speech which is reported in the "Times" newspaper of the 25th instant.

I pointed out to him that any invasion of Swaziland would be an infraction of the Convention of 1884 with the Transvaal.

The Marquis of Salisbury,  
&c. &c. &c.

I have, &c.  
(Signed) G. G. PETRE.

No. 23.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received April 12, 1887.)

Government House, Cape Town,  
March 23, 1887.

SIR,

WITH reference to my Despatch of the 28th February last,\* I have the honour to enclose for your information a copy of a Despatch which I have received from the Governor of Natal communicating a Minute by Mr. Shepstone suggesting that Umbandeen be informed that I regard the assurances received by him from the South African Republic, and repeated to me, as satisfactory.

I have informed Sir A. Havelock that I approve the transmission of a message to Umbandeen in this sense.

I have, &c.  
(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 23.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
March 16, 1887.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 3rd instant, forwarding a communication received from the Government of the South African Republic with reference to the complaints of Umbandeen, of Swaziland, of proceedings on the part of certain subjects of that Government.

\* No. 14.

2. I enclose, for your information, a copy of a Minute written by the Secretary for Native Affairs, to whom I referred your Excellency's Despatch. I would ask whether you would wish any action to be taken on Mr. Shepstone's suggestion that Umbandeen might with advantage be informed that you regard the assurances received by him from the South African Republic, repeated as they now are to your Excellency, as being satisfactory.

I am, &c.  
(Signed) A. E. HAVELOCK,  
Governor.

His Excellency the Right Hon.  
Sir Hercules G. R. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.  
Cape Town.

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SECRETARY FOR NATIVE AFFAIRS TO GOVERNOR.

MINUTE.

HIS EXCELLENCY,

March 15, 1887.

THERE is a great coincidence in the contents of these documents with the complaints made by Umbandeen to this Government to which they refer, and the difference may readily be conceived to be that which might occur in the same statements made by separate messengers to different authorities.

The assurances which, as appears in these documents, President Kruger gave Umbandeen are certainly ample, and these being repeated as they practically are, to the High Commissioner, may be regarded as made afresh, and therefore they should be deemed as satisfactory. I think that if this could be communicated to Umbandeen as the view of the High Commissioner the Chief should feel reassured not only in regard to the matters of which they specially treat but of the subject of Mr. Shepstone's letter of the 29th January last (with your Excellency) which, as it happens, was also alluded to by the President at the interview held at Ermelo on the 20th March 1886, with the Swazi messengers.

The question of the seizure of cattle by Transvaal authorities within the Swazi boundary appears to be a doubtful matter, and is at any rate one that can be settled by local inquiry and examination only. The beacons were so accurately laid down and so scientifically described in the Report of the Commission appointed for that purpose, of which Major Alleyne, R.E., was President, that no new survey or Commission seems to be necessary; any surveyor with his instruments, guided by the Report of the Swazi Boundary Commission above alluded to, would be readily able to point out the beacons.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

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No. 24.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received April 12, 1887.)

Government House, Cape Town,  
March 23, 1887.

SIR,

WITH reference to my Despatch of to-day's date,\* I have the honour to enclose for your information a copy of a letter which I have received from the Governor of Natal, covering a copy of a letter received from Mr. T. Shepstone reporting his appointment as adviser to the Swazi King.

I have, &c.  
(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.,  
&c. &c. &c.

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\* No. 23.

## Enclosure in No. 24.

From Sir A. HAVELOCK to Sir HERCULES ROBINSON.

Government House, Pietermaritzburg, Natal,  
March 16, 1887.

SIR,

WITH reference to my Despatches dated respectively the 11th and 25th of January last, relating to the appointment of Mr. T. Shepstone, C.M.G., in Swaziland, I have the honour to transmit, for your Excellency's information, a copy of a letter addressed by Mr. Shepstone to the Secretary for Native Affairs of this Colony, enclosing a formal notification of his appointment by the Swazi King and his councillors as their Resident, Adviser, and Agent.

2. Mr. Shepstone also encloses a copy of a letter addressed by him, at Umbandeni's request, to the State Secretary, Pretoria, on the subject of the existing political relations between him and the Transvaal Government.

His Excellency the Right Hon.  
Sir Hercules G. R. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.  
Cape Town.

I have, &c.  
(Signed) A. E. HAVELOCK,  
Governor.

## Mr. T. SHEPSTONE to the SECRETARY FOR NATIVE AFFAIRS.

Ubutomba, Swaziland,  
February 28, 1887.

SIR,

IN continuation of my letter to you of the 29th ultimo, I have the honour to enclose, for the information of his Excellency the Governor, a copy of a letter dated the 20th instant, written by me, at the King's (Umbandeni's) request, to the State Secretary, Pretoria, South African Republic.

I have also the honour to enclose, for his Excellency's information, a copy of my appointment by the King in Council on the 25th instant, at the King's kraal, and to state that the appointment is worded as it is at the special request of the King and his councillors.

I have further the honour to state that I have duly notified my appointment to the Government of the South African Republic.

The Hon. the Secretary for Native Affairs, (Signed) THEOPHILUS SHEPSTONE.  
Natal.

## Mr. SHEPSTONE to STATE SECRETARY, Pretoria.

Embekelweni, Swaziland,  
February 20, 1887.

SIR,

I AM directed by "Umbandeni," the King of the Amaswazi, to request that you will bring the following facts, which the King wishes to report, to the notice of his Honour the President of the Transvaal, and of his Executive Council.

Early in January, four headmen or petty Chiefs named "Blowaka," "Stofa," "Umketela," and "Umandelu," living under Mr. Krogh, the Landdrost of Wakkerstrom, arrived here with a message to the King from the Landdrost, and stated to be sent on behalf of the Transvaal Government, as follows, viz. :—

That the Swazi King has been granting mining concessions and giving his country away to the English, while they, the Transvaal Government and the Boers, had been kept in the dark, and that in consequence of this action of the Swazi King a commando from the Transvaal Government would be sent in for the purpose of taking the country and annexing it to the Transvaal.

That, on the 20th January, "Usedanana," and another messenger, arrived here with a further message from the same Landdrost, to the effect that he, the Landdrost, had been given to understand :

That unless the Swazi King at once hands over his country to the Transvaal, a commando, consisting of Transvaal and Free State subjects, under one Stoffel Towsen, and three others, will march into the country during the coming winter.

To both of these messages the King has replied that he is at a loss to understand why these threats are made, as he has given no cause for them, and that he had granted grazing licenses to the Dutch when they applied for them.

The King is daily hearing rumours that some hostile step is to be taken against him by Transvaal subjects, and has been informed that Andries Laas, of Wækkerstrom district, has been riding about part of the Transvaal, endeavouring to raise volunteers for the purpose already referred to.

Yesterday Stoffel Towsen, accompanied by Mr. Theunis Botha and a Mr. Meek, arrived at the King's kraal, and was most violent in his language and threats to the King, in the presence of his councillors.

This Mr. Stoffel Towsen is, the King understands, an official of the Transvaal Government and a justice of the peace in the district of Ermelo.

The King states that he has done nothing that he is aware of to incur the hostility of the Transvaal Government, or of any portion of its subjects.

The King is especially anxious to avoid a collision with any white people, and depends upon the terms of the Convention of 1881, which were reproduced and embodied in the London Convention of 1884, being respected.

With reference to the averment made in the message sent by the Transvaal Landdrost as a ground for the threat conveyed in it, namely, that the King has been giving away his country to the English, I am to state that "Umbandeni" has been careful in all the concessions granted by him, to reserve his sovereign rights to the land, and to his authority over it.

The King wishes me respectfully to point out to his Honour that any action such as that said to have been threatened by the Landdrost, or of any body of white persons, would at once involve a very serious struggle, the consequences of which it is impossible to foresee, and he requests that his Honour will be good enough to give the matter his prompt and grave consideration.

The King also desires me to state that, having regard to the terms of the Convention, he has felt justified in reporting the matter to Her Majesty's Government, as well as to his Honour.

This letter, the King adds, will be presented to you by the King's own messengers, who are also the bearers of a verbal message from the King, and that he awaits with confidence an early reply from his Honour, which will relieve him from the anxiety he is at present undergoing.

The Hon. the State Secretary,  
Pretoria, South African Republic.

I have &c.  
(Signed) THEOPHILUS SHEPSTONE,  
On behalf of the Swazi King.

TO ALL WHOM IT MAY CONCERN.

WHEREAS we, "Umbandeni, King of the Amaswazi nation, with the advice and consent of our councillors in council assembled, did, on the 10th day of December 1886, select Theophilus Shepstone, Esq., C.M.G., who had come to apply to us for a mineral concession, and we did apply to our father "Somtseu" for, and did select the said Theophilus Shepstone to be our Resident, Adviser, and Agent in all matters in which white people are concerned in and about our country, and whereas he agreed to accept such appointment and to reside in our territory :

Now, therefore, we declare that on the 18th day of February 1887, such appointment was ratified and confirmed by us in council assembled, and we do hereby nominate and appoint the said Theophilus Shepstone to be our Resident, Adviser, and Agent in all matters in which white people are concerned in and concerning our territory of Swaziland, and to advise us in all matters concerning neighbouring states and countries.

And we further appoint the said Theophilus Shepstone to inquire into and settle all matters that may arise or be in dispute between white people in our territory, and to inquire into all concessions or licenses granted by us from time to time.

And we further authorise and empower the said Theophilus Shepstone to supervise and collect all our revenues arising from concessions, rentals, royalties, licenses, fines, duties and stamps, or from any other source whatever, and to account to us for the same.

And for the purposes of carrying out the duties of his appointment, in a proper and efficient manner, we hereby authorise and empower the said Theophilus Shepstone to nominate and appoint, from time to time, such persons as he may deem advisable and competent to assist him in carrying out the duties of his said office.

In making this appointment we reserve to ourselves and our successors our sovereign rights over the country, and especially declare that the said Theophilus Shepstone shall in no way interfere in matters in which our native subjects only are concerned.

Given under our hand and seal, at our Royal Kraal, this 25th day of February 1887.

Witnesses : (Signed) STEPHEN MINI. LAZARUS XABA. JOHN GAMA. JABEZ MOLIFE. T. B. RATHBONE (Interpreter). J. H. WYLD. G. T. ECKERSLEY.	(Signed) UMBANDENI, × his mark. SANHLANA, × his mark. TIKUBA, × his mark. HELEMU, × his mark. GWABABA, × his mark. NKONKONI, × his mark. MAKAHALELE, × his mark. KUTSHWA, × his mark. UNKAMANE, × his mark. UNYUBEKI, × his mark. KWAHLA KWAHLA, × his mark. POZIMANA, × his mark. MALOI, × his mark. MAQUBA, × his mark. UMHLONITSHWA, × his mark. UMPUPI, × his mark. N'DABAMBI, × his mark. INQUBA, × his mark. MAKASANA, × his mark. SICUNNI, × his mark. U'BULANI, × his mark.
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No. 25.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR,

Downing Street, April 16, 1887.

I AM directed by Secretary Sir H. Holland to acknowledge the receipt of your letter of the 11th instant,\* enclosing a Despatch from Her Majesty's Minister at Lisbon, in which he reports a conversation with the Portuguese Minister for Foreign Affairs respecting an anticipated attack by Boers from the Transvaal on Swaziland.

Sir H. Holland desires me to acquaint you, for the information of the Marquis of Salisbury, that assurances have been received from the Government of the South African Republic that they are fully aware of the obligations imposed upon them by the Convention of London of 1884, and intend to observe them.

Copies of telegraphic correspondence† with the High Commissioner for South Africa on the subject are annexed for Lord Salisbury's information.

I am to add that the question of the policy to be adopted with respect to Swaziland is engaging Sir H. Holland's serious attention.

The Under Secretary of State,  
Foreign Office.

I am, &c.  
(Signed) JOHN BRAMSTON.

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\* No. 22.

† Nos. 16, 18a, 19, 20, and 21.

No. 26.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND  
(Received April 20, 1887.)

Government House, Cape Town,  
March 30, 1887.

SIR,

WITH reference to my telegraphic Despatch of the 29th instant,\* I have the honour to enclose, for your information, a copy of a telegraphic correspondence which I have had with the Governor of Natal and the President of the South African Republic, respecting certain rumours of an intended freebooting expedition to Swaziland.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.  
The Right Hon. Sir H. T. Holland, Bart., G.C.M.G.,  
&c. &c. &c.

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Enclosure 1 in No. 26.

FROM GOVERNOR, Natal, to the HIGH COMMISSIONER.

TELEGRAM.

THE following telegram received from Mr. Shepstone in Swaziland, March 26th. Umbandeni sends message, warned repeatedly and again to-day by Europeans, that strong force of adventurers will occupy country 5th April, says he has done no wrong, has called up no force; he urgently begs reply High Commissioner previous letter 29th January, relies implicitly on protection English and Transvaal Governments, although received no reply from either. Bearer waits Newcastle till Tuesday night, 29th March. Ends.

Secretary, Native Affairs, observes Umbandeni is evidently very much alarmed at the rumours and threats made to him by Boer adventurers that they intend shortly attacking him. It is difficult to believe that any strong force of Boers could be assembled by the time mentioned, without one hearing of it before this. Quotation ends.

What reply do you wish me to send to Mr. Shepstone. See my Despatches of 1st February and 16th March.

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Enclosure 2 in No. 26.

HIGH COMMISSIONER to GOVERNOR, Natal.

TELEGRAM.

29th. Yours of yesterday. I have asked Transvaal Government to inquire as to the truth of the rumours which have reached Umbandeni, but I concur with your Secretary for Native Affairs in thinking it improbable that any large force of Boer freebooters could be collected in the Transvaal by the time mentioned, and it could scarcely assemble without the knowledge of the Transvaal Government. In reply to your Despatch of 16th instant I sent you on the 23rd a Despatch approving your suggestion that Umbandeni be informed that I regard the assurances received by him from the South African Republic, and repeated to me as satisfactory; you can now act on this without waiting for my Despatch. It appears to me that if the apprehended encroachments are made on Swaziland they will probably be made by individual Boers from the Transvaal, the Orange Free State, Natal, and the new Republic, without the consent of any of those Governments. I think Umbandeni might be informed that, although the British and Transvaal Governments have promised to recognise his

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\* No. 16.

independence, they are not bound to undertake the responsibility and expense of policing his country, into which he has for his own ends allowed Boers to enter for winter grazing, and over nearly the whole of which he has sold gold concessions. If Swaziland is entered and occupied without his permission by a gang of marauders from the neighbouring countries, he should not remain inactive, but should collect a force and expel them.

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Enclosure 3 in No. 26.

From HIGH COMMISSIONER to STATE PRESIDENT, Pretoria.

TELEGRAM.

29th. The Governor of Natal telegraphs he has just received a message from Umbandeni stating he has been warned that a strong force of Boer adventurers will invade Swaziland on 5th April. Umbandeni says he has done no wrong, called up no force, and relies implicitly on protection of English and Transvaal Governments. I sent Umbandeni a message last week, which he has not yet received, informing him that I regard the assurances received by him from the South African Republic, and repeated by your Honour to me, as satisfactory. But as Umbandeni is evidently very much alarmed at the reports which have reached him, I shall be glad if your Honour will cause inquiry to be made and authorise me to inform him that no filibustering expedition against him is being organised in the South African Republic.

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No. 27.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received April 22, 1887.)

TELEGRAPHIC.

22nd April. President of South African Republic telegraphs as follows. Begins:—

“19th April. To-day I received deputation of three Swazi captains, complaining that persons who had leased winter veldt from Umbandeen objected that others now obtained gold concessions over the same ground. I sent at once a Commission to Swaziland to Umbandeen to investigate matters thoroughly, and to act in accordance with Convention.”  
Ends.

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No. 28.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

TELEGRAPHIC.

26th April 1887. In answer to your telegram of the 22nd April,\* send telegram to President of the South African Republic stating that you presume that Commission will only report and will not act; and that you will be glad to receive a copy of Report of Commissioners. Under all the circumstances of the case, do you consider it desirable to appoint Commissioner under Article II. of London Convention of 1884?

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\* No. 27.

No. 29.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received April 27, 1887.)

SIR,  
Government House, Cape Town,  
April 6, 1887.  
WITH reference to my Despatch of the 30th ultimo,\* I have the honour to enclose, for your information, copy of further correspondence respecting the affairs of Swaziland.

I have, &c.  
(Signed) HERCULES ROBINSON,  
Governor and High Commissiener.  
The Right Hon. Sir H. T. Holland, Bart., G.C.M.G.,  
&c. &c. &c.

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Enclosure 1 in No. 29.

TELEGRAM FROM STATE SECRETARY, Pretoria, to his Excellency the HIGH COMMISSIONER, Cape Town.

March 30, 1887. Your Excellency's of yesterday. His Honour the President not in Pretoria, and not expected to be back before the 7th of next month. Nothing is known by the Government of a proposed raid on Umbandeen by Boers. I will inquire.  
(Text of this telegram to Governor of Natal, March 30, 1887.)

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Enclosure 2 in No. 29.

Sir A. HAVELOCK to Sir H. ROBINSON.

SIR,  
Government House, Pietermaritzburg, Natal,  
March 30, 1887.  
I HAD the honour to receive yesterday your Excellency's telegram in reply to mine of the 28th instant, communicating to you the terms of a message which had been sent by the Swazi Chief, Umbandeen, through Mr. Theophilus Shepstone, to the Secretary for Native Affairs.  
2. On receipt of your Excellency's telegram I directed the Secretary for Native Affairs to intimate your views to Umbandeen's messenger, Mr. Walter Shepstone, who was awaiting a reply at Newcastle. I enclose a copy of the telegram sent to Mr. Walter Shepstone, together with a minute written by the Secretary for Native Affairs.  
I have, &c.  
(Signed) A. E. HAVELOCK.  
His Excellency the Right Hon. Sir Hercules G. R. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner.

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SECRETARY OF NATIVE AFFAIRS to SHEPSTONE, Newcastle.  
TELEGRAM.

March 29, 1887.  
YOURS March 26th received. Governor has communicated to High Commissioner, who directs following reply, viz. :—

Have asked the Transvaal Government to enquire as to the truth of the rumours which have reached Umbandeen, but concur with your Secretary for Native Affairs in thinking it improbable that any large force of Boer freebooters could be collected in the Transvaal by the time mentioned, and it could scarcely assemble without the knowledge of the Transvaal Government. Umbandeen may be informed that High Commissioner regards the assurances recently given to him, Umbandeen, by the Transvaal Députation, of which Mr. N. J. Smit was chairman, and which have been repeated to the High

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\* No. 26.

Commissioner to be satisfactory. The High Commissioner desires Umbandeen to be informed that although the British and Transvaal Governments have promised to recognise his independence, they are not bound to undertake the responsibility and expense of policing his country, into which he has for his own ends allowed Boers to enter for winter grazing, and over nearly the whole of which he has sold gold concessions. If Swaziland is entered and occupied without his permission by a gang of marauders from the neighbouring boundaries he should not remain inactive, but should collect a force and expel them.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

SECRETARY FOR NATIVE AFFAIRS TO GOVERNOR.

MINUTE.

HIS EXCELLENCY,

March 29, 1887.

I HAVE sent the telegram this day to Mr. Shepstone for Umbandeen in reply to his of yesterday. Copy is enclosed as directed for transmission to the High Commissioner. I received a telegram this morning from Mr. W. S. Shepstone, from Newcastle, who is the messenger referred to as bringing down the first one. I think the source of the news (Mr. Dupont) which so alarmed Umbandeen and caused the transmission of the telegram of the 26th rather discounts the value or reliability of the news.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

Enclosure 3 in No. 29.

TELEGRAM.

From GOVERNOR, Pietermaritzburg, to his Excellency the HIGH COMMISSIONER, Cape Town.

I FORWARD the following telegraphic correspondence for your Excellency's information :—

One.—From Shepstone, Newcastle, to Secretary Native Affairs.

March 31st.—Boers talking here now they intend taking Swaziland at once. Ends.

In answer to inquiries following information received :—

Two.—From Resident Magistrate, Newcastle.

2nd April.—There is no information in this office of the nature spoken of in your telegram just to hand, nor do there seem to be any such rumours in the town. Ends.

Three.—From Resident Magistrate, Ladysmith.

2nd April.—Yours to-day. There are floating reports. The distance between the places is too great to vouch with certainty for the accuracy of such. In my opinion no immediate action by the Boers need be feared. Ends.

Enclosure 4 in No. 29.

TELEGRAM.

From HIGH COMMISSIONER to his Honour the STATE PRESIDENT, Pretoria.

6th April.—I am instructed by the Secretary of State to urge your Honour's Government to take any steps necessary for prevention of raid from your territory on Swaziland.

No. 30.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received April 27th, 1887.)

TELEGRAPHIC.

27th April. In answer to your telegram of 26th April,\* I consider that it is now too late to effect any good by appointment of Commissioner under Article II. London Convention of 1884. My reasons are fully explained in my telegram of 19th February.†

No. 31.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received May 4, 1887.)

SIR,

Government House, Cape Town,  
April 13, 1887.

IN continuation of my Despatch of the 6th instant,‡ I have the honour to enclose, for your information, copies of further telegraphic correspondence respecting the affairs of Swaziland.

I have, &c.  
(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., M.P., G.C.M.G.,  
&c. &c. &c.

Enclosure 1 in No. 31.

TELEGRAM from GOVERNOR, Natal, to his Excellency the HIGH COMMISSIONER, Cape Town.

Pietermaritzburg, April 6.

REFERRING to my telegram of 4th instant, magistrate at Newcastle now reports that he has heard from person, whom he names, that two other persons, names also mentioned, say that they know for certain that the Boers intend to make an attack on Swaziland during the coming winter. No date appears to have been mentioned.

Enclosure 2 in No. 31.

TELEGRAM from STATE PRESIDENT, Pretoria, to his Excellency the HIGH COMMISSIONER, Cape Town.

April 9.

YOURS of the 6th and referring to your telegram of 29th March. This Government much regrets that so much notice is taken of unfounded rumours and communications which are circulated solely for the purpose of creating difficulties between this Government and yours. This Government knows full well the obligations which the Convention of London imposes upon both parties. It has always kept these obligations in view, and will in future continue to observe them. Letter will follow.

\* No. 28.

† No. 5.

‡ No. 29.

No. 32.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received May 10, 1887.)

Government House, Cape Town,  
April 20, 1887.

SIR,

I HAVE the honour to enclose for your information a copy of a Despatch which I have received from the Governor of Natal enclosing a message and a letter from the Swazi King asking for British protection and for the appointment of Mr. T. Shepstone as British Resident in Swaziland.

I am of opinion that a Protectorate would not relieve the Swazi King from the evils of which he complains, and that it would impose responsibilities on Her Majesty's Government without conferring the jurisdiction or legislative authority necessary for their fulfilment. But if any officer be sent to Swaziland as British Resident, or in any other capacity, I think he should be an independent man unconnected with local interests or local strifes.

I have, &amp;c.

The Right Hon. (Signed) HERCULES ROBINSON,  
Sir H. T. Holland, Bart., M.P., G.C.M.G., High Commissioner.  
&c. &c. &c.

Enclosure in No. 32.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
April 13, 1887.

SIR,

I HAVE the honour to inform your Excellency that messengers have just arrived from Umbandeen, Paramount Chief in Swaziland, bringing a letter and message urgently requesting that a British Resident may be appointed in Swaziland, and expressing the wish that Mr. T. Shepstone, C.M.G., who is at present residing in that country, may be the officer to be so appointed. I hasten to forward copies of the letter in question which is signed by Umbandeen and three of his indunas, and of the message which was delivered this day to the Secretary for Native Affairs. I propose receiving the messengers to-morrow.

I have, &amp;c.

His Excellency the Right Hon. (Signed) A. E. HAVELOCK.  
Sir Hercules G. R. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.  
Cape Town.

Embekelweni, Swaziland, March 31, 1887.

UMBANDEEN, son of Umswazie, King of Swaziland, sends greeting.

I have to report that on the 29th of March a party of six persons, of whom Stoffel Townsen and S. T. Erskine were the leaders, came to my kraal and stated that they were sent by a body of white people to tell me that they would not allow any white person to dig for minerals on any land over which they had grazing licenses. They claimed the right to control the land over which they held grazing license, and asked to say yes or no if I would let them dig for minerals.

They stated that they were sent by no Chief or Government, but were simply representing a body of white people.

I replied I had only given them the grass for winter grazing, and that I would ask the two Governments who have signed the Convention if by giving grazing licenses I have given away my right to the land or the minerals in it.

They left, saying they would report my reply to those they represented, and threatened me with war immediately and the ruin of my country.

I see that unless I have protection my country will be taken from me, and I ask that a Resident may be appointed or recognised by the Government, so that I may be clear that I and my country will be protected, and that I may live in peace with my people.

I beg that if a Resident is appointed that I may continue to govern my people and country as at present and that no alteration be made in our native laws and customs.

I do not want to go outside the house of Somtseu my father, and as Mr. Theophilus Shepstone, C.M.G., is now residing with me I beg that he may be the person appointed.

I ask that this matter may receive the immediate attention of the Government.

This message will be delivered by Mr. T. B. Rathbone, who is accompanied by two of my indunas.

Given in Council assembled.

(Signed) UMBANDEEN, his X mark.  
 ,, SANDHLANA, his X mark.  
 ,, UMBOVANA, his X mark.  
 ,, TIKUBA, his X mark.

As Witnesses,  
 (Signed) T. B. RATHBONE.  
 ,, JACOB STEIGER.

To his Excellency  
 The Governor of Natal.

MESSAGE from UMBANDEEN, Chief of the Swazis, brought by Mancitshana (Mr. T. B. Rathbone), Interpreter to the Chief, and Umhlonitywa and Mankonkobayana, two Indunas.

April 13, 1887.

We have brought a letter to the Governor of Natal from Umbandeen, which contains his request, and we are to state that we are sent by Umbandeen to the Governor to say that he is very much troubled by the Boers, who are threatening him with war; they say that there is no fixed boundary for the Swazi country which will deter them from coming in and taking possession as English assistance is a long way off.

To-day he sends us with regard to the appointment of a British Resident, and the request we have to make is that the Governor, whose people we are, will appoint a British Resident to represent him in the country.

Umbandeen says that in asking for the appointment of this officer he only wishes him to be present in his country as the Governor's representative in order that it may be seen and known by his presence that he and his people belong to the Governor; he does not wish to be deprived of the rule over his people and country, he wishes to rule as he has always done.

Umbandeen says also if it is required that he should pay all or any portion of the salary for this officer, he is willing and able to do so.

Umbandeen states that he does not wish to go outside the house of Somtseu (Sir T. Shepstone's family) for such an officer, as Somtseu is the authority who upheld and saved the Swazi people and country from the Zulu power in the time of his father Umswazi, that he placed Umbandeen in power, and it is to him that the country now looks for help and that his son Offy (T. Shepstone, C.M.G.) is now living in the country and is acquainted with our customs, and that it would not be advisable to appoint one who was not known to us and who was not to some extent acquainted with our customs, and Umbandeen therefore begs that if his request is granted his brother Offy may be appointed as British Resident.

Umbandeen says that it would be a trouble to him if one with whom he was not acquainted were appointed, whether from England or from Natal. Umbandeen is now in great trouble about his country, which is being taken and occupied without his consent by Boers, and he appeals to the Governor that some one should be appointed as soon as possible by the English Government to reside with him in order that he and his people and country may be saved from destruction.

(Signed) THOMAS B. RATHBONE.  
 UMHLONITYWA, his X mark.  
 MANKONKOBAYANA, his X mark.

Witness to signature and marks—

(Signed) T. HARRISON,  
 Secretary for Native Affairs Office.

Made to me.

(Signed) H. C. SHEPSTONE,  
 Secretary for Native Affairs, Natal.

## No. 33.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received May 10, 1887.)

Government House, Cape Town,  
April 20, 1887.

SIR,

WITH reference to my Despatch of 13th instant\*, I have the honour to enclose for your information copies of further telegraphic communications which I have had with the Governor of Natal relating to the affairs of Swaziland.

I have, &amp;c.

The Right Hon.

Sir H. T. Holland, Bart. M.P., G.C.M.G.,  
&c. &c. &c.

(Signed)

HERCULES ROBINSON,  
High Commissioner.

## Enclosure 1 in No. 33.

From GOVERNOR, Pietermaritzburg, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

April 14th, 1887. Have just seen messengers from Swazi King, who requests that a British Resident may be appointed. They strongly urge the appointment of Mr. Theo. Shepstone, but if he cannot be appointed they will prefer a man who has no local knowledge or interests. The King asks merely for countenance and support. He does not wish to surrender his authority over his country and people. Your message of 29th March not received by Umbandeen when deputation left. Messengers say that King is able to resist inroad, but that he will not do so. Messengers will wait a fortnight here for reply. Despatch with copy of letter and message from Umbandeen sent to you by yesterday's post.

## Enclosure 2 in No. 33.

From GOVERNOR, Cape Town, to His Excellency the GOVERNOR, Pietermaritzburg.

## TELEGRAM.

14th. Yours of to-day, please inform the Swazi messengers that Umbandeen's request for a British Resident will be communicated to the Secretary of State by despatch, and in the meanwhile I have nothing to add to my message of 29th March, except that the Transvaal Government have again repeated the assurance of their intention to abide by the obligations imposed on them by the Convention of London.

## No. 34.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received May 10, 1887.)

Government House, Cape Town,  
April 20, 1887.

SIR,

WITH reference to my telegram of the 11th instant,\* I have the honour to enclose for your information a copy of a letter which I have received from the State Secretary of the South African Republic forwarding documents in disproof of the charges made against the Landdrost of Wakkerstroom, and pointing out that certain persons are endeavouring to create difficulties between Her Majesty's Government and the South African Republic.

I enclose also a copy of a Despatch from Sir Arthur Havelock to which Mr. Bok's letter is a reply.

\* No. 31.

\* No. 21.

I consider the explanations and assurances given are satisfactory, and they afford evidence that exaggerated or unfounded rumours have been circulated for interested objects.

I have, &c.  
(Signed) **HERCULES ROBINSON,**  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart, M.P., G.C.M.G.,  
&c. &c. &c.

Enclosure 1 in No. 34.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

TRANSLATION FURNISHED BY STATE SECRETARY.

Government Office, Pretoria,  
April 12, 1887.

YOUR EXCELLENCY,

IN answer to your Despatch of the 10th of March last, with accompanied copy of a letter from the Governor of Natal to your Excellency, all having reference to the sending of certain messages to the Swazi King by the Landdrost of Wakkerstroom as alleged, I have the honour to enclose on behalf of this Government a copy of a letter from the Landdrost of Wakkerstroom with the affidavits referred to therein as also an English translation of all these documents.

It is very clear to this Government that there exists a certain endeavour to create difficulties between the two Governments.

The Government of this Republic is however fully aware of the obligations devolving on both parties by the conventions of 1881 and 1884, and I am instructed to say that this Government as far as they (are) concerned, are acting in accordance therewith, and will also do (so) in the future.

I have, &c.  
(Signed) **W. EDUARD BOK,**  
State Secretary.

His Excellency the High Commissioner,  
Cape Town.

STATE SECRETARY,

I COULD have returned this minute at once by simply denying all the allegations of T. Shepstone against me, but I wished to place in the hands of the Government a better proof than merely my word, and therefore I herewith enclose an affidavit of my messengers "Umshiaan," "Umhlof," and Mangos, who declare what message I sent to Bandien, and that they reported to the King nothing more than this message.

And I declare with a clear conscience that I have never sent a message or never have said to the King of Swaziland, or to any one else that I, this Government, or someone else would or wished to send a commando to Swaziland, that I have even never thought of it, and that I qualify the contents of the letters of T. Shepstone and T. B. Rathborne as containing the grossest untruths, and that I know from very good sources that also Mr. A. M. J. Laas has never moved a step in order to endeavour to raise a commando.

I further herewith enclose an affidavit of G. J. W. de Jager, regarding a visit paid by him and others to Bandine. This affidavit is the result of a conversation which I had with "de Jager" before his departure for Swaziland.

From this it appears that Bandine has emphatically declared, in the presence of T. Shepstone and many others, named in the affidavit, that he knew nothing whatever of a charge laid against me with the English Government.

Since that time Bandine has yet sent three times messengers to me bearing friendly communications, and even to-day there are three messengers here requesting Mr. Laas to come to the King in order to serve him with advice in the King's present difficult position.

I wish to add that the Swazi King and his people have always been on friendly terms with the Afrikanders, but since the arrival there of the Shepstones this friendship is languishing, and the consequence is that they will not allow now that Bandine shall grant gold concessions to Shepstone or his friends on the grounds hired by them. If however same are granted by Bandine then they will not allow their ground to be worked.

I earnestly urge upon the Government the sending of a commission to Swaziland to inquire into the charges brought against me by Shepstone and Rathborne.

(Signed) J. C. KROGH,  
Landdrost.

April 6, 1887.

P. S.—U. John Gama's letter dated 16th January 1887 is untrue as regards myself. This U. John Gama is a Kafir from Natal and was formerly a sort of messenger of Bishop Colenzo, by whom he was taught, and from information obtained by me, he is now Shepstone's factotum.

(Signed) J. C. KROGH,  
Landdrost.

Appeared before me J. C. Krogh, Landdrost of Wakkerstroom, Umshiaan, Umhlof, and Mangos, who, after having been warned to speak the truth, deposed :

“About three months ago Inkosi Luhlaza (J. C. Krogh) gave us the following message for Bandine. ‘Tell Bandine that the last time I was with him, he has regarded me as a ‘bushman and that he has treated me like a dog. Bandine always said to me Inkosi ‘Luhlaza you are my friend and you must take care of me, and not leave me; but now ‘he Bandine must keep friends who there live round about him, and request them to take ‘care of him. Tell Bandine that if some day he is in distress, he will come to me again ‘for assistance, but then he must call in the help of those who now are staying with ‘him.’

“We brought this message to Bandine and nothing more, we never spoke to him about an impi (commando).

“Bandine treated us well and when we returned Bandine sent with us three Chiefs, viz:—Umsingul, Mabilel and Came, with a message for Inkozi Luhlaza, as follows:—

“‘That Bandine still sticks to Inkozi Lulahza, and that he is still and will remain his friend, that Inkozi Luhlaza must not reject him; to-day Bandine still says the same.’

“Two Englishmen (whose names are unknown to us) said to Sandhlana in our presence:—‘Give us a piece of ground to live on, then we shall come to your assistance ‘for the Boer commando is ready to invade Swaziland.’ Sandhlana then asked ‘where is ‘the Commando,’ but the two Englishmen did not reply.”

(Signed) mark × of UMSHIAAN.  
,, mark × of UMHLOF.  
,, mark × of MANGOS.

As witnesses  
(Signed) D. E. LAAS.  
,, A. H. J. LAAS.

Declared before me

(Signed) J. C. KROGH,  
Landdrost.

Appeared before me Geert Kuit, Justice of the Peace for the district of Wakkerstroom, Gerhardus Johannes Wilhelmus de Jager, living on the farm Wintershoek, ward No. 3 in the district of Wakkerstroom, who maketh oath and sayeth.

On the 29th of March 1887 I and a few other persons were in the stad N Begelen with the King of Swaziland. The object of our journey and of our visit to Umbandien (the Swazi King) was to obtain a concession for gold mining on grounds leased to us by Umbandien.

As we arrived at Umbandien's and the interview concerning our visit had commenced, we explicitly and clearly stated that our visit was quite a private one, that we came to mind only and exclusively our private interests, and that we did nothing whatever on behalf of the Government or Government officials. King Umbandien's whole Council was present at this interview.

After having discussed our private interests unsuccessfully one of us (C. J. Tosen) put the following two questions to Umbandien.

- 1st. Whether he, Umbandien, had called in the assistance or the protectorate of the English Government over his country.
- 2nd. Whether he or his Council had lodged a charge (with reference to a threat) against the Landdrost of Wakkerstroom, with the English Government.

Umbandien with the whole of his Council thereupon declared, under Kafir oath, and in the presence of C. J. Tosen, S. T. Erskine, H. M. J. v. Rensburg, P. J. v.d. Merwe, H. Lee, Rathborne, Stritch, Forbes, myself, and a number of others that neither he nor his people had ever called upon the English Government for assistance or a protectorate, or laid a charge with the English Government against the Landdrost of Wakkerstroom.

None of the persons present, not even Mr. Theophilus Shepstone who was present at the interview, have protested against this declaration made in public.

(Signed) G. J. W. DE JAGER.

Sworn before me on this 4th day of the month of April 1887.

(Signed) G. KUIT,  
Justice of the Peace.

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Enclosure 2 in No. 34.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal.

February 24, 1887.

SIR,

WITH reference to my Despatch of the 1st instant, covering the copy of a letter by Mr. T. Shepstone on the subject of certain threatening messages which had been delivered to Umbandien, the Paramount Chief in Swaziland, by messengers purporting to have been sent by Mr. Kroch on behalf of the Transvaal Government, I have the honour to transmit for your Excellency's information, the translation of a letter, addressed by John Gama, at the direction of Umbandien, to the Secretary for Native Affairs, referring to those messages and appealing for the intervention of the British Government.

J. Gama to Secretary for Native Affairs.  
16 January 1887.

I have, &c.

(Signed) A. E. HAVELOCK.

His Excellency the Right Hon.  
Sir Hercules G. R. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner.  
&c.                      &c.                      &c.

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JOHN GAMA TO SECRETARY FOR NATIVE AFFAIRS.

To him the Chief U. GEBUZA (Secretary for Native Affairs).

Swaziland, January 16, 1887.

Umbandien desires me to tell you that Inkosi-Luhlaza (native name for Mr. Krogh, Landdrost of Wakkerstroom), of Wakkerstroom, an officer of the Boers, had been to him now he has again sent his people that they might come to Umbandien, they saying:—

The Chief Luhlaza says the army of the Boers will invade him because he has given (away) their land which they (the Boers) grazed cattle on (in winter time) to those who dig gold and because he refused to hold the quill (*i.e.* sign his submission to the Boers), they said decidedly they will fight. They said Swaziland would not be that of the English, it being theirs. Umbandien says now then Oh Gebuza, his Chief, report to the Governor and Somtseu (Sir T. Shepstone). He says I am being killed on account of envy because I love ye (the English, understood); interfere for me then, seeing I am ill treated on account of nothing; this little missive you must not despise, Chief, you saying it is nothing (or no import). It is the truth. However Umbandien is not willing; he says even though you kill me I do (or will) report this matter. (These are) the words of Umbandien.

Here is another matter; "Umatafeni," an induna of Hoho, has run away because he wooed the girl who was loved (by) Umbandeen. Umbandeen, however, took her. On account of that, Umatafeni, fearing Umbandeen, ran away. Now he (Umbandeen) has sent after him, saying, let him return, what is he doing in running away now that I have taken the girl. He wishes for him, he will cause him to return. Do not ye listen to those who will tell untruths and say I wished to kill Matafeni, no, if it was he who took the girl that had already been selected by me.

There is nothing more, Chief.

Secretary for Native Affairs,  
Natal, 21st February 1887.

I am, &c.  
(Signed) U. JOHN GAMA.

No. 35.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

SIR,

Downing Street, May 19, 1887.

I HAVE the honour to acknowledge the receipt of your Despatches\* transmitting correspondence on the subject of Swaziland.

With reference to the application from the Swazi King, enclosed in your first Despatch of 20th April,† for British protection and for the appointment of Mr. Shepstone, C.M.G., as British resident, I have to acquaint you that Her Majesty's Government are not prepared either to annex Swaziland or to establish a British Protectorate there, nor could they recognise Mr. Shepstone as an official British representative.

I should, however, be glad to be informed whether, looking to the friendly feeling evinced by the Government of the South African Republic, and their apparent readiness to give effect to the Convention of London, it might not, in your opinion, be desirable to sound that Government as to their willingness to join in a Commission, consisting of one representative of each Government, to inquire into the state of affairs in Swaziland, and to report‡ what measures might be jointly taken to prevent complications arising, and to secure the independence of the Swazis.

It seems hardly probable that Umbandeen would object to the Commission, if he were pressed to assent to it, and I imagine that the expense to be incurred would not be great. But upon this point I should be obliged if you could furnish an approximate estimate of the cost.

Upon the report of such a Commission, it would seem possible that Her Majesty's Government, and the Government of the South African Republic, might agree upon some person, whom they could alike trust, who should be appointed a resident agent in Swaziland, with or without police to support him, and who should communicate with both Governments.

Sir H. Robinson.

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

No. 36.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received May 25, 1887.)

Government House, Cape Town,  
May 2, 1887.

SIR,

WITH reference to my Despatches of the 20th ultimo, † I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal, transmitting a copy of the answer which he sent to the Swazi King in reply to Umbandeen's letter and message asking for the appointment of Mr. Theophilus Shepstone as British Resident in Swaziland.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.  
The Right Hon. Sir H. T. Holland, Bart., G.C.M.G., M.P.,  
&c. &c. &c.

\* Nos. 32, 33, and 34.

† No. 32.

‡ Nos. 32 and 33.

## Enclosure in No. 36.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
April 20, 1887.

SIR,

I HAD the honour to inform you, in my Despatch of the 13th instant, that messengers had on that day arrived from Umbandeen, Paramount Chief of Swaziland, and I forwarded to you copies of the letter and of the oral message which they brought to me.

2. I received the messengers on the following day, and at once communicated to you by telegraph the substance of the message which they brought. In accordance with the terms of your Excellency's telegraphic reply of the same day, an answer was entrusted to the messengers to carry back to Umbandeen.

3. I beg to submit to you a copy of that answer.

4. In the course of the interview which I had with the messengers they said that if Mr. T. Shepstone were not appointed British Resident, as was requested, Umbandeen had instructed them to say that no one belonging to Natal should be appointed, but that a gentleman might be sent out from England to take up the position.

I have, &amp;c.

(Signed) A. E. HAVELOCK.

His Excellency the Right Hon.

Sir Hercules G. R. Robinson, G.C.M.G.,

Her Majesty's High Commissioner,

&amp;c. &amp;c. &amp;c.

Cape Town.

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MESSAGE from the GOVERNOR OF NATAL to UMBANDEEN, the Paramount Chief of Swaziland, in reply to a letter dated 31st March 1887, and a verbal message by the messengers Mancitshana (T. B. Rathbone), Umhlonitywa, and Mankon Kobayana.

THE Governor of Natal has received the letter from Umbandeen, the Paramount Chief of Swaziland, dated from Embekelweni the 31st day of March 1887, signed by Umbandeen, Sandhlana, Umbovana, and Tikuba, and witnessed by T. B. Rathbone and Jacob Steyn.

Umbandeen reports that on the 29th March a party of six persons, of whom Stoffel Towsen and S. T. Erskine were the leaders, came to his kraal, saying that they were sent by a body of white people to tell the King that they would not allow any white man to dig for minerals on any land over which they had grazing licenses, that they claimed the right to control the land over which they held grazing licenses, and asked the King to say whether he would let them dig for minerals. Umbandeen reports that he answered them that he had only given them the grass for winter grazing, and that he would ask the two Governments who signed the convention if by giving grazing licenses he has given away his right to the land or the minerals on it. The men, it is stated, then left, saying they would report the King's reply to those they represented, and threatening war immediately and the ruin of the country.

Umbandeen states that he sees that unless he has protection his country will be taken from him, and asks that a Resident may be appointed or recognised by the Government, so that it may be clear that the King and his country will be protected and so that he may live in peace with his people. Umbandeen begs that if a Resident is appointed that he may continue to govern his people and country as at present, and that no alteration be made in their laws and customs.

Umbandeen finally expresses a wish that Mr. Theophilus Shepstone may be the person appointed.

The Governor has also received the verbal message to the same effect delivered by the three messengers Mancitshana (T. B. Rathbone, the interpreter), Umhlonitywa, and Mankenkobayana. The Governor has forwarded the letter and the words of the message

to the High Commissioner at the Cape, who has replied that the request made by Umbandeen for protection and the appointment of a Resident in his country has been forwarded by letter to Her Majesty's Government in England, and that in the meantime the High Commissioner has nothing to add to the telegram of the 29th March sent in reply to Umbandeen's message received from Mr. Shepstone by telegraph on the 26th March last, except that the Transvaal Government have again repeated the assurance of their intention to abide by the obligations imposed by the convention of London.

The Governor sends Umbandeen a copy of the telegram of the 29th March last, referred to above.

Pietermaritzburg, Natal, April 18, 1887.

No. 37.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received May 25, 1887.)

Government House, Cape Town,  
May 2, 1887.

SIR,

I HAVE the honour to enclose, for your information, a copy of a letter which I have received from Mr. Akerman (the speaker of the Natal Legislative Council), enclosing a copy of a concession of mining rights over a tract of country in Swaziland which Umbandene is stated to have given for a consideration to Dr. Ryland, of Natal.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.

Sir H. T. Holland, Bart., G.C.M.G., M.P.  
&c. &c. &c.

Enclosure in No. 37.

HON. J. W. AKERMAN to Sir H. ROBINSON.

Ryland (Swazi) Gold Mining Company, Limited,  
Pietermaritzburg, Natal,  
April 20, 1887.

SIR,

I HAVE the honour to inform you that Umbandene, the King of Swaziland, last year gave a concession of mining rights over a tract of land situate between the two rivers Great Usutu and Umkompies, and extending to the border of the South African Republic, to Dr. Ryland, in consideration of certain sums of money to be paid to the King.

Copy of concession enclosed.

The concession is now the property of the Ryland Swazi Gold Mining Company (Limited), and the Company feels every confidence that any British official who may be appointed as the representative of Great Britain in Swaziland, and to protect the rights of British subjects in that country, will receive instructions to register and uphold intact the validity of all *bonâ fide* concessions of this nature.

I may state that several gentlemen of high respectability are shareholders in this Company, and that the Company has incurred considerable outlay in the enterprise, and is still actively engaged in exploration and search for gold.

The present directors of the Company are Colonel Froom, 6th Dragoons; Dr. Sutherland, late Surveyor General, Natal; Dr. Ryland; Dr. Pope, Surgeon, Medical Staff; H. Binns, M.L.C.; and Mr. Hulley, and myself being the chairman.

I have, &c.

(Signed) JNO. AKERMAN.

The Right Hon.

Sir Hercules Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
South Africa.

RYLAND (SWAZIE) GOLD MINING COMPANY, LIMITED.

TO ALL WHOM IT MAY CONCERN.

The following copy of a concession, the property of the above Company, granted by the King of Swazieland on the 25th October 1886, is published for general information :—

CONCESSION.

Grant made by me, Umbandine, son of Umswazie, King and Paramount Chief of the Swazie nation, in conjunction and with the due approval and consent of my Councillors in Council assembled, to Robert Felix Ryland, Fellow of the Royal Geographical Society, known as Usikota, for himself, his heirs, executors, administrators or assigns. I, Umbandine, do hereby certify that on this twenty-fifth (25th) day of October, one thousand eight hundred and eighty-six (1886), in the presence of my Councillors and the subscribed witnesses, that I do hereby grant to Robert Felix Ryland, his heirs, executors, administrators, or assigns, full sole permission to explore, prospect, dig, or mine for minerals and precious stones, and to extract the same for his own use and benefit; also with right of erecting suitable machinery and appurtenances thereto, for such purpose, and the introduction of white labour on payment of ten shillings (10s.) per man per annum, and the right to dismiss, discharge one or all of those employed, and introduce others in their stead.

The tract of land which I, Umbandine, and Councillors do grant to the said Robert Felix Ryland, his heirs, executors, administrators, or assigns, is situate, to wit :—

From the junction of the great Usutu River and the Ukompies River to the Transvaal boundary, that is to say, all the land situate between the Great Usutu River, the Ukompies River, and the Transvaal boundary, at a rental of fifty pounds (50*l.*) sterling per annum, the first payment received by me this day. And it is further understood that on the discovery of payable alluvial gold or reef an additional sum of three thousand pounds (3,000*l.*) shall be paid, as also rent of three hundred pounds (300*l.*) per annum.

It is also understood that like sums be paid on the discovery of each succeeding reef that be discovered on the above described tract of country, preference always being given to the said Robert Felix Ryland, himself, heirs, executors, administrators, or assigns for fifty years.

It is also agreed to by me that the said Robert Felix Ryland shall have the sole and undisturbed right to cut timber for whatever purpose he may require from time to time; and also grant him full right to cut watercourses and erect machinery, make roads, erect a store or stores, graze cattle and cultivate land or lands; but not in any way to interfere with cultivated gardens, kraals, or huts, the property of my subjects, without their full consent and permission. In making this grant I, Umbandine, do not alienate from my kingdom this or any part of it, but reserve intact the sovereignty of my dominion. The said Robert Felix Ryland, his heirs, executors, administrators, or assigns, shall not make any claim contrary or injurious to my right as sovereign of the country, but are to recognise my right authority as King, and to apply to me for such protection as he or they may require: And I engage to grant such protection as shall enable them to enjoy all lawful and proper use of the privileges granted to him by me. It is understood that this agreement is in ratification of one made by me on the twenty-second (22nd) November, eighteen hundred and eighty-four.

I, Umbandine, regard this as binding on me and my successors.

In witness thereof:

I, Umbandine, King and Paramount Chief of Swaziland, with the advice and consent of my Councillors in Council assembled, have hereunto affixed our marks in the presence of the witnesses whose names are attached to this document after the said document had been fully and properly interpreted to me and my said Councillors assembled as aforesaid.

In the year of our Lord one thousand eight hundred and eighty-six (1886), at this my head kraal M'Bepeleni.

	(Signed) UMBANDINE	his × mark.		Signed ZANDHLANA	his × mark.
	TIKUBA	his × mark.		GWABABA	his × mark.
	UMBOZANA	his × mark.		MGIBEKI	his × mark.
Witnesses .	ANDREW SILILO.			FOLOGWIZI	his × mark.
	CHAS. B. ACTON.				
	G. S. TOWSON.				

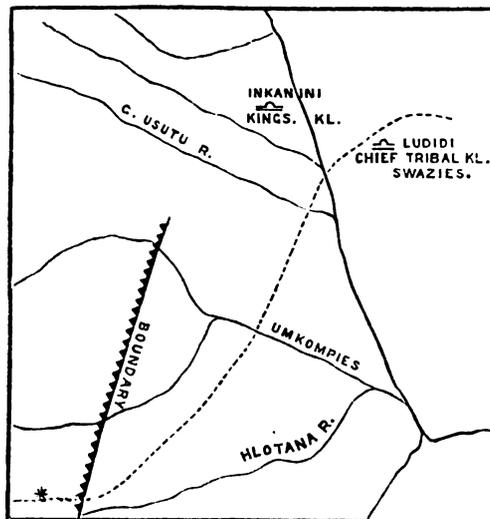
I hereby certify that the above document was properly interpreted to Umbandine, and that he declared he understood the same.

(Signed) G. S. TOWSON.  
CHAS. B. ACTON.

I hereby certify that the foregoing document was translated to the King of Swaziland as well as his chief Counsellors, in my presence, and that the translation was true and correct.

(Signed) ANDREW SILILO.

The position of the tract of land referred to in the above concession is roughly shown by the diagram underneath :—



JNO. W. AKERMAN, Chairman of Directors.  
J. A. RUNCIMAN, Secretary.

No. 38.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received May 25, 1887.)

Government House, Cape Town,  
May 2, 1887.

SIR,

WITH reference to my telegram of the 22nd ultimo,\* I have the honour to enclose, for your information, copy of a Despatch which I have received from the Government of the South African Republic confirming their telegram (in English) of the 19th ultimo, which announced that a Commission was being sent to make inquiry into the matters mentioned by Umbandine and to "act in accordance to the convention."

2. The expression used in that telegram "act in accordance to the convention" is, I understand, not a correct translation of the phrase "overeenkomstig de Conventie te regelen," used by the Transvaal Government in their instructions to their Commissioners. That phrase really means "to regulate your conduct in accordance with the convention," rather than to take any definite action. The convention specifies that the independence of the Swazis will be fully recognised, and the instruction to the commission was to observe that undertaking.

3. I have thought it necessary to mention this, in view of your message of the 26th ultimo,† which appeared to deprecate the adoption of any action on the part of the Transvaal Commissioners in this matter.

\* No. 27.

† No. 28.

4. I take this opportunity of enclosing a copy of the message in which I conveyed the substance of your telegram of the 26th ultimo above mentioned, to the Government of the South African Republic.

I have, &c.  
(Signed) **HERCULES ROBINSON,**  
High Commissioner.

The Right Hon. Sir H. T. Holland, Bart., G.C.M.G., M.P.  
&c. &c. &c.

Enclosure 1 in No. 38.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

(Translation.)  
YOUR EXCELLENCY, Government Office, Pretoria, April 20, 1887.  
BY this I have the honour to confirm the telegram sent to you, dated 19th instant.  
It read as follows:—

“ State President, Pretoria,—His Excellency the High Commissioner, Cape Town.

“ 19/4/87. To-day I received a deputation of three Swazi captains, complaining that persons who had leased winterveldt from Umbandine objected that others now had obtained gold concessions over the same ground. I send at once a Commission to Swazieland and Umbandine to investigate matters thoroughly and to act in accordance to convention.

“ W. EDUARD BOK,  
“ State Secretary.”

That telegram was sent after receipt of a letter from King Umbandine to this Government, delivered by a deputation consisting of Mr. Jacob Steyn and three Swazi captains.

A copy of that letter goes herewith as Annexure I.

This Government has instructed the Honourable Vice-President C. J. Joubert and the Honourable F. G. Joubert to investigate this matter.

Copy of the instruction to these gentlemen goes herewith as Annexure II.

Mr. C. J. Joubert leaves Pretoria on the 21st April 1887.

The result of this mission will be communicated to your Excellency.

I have, &c.  
(Signed) W. EDUARD BOK,  
State Secretary.

To his Excellency the High Commissioner,  
Cape Town.

#### ANNEXURE I.

To His Honour the PRESIDENT OF THE SOUTH AFRICAN REPUBLIC.

Embekelweni, Swaziland, March 31, 1887.

UMBANDINE, son of Umswazi, King of Swaziland, sends greeting.

I have to report that on the 29th March a party of six persons, of whom Stoffel Townsen and S. T. Erskine were the leaders, came to my kraal and stated that they were sent by a body of white people to tell me that they would not allow any white person to dig for minerals on any land over which they held grazing licenses. They claimed the right to control the land on which they held grazing license, and asked me to say yes or no, if I would let them dig for minerals.

They stated that they were sent by no Chief or Government, but were simply representing a body of white people.

I replied I had given them the pass for winter grazing, and that I would ask the two Governments who have signed the convention if by giving grazing licenses I have given away my right to the land or the minerals on it.

They left, saying they would report my reply to those they represented, and threatened me with war immediately and the ruin of my country.

I beg that your Honour will look into this matter.

Given in Council assembled.

(Signed) UMBANDINE × (mark of).  
SANDAHLANA × „  
UMBOROANA × „  
ZIKUBA × „

As witnesses—

(Signed) JACOB STEYN.  
T. B. RATHBONE.

True copy—

(Signed) W. EDUARD BOK,  
State Secretary.

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ANNEXURE II.

(Translation.)

To the Right Hon. C. J. JOUBERT, Vice-President and Member of the Commission re  
Affairs in Swaziland.

RIGHT HONOURABLE SIR,

Government Office, Pretoria, April 20, 1887.

I HAVE the honour to forward your Honour herewith the translation of a letter dated 31st March 1887, addressed by King Umbandine (with three of his captains) to his Honour the State President, *see* Annexure A.

Notice of the receipt of this letter was immediately given to his Excellency the High Commissioner by telegram, of which Annexure B. is a translation.

The Government had your Honour in view when writing about the sending of a duly authorised person. They have therefore the honour to instruct you hereby, together and in conjunction with Mr. F. G. Joubert, speedily to proceed to the Swazi King and investigate this matter, and to regulate your conduct (*regelen*) in accordance with the convention.

I need not inform you that it may not be allowed that white persons use threats or commit deeds of violence and rebellion against the Swazi King.

This Government, as well as the English, is bound to respect the Swazi King's independence.

Though it speaks for itself that the Swazi King could not be allowed to deal arbitrarily and against right and equity, yet no person has the right to act as his own judge.

Matters of this kind must be dealt with in accordance with the convention.

I have, &c.

(Signed) W. EDUARD BOK,  
State Secretary.

True copy—

(Signed) W. EDUARD BOK,  
State Secretary.

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Enclosure 2 in No. 38.

TELEGRAM.

From HIGH COMMISSIONER to his Honour the STATE PRESIDENT, Pretoria.

27th.—WITH reference to your Honour's telegram of 19th intimating that you had sent a Commission to Swaziland, I presume that the Commission will only report and not act. I shall be glad to be favoured with a copy of the report of Commission when received.

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No. 39.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received June 22, 1887.)

Government House, Cape Town,  
June 1, 1887.

SIR,

I HAVE the honour to forward, for your perusal, some newspaper extracts containing interesting and useful information as to the condition of affairs in Swaziland.

2. It appears from these accounts that the country is quiet, and that all dread of a Boer raid has passed away. I have not as yet received a copy of the Report of the Transvaal Commission to Swaziland, promised me by the State President in his telegram of the 19th April, but I gather from the newspapers that the Commissioner, Mr. C. Joubert, remained only a night at the King's kraal, finding that there was no reason to apprehend an invasion of Swaziland by Transvaal subjects.

3. The quarrel, which was one between the Boers with grazing licenses and the Europeans with gold concessions, has, it seems, been adjusted, and a committee of 25 Europeans has, with Umbandeen's sanction, been selected to maintain order, and settle all disputes between the white occupants of the country.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.

Sir H. T. Holland, Bart., G.C.M.G., M.P.  
&c. . &c. &c.

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Enclosure 1 in No. 39.

SWAZIELAND.

(*The "Komatie Observer."*)

THE outlook is very peaceable, the meditated filibustering invasion having collapsed. The redoubtable Towney Erskine must devote his energies to more profitable use than stirring up race hatred between English and Dutch.

Grazing right owners are complying with the request of Mr. T. Shepstone, and are numerous arriving at Mr. J. Steyn's Ingwanyaberg to have their licenses registered.

We hear of some new discoveries in our immediate neighbourhood in Swaziland, both on Mr. Forbes' and Mr. Hinrichsen's concessions. At the latter two new reefs have been struck, one of which is a very large body of stone, and has been traced for nearly a mile, yielding prospects along the whole reef.

On Monday last Mr. Christian Joubert, Vice-President of the Executive Council of the South African Republic, arrived at the King's kraal for the purpose, as we understand it, of conferring with Umbandine as to complaints made respecting the acts and intentions of certain Transvaal subjects with regard to the autonomy of Swaziland. Mr. Joubert left again on Tuesday for Pretoria.

The meeting, or conference, which opens at the King's kraal on the 16th instant, will be the first of the kind ever called independent of a government. Great interest is being taken in Steynsdorp and Barberton in the meeting. It is expected that between 400 and 600 persons will be present on the occasion, and in anticipation of so large a meeting waggon loads of provisions are being despatched from camp.

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## Enclosure 2 in No. 39.

*The "Natal Witness," 11th May 1887.*

SWAZILAND.—OUR "SPECIAL" IN THE COUNTRY.—MR. SHEPSTONE'S APPOINTMENT.—AUTHENTIC PARTICULARS CONCERNING IT.—THE THREATENED DISTURBANCES.—BOER DEPUTATION TO THE KING.—THE OFFICIAL REPORT.—OMINOUS THREATS.—UMBANDINE'S POSITION.—HE ASKS FOR A BRITISH COMMISSIONER.—COMMANDANT FERREIRA ON THE SCENE.—HE MEETS THE KING.—NOTES OF THE MEETING.—CONDITION OF THE COUNTRY.

*(By our Special Commissioner.)*

Steynsdorp, May 2, 1887.

BEING on a short visit to the Komati Gold Fields, I resolved to learn at head-quarters authentic particulars concerning the talked of Boer invasion of Swaziland. I accordingly rode to the King's kraal, about 45 miles from here, and gathered such information as was possible during a stay of two nights and a day. I may give the fuller results of my inquiries at another time, but in the meantime take the first opportunity which the post offers of informing you of the latest aspect of the situation in Swaziland. It is scarcely necessary to remind the general South African reader that for a good many years Swaziland has been the favourite grazing ground of the Boers living in the high country. In the winter time a number of them have moved with their flocks and herds to the warmer veldt of the lower country, and have been allowed by the King to squat for the winter months. Some of them have received what are called grazing licenses, which have been obtained from the King in an informal way, the consideration given being sometimes a horse, sometimes a heifer. I can trace no authenticated case in which a purchase price was paid by the holders of these licenses for land, or any contract entered into except the informal one of allowing temporary permission to use a certain portion of the country for grazing purposes. The granting of the grazing licenses has been going on for about eight years, but it is only within the last four years that the Boers have come into Swaziland in any numbers. What I had heard was that the recent more extended discoveries of payable gold in the country and the high prices paid by some persons for the mineral rights in certain conceded portions of the country had led the Boers having grazing rights to formulate plans to possess themselves of the whole country. To find out what truth there was in such an averment, one very freely made on the borders of the country, was the reason of the visit I have just paid to Umbandine's kraal.

On my arrival there I found Mr. Theophilus Shepstone encamped near the kraal. He arrived there at the end of November last; and his object in visiting the King then was to inquire if his brother Arthur had obtained the concession of mineral rights in a part of the country which had been promised him by the King two years previously. He says that another object he had in view was to try and get a concession for himself. He had no intention then of applying for the appointment he now holds; and he was astonished when the King and his Councillors asked him to accept it. They formally requested him to assume the position on the 10th of December, and Mr. Shepstone subsequently agreed to take it, first making it a stipulation that he would not consent to have anything to do with the government of the natives. A special clause confirming this stipulation was inserted in the deed of appointment. Mr. Shepstone has not interfered, nor does he intend to interfere, with Umbandine's ruling of his subjects. The reasons given to Mr. Shepstone by the King for asking him to assume the position of his adviser were that white persons were continually asking him for concessions and licenses, that he could not read and was afraid of getting into trouble through not understanding the documents he had signed, and might yet sign. Mr. Shepstone gave me access to the official documents of the nation. From the deed of his appointment I found that Umbandine distinctly stated in the first clause that Mr. Shepstone "had come to apply to us for a mineral concession." Clauses 2, 3, 4, 5, and last are as follows:—" (2) Now, " therefore, we declare that on the 18th day of February 1887 such appointment was " ratified and confirmed by us in Council assembled, and we do hereby nominate and " appoint the said Theophilus Shepstone to be our resident, adviser, and agent in all " matters in which white people are concerned in and concerning our territory of " Swaziland, and to advise us in all matters concerning neighbouring states and " countries." 3 " And we further appoint the said Theophilus Shepstone to inquire into " and settle all matters that may arise or be in dispute between white people in our

“ territory, and to inquire into all concessions or licenses granted by us from time to time.” 4 “ And we further authorise and empower the said Theophilus Shepstone to supervise and collect all our revenues arising from concessions, rentals, royalties, licenses, fines, duties, and stamps, or from any other source whatever, and to account to us for the same.” 5 “ And for the purposes of carrying out the duties of his appointment in a proper and efficient manner, we hereby authorise and empower the said Theophilus Shepstone to nominate or appoint from time to time such persons as he may deem advisable and competent to assist him in carrying out the duties of his office.” 6 and last “ In making this appointment we reserve to ourselves and our successors our sovereign rights over the country, and specially declare that the said Theophilus Shepstone shall in no way interfere in matters in which our native subjects only are concerned.” The deed is signed by the King and 21 leading Chiefs of the country, and witnessed by T. B. Rathbone, who interpreted it, J. H. Wyld, G. T. Eckersley, Stephen Mini, Lazarus Xaba, John Gama, and Jabez Molife. The meeting at the King's at which this deed of appointment was ratified was exceptionally largely attended, the headmen of all parts of the country having been summoned. One or two of these who were unable to attend from sickness or other cause sent their representative. The appointment was then understood to be a popular one, and a short lapse of time has shown that it has met with the unanimous approval of the nation's representatives and of all respectable white people in the country.

When Mr. Shepstone took up his appointment he found matters in regard to concessions in the greatest confusion, and that the King was being daily and hourly pestered by white people for concessions. His Majesty was dodged everywhere, and followed into his private huts by the concession hunters, and it seems little wonder that he looked out for some responsible person to relieve him from some of the embarrassments of the position into which he had allowed himself to drift. Being tempted with money to grant concessions he frequently, to avoid personal worry, and also doubtless for the sake of the cash itself, gave away mineral rights over large tracts of country, being utterly ignorant of the value of the rights he was conceding. Many of these documents of concession were interpreted to the King by Mr. Stoffel Towsen, who has lately figured as one who has denied the power of the King so to dispose of such mineral rights. Mr. Shepstone was regarded with the greatest hostility by many of the Dutch people who were interested in Swaziland—firstly, because they did not understand what he had come to the country for, and believed he represented the English Government; and, secondly, because, as has now become well known, it was the intention of a number of adventurers at present residing on the south-eastern border of the Transvaal, to occupy the country with the assistance of others. All plans were, I am assured, made for invading the country some time in April—the 5th was the date fixed for the enterprise, I am told—and there is little doubt these plans would have been carried out if Mr. Shepstone had not been appointed to the position he now occupies. On February 20th, Umbandine, in the course of a long letter to the South African Republic explaining his position, said he relied on the terms of the Convention for protection.

Towards the end of February Stoffel Towsen and some others went to the King's kraal and used violent language to the King, and in the course of the interview open allusion was made to what the Boers had done at Amajuba. On that occasion Stoffel Towsen interpreted several other concession documents. Twice since then, during March, he visited the King to try and get a mineral concession for himself. On the 28th day of March, whilst the King and Council were assembled, Mr. Towsen and Mr. S. T. Erskine arrived and informed the King that next day they would with some other Boers wait upon him and discuss with him the appointment of Mr. Shepstone, and also tell their intentions with regard to it. They arrived at the King's kraal next day. An important meeting took place, and as I have the official minutes of the meeting before me I cannot do better than give here a condensation of what they set forth.

The meeting was attended by the King and Council, and Mr. Shepstone, there being present about 50 Europeans. The deputation of Transvaal subjects consisted of Stoffel Towsen, S. T. Erskine, Gert De Jager, Hendrik Rensburg, Piet van der Merwe and Harry Leigh.

Towsen began by remarking about the presence of other white people, and made some violent remarks in Dutch, to the effect that all the English present were liars and vagabonds. Proceeding to address the King and Council in the Swazie language, he said that they had no Chief or Chief's son with them. They were sent by no Government, and they had no authority for what they were doing. They were simply representatives of holders of grazing licenses, and they would not allow anyone, white or otherwise, to

dig for minerals or put a spade into the ground. They had come to report this to the King that he might know it, and so save disturbance. They were prepared and had the money on them to pay the King the same amount for the mineral rights as the King was to receive from the concession holders. They wanted a direct answer from the King, yes or no. If he refused they would go back and report, but they would not allow anyone else to dig.

The King replied that they had still their winter licenses secured to them.

Towsen spoke angrily, again to the same effect as before, and said the concession holders would dig holes for their cattle to fall into, bring other cattle to eat their grass, and so bring disease. Also their horses and cattle would be stolen.

The King referred to the Convention, and asked if he was to understand that the country was no longer his, and that he was no longer King; that he would ask the two Governments if by giving grazing licenses he had given up the land and lost control over it and the minerals.

Towsen said that the two Governments would not interfere, and asked, if they were willing, could Umbandine pay the expense? His (Towsen's) party would not pay any share of the expense.

Sandhlana (Prime Minister), speaking strongly and earnestly, inquired whether, according to his (Towsen's) own admission, the grazing was not only lent (bolekeled) to them, and now they wanted to claim the ownership over the land?

Towsen replied, as before, saying diggers would disturb their grass; they must burrow as moles not to do so.

Bovan (Chief Army General) said Towsen wanted to assume ownership of the country. He talked to them as if they were sheep. The King must report the matter to the two Governments.

Some warm words were here interchanged between Towsen and Bovan.

Tecuba (Councillor) said the Dutch had only got the grass, but now they wanted the land.

Two Boers: No men shall dig on any ground.

Tecuba (continuing): The King can stop you any time he likes. The English are not the only people prospecting. Are not Dutch prospecting too? You say the King is to say yes or no if you can dig. You, Stoffel, brought in people here to graze; you are not only claiming right over this land, but over the country. There is something behind all this. What is it?

Towsen (excited): We speak to you to save a row. There is something behind, and as you ask, I will tell you. The Boers say it is the house of Somtseu they object to. They will not allow one of Somtseu's sons to be in the country. Somtseu made the Boers and English fight; now his son comes here, and will cause war also. These are not my individual words, but those of the people I represent. They are the words of the Boers. I have told you the truth; we will not have one of Somtseu's sons here.

Sandhlana: Then the house of Somtseu is not to come here? Is that what you say? Why have you concealed this all this time? Now we know what you mean, and can answer you. We thought Boer and English were friends now. After your war it was agreed that Umbandine was to rule (busa) his own country. Has Somtseu's son come into your country? He is now in Umbandine's country, and not in yours. When you got a grazing license was it a condition that Somtseu's son was not to be allowed in this country? It is clear you came with a pretext, and now we have got the real object of your visit.

Towsen: Did I not tell you so when Mango (Arthur Shepstone) was here? Never mind, we do not want to quarrel now. Answer us and let us go.

Sandhlana: We have not quarrelled with you. We are answering you.

After some further parleying,—

The King asked if he was not to be King in his own country. If Shepstone came and offered him money for minerals in his country, was he not to accept it the same as he would accept a heifer to grant a grazing license? Why should he not?

After some further conversation, Towsen said he would send them a copy of the letter sent, asking for British protection for the Swazies.

Harry Leigh: The man that wrote that letter shall not remain in Swaziland. We beat them at Amajuba, and we shall beat them again.

Towsen: We have also heard that you have been advised to send the Hlavela (a regiment) to turn us off.

Sandhlana: It is untrue; we are running away. You are attacking us. You have named a month when you would be in here.

Towsen : We never named a month. Answer our question, yes or no ?

The King : Are you owners of the country ? Why are you talking about fighting us ? Do you ever suppose we should call the Hlavela out to eject white people ? We will not fight against white people. Do you mean to say that I have no more power to deal with my own country ? If people are not to have concessions then the land and all rights given over it shall revert to me.

Towsen, in his former strain, pressed for an answer now.

The King : You are killing us.

Towsen : No. I am spokesman for others. I only came first lest it should be said that we all came at once, and an impi came to you. There are many.

The King : It comes to this : if people are not to have land it must all revert to me. I shall send to the two Governments, and ask if by giving you grazing licenses I have given up the right to deal with my own country.

Towsen : If you call in a Government your time is up. You are done, and you will never have the salute "Bayete!" again.

The deputation then left, muttering further threats.

As I have said, the foregoing is a condensation of the official minutes of the meeting of the 29th of March. Notification of the appointment of Mr. Shepstone was sent to the Governments of Natal and the South African Republic, and circulars containing the same announcement were sent to all concession holders. On the 31st March Umbandine sent a letter to the Natal Governor relating the incidents of the meeting of the 29th, and asking for the appointment of a resident. The following passage occurs in the letter :—  
 " I see that, unless I have protection, my country will be taken from me, and I ask that  
 " a resident may be appointed or recognised by the Government, so that it may be clear  
 " that I and my country will be protected, and that I may live in peace with my people.  
 " I beg, if a resident is appointed, that I may continue to govern my people and country  
 " as at present, and that no alteration be made in our native laws and customs." Umbandine wrote also to the South African Republic, giving an outline of the proceedings of the meetings of the 29th, and concluding by stating that the Boers had threatened him with immediate war and the ruin of his country. To neither of these communications had any reply been received up to the time of my visit.

When the deputation of the 29th of March went back, Mr. Erskine remained behind till the 7th of April. In the course of conversation with Mr. Shepstone, he said he had not a grazing license, and to the inquiry why he mixed himself up with these matters he said he wanted to make money, that he had worked the Boers up to this, and had got them to sign an agreement which defined the share they would pay him if they succeeded in their object. Mr. Shepstone said, " Then you want to make this money at the price of my head ?" to which Mr. Erskine replied, " I don't know about that, but I want to make money. I have been seven years at it, and not had a chance." Subsequently having obtained a half share in a concession, and sold a quarter of it for 2,500*l.* Mr. Erskine informed Mr. Shepstone that the way to stop a row was that a concession he (Mr. Shepstone) had should be transferred to his name by the King, that he would give to the Boers he represented a quarter of the shares in a company which he would float on the concession, and that out of the balance of the three-fourths he (Erskine) would receive a share for himself. Mr. Shepstone informed Mr. Erskine that he did not see it. He had no concession in his name, although he had an interest in one. Mr. Erskine said it was a *sine quâ non* that the concession should be transferred to him, as Towsen said he would not have a document in his house signed by Shepstone. In order, apparently, to promote further parley and make time, Mr. Shepstone said he would refer the suggestion to the others in whom he was interested. He asked Mr. Erskine why he did not give Mr. Forbes, who had machinery up and was getting gold, a turn. The reply was that they had " condoned " Forbes by allowing him to put up machinery. Mr. Erskine then left, and shortly afterwards a meeting of Boers was held at or near the house of a storekeeper named Fyfe. The store is on the border in Swaziland. In consequence of this meeting the following letter was written by Mr. Shepstone to Colonel Ferreira, C.M.G. :—

MY DEAR SIR,

King's Kraal, Swaziland, April 9, 1897.

I HAVE just heard from Mr. E. Pullen that you were on your way to see the Swazi King, when, owing to representations made to you at the store of Mr. Fyle to the effect that the King did not want to see any Dutch people, you returned home. The King, to whom I interpreted what Mr. Pullen said, is very sorry for this. He is sorry you did not come on and see him. He has never said that he does not wish to see any

Dutch people. I think if you could come down and see him, especially as I understand you were elected to represent a body who declare an intention of occupying the country, it would probably be very beneficial and remove many misunderstandings which seem to exist at present.

Commandant J. Ferreira, C.M.G.,  
Witwatersrand.

I am, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
On behalf of the Swazi King.

Immediately on the receipt of this letter Colonel Ferreira proceeded to the King's kraal, and on the day of my arrival there a meeting had just taken place between him and the King. Notes of the meeting were taken in order that they should be supplied to the Transvaal Government by Colonel Ferreira. I have been supplied with a copy of these notes as follows:—

Interview between Colonel Ferreira and King Umbandine on the 28th April 1887. Present: Theophilus Shepstone, C.M.G. (on King's right); Jacob Steyn, Dell, Wolhuter, and Heugh, Colonel Ferreira.

Colonel Ferreira said: I am not the representative of any Government, but am only here as a private man. I came down three weeks ago, at Mr. Pullen's request, to within 18 miles of King's kraal. I there met Mr. S. T. Erskine, and he then told me that he represented Boers and others who held rights from the King. I also came for that purpose. Erskine told me it was no good going further, as the King would respect no rights to Boers, and that the only thing to save the country would be the Martini-Henri rifles. Then I (together with Boers and English) agreed to turn back. Erskine also said that Shepstone had said that he would get Barberton and other diggers to drive the Boers back. Afterwards I agreed with my friend Wolhuter that I would get sworn affidavits from the parties who said so, in order to get Shepstone punched. I went to the editor at Johannesburg and told him what I had heard. The newspaper you saw yesterday gave the correct version. I was just going to report matters to head-quarters at Pretoria, when a note came from Shepstone, regretting that I did not come to kraal. Upon receipt of invitation I agreed to come down with my present friends to see the King myself, so I am here by King's request, and shall be very glad to answer questions, and give all information relative to present affairs of Swaziland and Transvaal.

Sandhlana (Prime Minister): You made up your mind on what Erskine told you; what did he say?

Colonel Ferrirera: Erskine said the King would not respect grazing rights granted to Boers.

[Question and answer repeated.]

Sandhlana: Erskine's statement is untrue; Boers were unsatisfied because they had not minerals rights. He was glad Colonel Ferreira came to speak to Shepstone. Erskine was the principal one who found fault with Shepstone.

King: I told Stoffel Towsen that his grazing rights would be respected, but that he had not given him the minerals. Towsen said he objected to Shepstone (Somtseu's son). I objected at first to give written licenses for grazing, but afterwards did so, as white people said they wished to be able to show to others that they had the right. That is the position of affairs. I have never disputed the grazing right, but object to mineral right on grazing licenses. White people are safe in my country. Erskine has no grazing license, others of deputation that came have licenses, Towsen, Rensburg, Botha, and Van der Merwe. They all threatened me with a large force. I don't know what Erskine has to do with it. He holds no licenses of any kind from me.

Colonel Ferreira: I will be glad to hear any further grievances, and will report to Pretoria. The English and Transvaal Governments would be bound by Convention to send a commission to inquire.

The King said the only grievances he had were indiscriminate wood-cutting by white people, and Erskine's coming there to insult him. He would like Matafin to come back with the cattle he took. Matafin was an old friend, and had nothing to run away for; they both wished to have the same girl, and he (the King) took her. He had done no wrong, but was only annoyed, and he would like him back. He could keep the cattle that he took, and take the same position that he held before he ran away. He (the King) would guarantee his safety and would keep his word.

Colonel Ferreira: This is a difficult matter; a white or black man is free to go where he likes. The cattle could be brought back on a charge of theft.

Sandhlana: What the King says is right. Matafin can return to his old position as Chief. One of the King's sisters, a child of Aueswazil, had also run away and is at Barberton. Shepstone had called out no force of diggers or any other force. It was untrue.

The King: No force has been called out here; why should a force be called out? We have no force to call out against the white people, our fathers.

Tecuba (Councillor): It is utterly false; no force has been called out.

The King: I have here at the kraal a few young boys who are busy reaping.

Colonel Ferreira: I am glad I have come and seen for myself. The Transvaal people had put the King upon his throne and were friends. He would notify to the Government how peaceful the Swazis were, neither Swazi nor Boer desired war. It was only vicious speculators who desired to make mischief for their own ends.

The King: We are very glad you have come down and spoken with us, and hope the Government will stop those evil people coming here to make mischief. We have never willingly done wrong, and our history shows us to have always been the white man's friend. (In reply to a question.) When Erskine and others were here at the meeting Shepstone was present, but did not speak.

Colonel Ferreira said the King was to be congratulated in having Mr. Shepstone as adviser. He was an advocate and a member of the Natal Legislative Council, and a man of knowledge. White men were coming into the country daily. He had seen two notorious I.D.B. scoundrels the other day. The King did not understand white people, and could not read their characters, and rogues who could not remain in their own country came into Swaziland.

The King: Who are these people?

Colonel Ferreira: I do not come here to make mischief, but to warn the King. Mr. Shepstone will know these people when he sees them.

The King said he understood the explanation, and would take the advice and warning.

Colonel Ferreira said he came there merely as a friend, and did not desire an inch of ground for self or friend.

The King thanked Colonel Ferreira, and the meeting closed.

That brings the position of affairs up to Thursday last. It is said that all questions have two sides, and I have endeavoured to give both sides of the Boer-Swazi question. The Boer argument, as will have been seen, is briefly that the granting of mineral concessions over the land on which they have secured grazing rights will interfere with their privileges as regards grazing, that they will not enjoy the same quantity of grass as they otherwise would if concessionaires put up machinery and drive cattle through the country. They do not pretend to have mineral rights, but deny the right of the King to grant these on the land—the best of the country—over which they have grazing rights. Another of their arguments, as will also have been seen, is that the cattle of concessionaires may infect their flocks with disease. They remain of the opinion, apparently, that Mr. Shepstone's appointment has been made by the English Government, and have said they will take the country for the Transvaal Government. The form of grazing license given by the King, and on which the claim of the Boer's rest, runs in effect as follows, in Dutch:—"I, Umbandine, hire \_\_\_\_\_ for (term of years) the piece of ground between the beacons \_\_\_\_\_ for grazing." As a rule no beacons are mentioned in the license; sometimes the license has to be renewed annually, and sometimes it has been granted for 99 years. When the King is spoken to about the licenses for these lengthened periods he says he is not aware that he granted them. The licenses have been obtained from the King without the advice, and without the knowledge of his councillors, and that fact alone would seem to prove that he did not regard the documents of so much importance as the Boers do.

To all outward appearance the condition of Swaziland is one of quietude; but it is impossible to say with any positiveness that the peace will be kept long. The old Swazi King on his death-bed told his successor never to fight with the white man, as the day he did that the nation would fall. The present King seems to have remembered the injunction. Umbandine will tolerate a great deal before he lifts his hand to allow his warriors to go against the Boers, but it is an open secret that some of his Chief Councillors are opposed to a pacific policy, while among the young soldiers of the country there is a growing warlike spirit. They have no fighting to do, and some of them are asking why they are being kept at home like children when people want to take their country. As regards the intention of the Boers to do this, the utterances of their representatives, when waiting on the King, must be taken as the only visible

indication. There is no doubt whatever that they have strongly opposed the appointment of Mr. Shepstone as the King's adviser, and that Mr. Shepstone has for some time been in peril of his life. I learnt that a number of the Boers have, on the southern border of Swaziland, built houses within the Swazie boundary, and have called the land they occupy by the name of the Little Free State. I was informed of this in a circumstantial manner, but am not in a position to state that it is an actual fact. It may be as well to state here that trouble is brewing for the Swazies at another part of their boundary. The Portuguese claim possession of territory right up to the watershed of the Bomba mountains, but it is difficult to recognise the justice of their claims. The native Chiefs on the other side of the Bomba have always paid tribute to the Swazie King, who claims to the foot of the eastern side of the mountain as his possession. The Portuguese did not conquer Umswazie, and certainly they have not caused the Swazies of a later day to succumb to them. Indeed, the Swazies were at the gates of Lorenço Marques not so many years ago. A meeting to be held at the King's kraal on the 16th instant will throw a good deal of light upon matters at present somewhat hazy, but from what I have gathered I am of opinion that disturbance will take place sooner or later in the country if the Imperial Government long delay the appointment of a British Commissioner to be resident in the country. Umbandine has asked the Natal Government to report his desire for the appointment of such an official, and I am aware of his strong wish that Mr. Theophilus Shepstone should receive the appointment. It is no secret, however, that Mr. Shepstone would not accept the appointment, and I can well understand that he sees it would be impossible for him to hold the dual offices of adviser to the Imperial Government and the Swazie King. The meeting to be held on the 16th is called to hear the rules for the transfer of concessions, &c., and to arrive at some conclusion as to the best mode of preserving law and order amongst the white population. Mr. Shepstone, by the authority of the King and under the powers granted to him by the deed of his appointment, presided the other day over a trial by jury. A jury of five white men was empanelled to try a case in which a white woman sued for the restitution of her property from her husband, who had decamped with it. A number of white people were present at the trial, which ended in the jury finding for the plaintiff for the value of the goods stolen. A writ of attachment was issued by Mr. Shepstone, and so the matter stands at the moment of writing.

As regards crime in the country it has been well known to be rampant for some time. Swaziland has long been regarded as an Alsatia for the worst scoundrels in South Africa. but I am in a position to say that now, if a warrant of arrest is sent into the country by any Government, it may be acted upon. The indiscriminate sale of strong drink is beginning to have a demoralising effect on the natives. The headmen and the King are alive to the evils which the traffic is working and are cogitating steps for its suppression. This letter has already exceeded a fair limit of length, so I must keep for another communication other interesting matters in connexion with my visit to Swaziland.

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*The "Natal Witness," 13th May 1887.*

SWAZILAND.

*(From Our Special Commissioner.)*

Steynsdorp, May 2, 1887.

BEFORE leaving Umbandine's kraal I had an interview with the King. The kraal is a large one of about 400 huts, and is situated, as I have said before, about 25 miles from Steynsdorp, in a south-easterly direction. The ride thither, though over a rough road, is a pleasant one, and lies for a considerable part of the way through the King's grazing ground; but this ground has been conceded away like all other parts of the country, that is, as far as the mineral rights in it are concerned. The horseman passes through concessions granted respectively to Messrs. Henderson and Forbes, Newman, E. King, James Forbes, Jun., D. Forbes, Jun., and Henderson and Shepstone. He keeps by the Umbaban River till it joins the little Usutu, and follows the course of that fine stream till it touches the main waggon-road from the Tembe, about 80 miles off. I passed some of the King's cattle stations, and at one of them was somewhat struck by the fine condition of a troop of horses belonging to Umbandine. There was good shooting on the way, a fine herd of rhebok showing that the dogs of the Swazies have not yet killed off

the small game in the country. The path skirts the Ezulwini and Erkanini royal kraals, at the latter of which a regiment is stationed. Colenbrander's store, about four miles from the King's, is a prominent landmark. Crossing the Tilan River a short way, the largest kraal (Loditti) in the country is seen on the right. It is the station of the Giba regiment, and, with its 500 huts, is the residence of Sandhlana, the Prime Minister. This functionary, who has reached the span allotted to black and white alike, is the most able man in the country. No questions of state are settled until Sandhlana has given his opinion respecting them. He is a little shrivelled man, with keen, but frank eyes, and when I saw him he was spurring up an old moke with his naked heels. Before the King's kraal is reached, Execution Hill, the scene of many a ghastly tragedy, and the burial ground of the Swazi Kings, are passed. The mountains containing the great caves, capable of accommodating the whole nation in time of war, are pointed out in the distance. But the ground there is sacred, and few have reached the caves in recent times. On a slight rise, about 500 yards from the royal residence, stands the present camp of Mr. Theophilus Shepstone. In a short time he will build a stone house on a beautiful site on the other side of the kraal.

Umbandine is a man of about 32 years of age, He stands about 6 feet, and is a fat, heavy person. He has adopted few of the ways of civilisation, unless a regular pint of champagne in the forenoon may be claimed to be one of these; but the King is in no sense a drunkard. He can toss off a tumbler of raw gin with the best or worst Swazi in the land, but he is not an habitual tippler, excepting as regards the measure of fizz just before the sun has reached the yard-arm. Like all South African savage potentates, he is a much wived man. About 15 Swazi ladies, ranging in age from 20 to 25, possess a common treasure in him as husband, while some score of harem girls own him as lord and master. He came to the throne when he was 18 on the death of his uncle, the brother of Umaswazi, who was the father of Umbandine. Looking at the countenance of the dignified monarch of Swaziland, one would pronounce him a weak and sensual trifler. He has heavy jaws and large ox-like eyes, in which one might find a trace of cruelty and suspicion. But the face in repose—its normal condition, is that of a contented and somewhat *blasé* person. Umbandine is the hereditary rain-doctor for a large tract of South Eastern Africa, and tribute to the maker of water comes from as far as Umizila's country. From remarks he has lazily and slyly let fall recently, it may be supposed that the King has lost faith in his powers to cause the rain to fall; but his people have no such grave unbelief. The other day a headman was asked if it would rain that afternoon. He replied that it would if the King wished it to do so; not otherwise. There has been a plentiful rain for the harvest being gathered in, and the nation is konzaing to the King, possibly for not sending more rain. Large fat bullocks arrive frequently at the kraal as thank-offerings. Umbandine, if not sure of his skill to make rain, is very superstitious. He will not allow his photograph to be taken on any consideration whatever. One amateur artist, endeavouring to get a sitting from his Majesty, said that Cetywayo and Sekukuni had allowed themselves to be photographed. The King's reply was, "Yes, and where are they now?" It is not my present purpose to burden these letters with a history of the Swazies or of Umbandine's reign. Were I to do so I could relate some terrible stories of subjects slaughtered and kraals eaten up to the last fowl in the place. Nor is one to be too much shocked at the mere mention of such occurrences. The birth, training, and surroundings of Umbandine are to be remembered in forming an estimate of his character. Were he taunted with his barbaric rule, he might reply as Lobengulo did to a missionary, when speaking to him on the same subject: "Take over the government for six months. If you are not prepared to do that, leave me to govern my country in my own way." One incident of the King's life may, however, be given to show the adamant quality of the ruler's heart when the fiat to kill has gone forth. A beautiful young wife of the King's had in some innocent way displeased him. The order was given to smell her out, and the witch doctors did their horrible work. Executioners were told off, and they were sent out to the young wife to tell her of her sentence. She asked why she was to be put to death, but received no answer. She dressed herself in her best ornaments and determined to appear before the King to say good-bye. She had been the ruler's playmate and favourite sweetheart as a child, and she ventured to send a message to him asking permission to say "good-bye" to him. The King refused the request, but calmly preparing for death, the young woman disregarded the denial and walked to where his "Majesty" was sitting drinking champagne. She said to him, "King, I have come to say 'good-bye'; tell me why you are killing me." The King vouchsafed no answer and turned his face away. The poor woman proceeded to bid adieu to the other wives and girls of the monarch. They stood in a row, and as she

walked down in front of them she said, "I am the first, but there will be more of you to come after me." Without another word she quietly followed her executioners. They led her about three miles from the kraal across the Tillam River, and there hanged her on a low thorn tree. The reem by which she was suspended being too long, her feet nearly touched the ground, and strangulation was completed by beating the reem with sticks, the person of royalty being sacred to the common touch.

It would be easy to multiply accounts of the horrors with which the natives of Swaziland are too familiar. Although I have no reason to complain of the King's reception of myself, I believe him to be a cruel coward. He will condone the petty theft of his subjects' property if a share of the pilfered spoil is brought to him, and he will spill the blood of his people at a moment's warning to gratify a passing fit of ill-humour. The cold-blooded murder of a Swazi is a commonplace occurrence which excites less attention than the starting of a buck. As I passed the tent of a white man, almost within rifle shot of the King's kraal, I was told of a shocking incident which happened there the other morning. A native youth wished to leave a kraal and take his share of cattle with him. An elder brother objected, and a quarrel ensued. The people of the kraal espoused the side of the elder brother, and having first sent a message to the King that he had stolen some of his (the King's) cattle, left the kraal in a body to hunt the younger one to death. The youth, when he saw his pursuers, ran and succeeded in evading them for a time. He made for the kraal of the Prime Minister, and got within a few yards of it when the hunters called out to those in the kraal, "Kill the witch in the front." Accordingly four men ran out of the kraal, and one stabbed the youth with an assegai near the heart. The mortally wounded lad saw the white man's tent I have mentioned, and ran into it. Determined not to lose their game, his pursuers rushed into the tent, despatched their victim there, and dragging the body out flung it over a krantz. Nothing more will be heard of this crime. Any story of murderers would be believed. The offence of killing in an abode was compounded for by a small money payment to the white man as damages. I am not surprised that Mr. Shepstone stipulated that he should in no way mix himself up with the government of the Swazies.

The Swazies are, as a nation, a brave but indolent people. The army is about 15,000 strong, a third being armed with guns and the remainder with assegais. There are many excellent shots in the country, as anyone who has hunted the large game with the Swazies in the bush veldt can tell. Sandhlana, who occupied the position of chief adviser to the King's father, is, as I have said, Prime Minister of the country. Bovan, the King's first induna, and general of the army, commanded the Swazies at the taking of Sekukuni's town. The other Chief Councillors of the nation are Tecuba, Gwababa, Umchibeck, and Helim. The Swazies came out readily to support the English in the Zulu war, and although they had no heavy fighting to do, they gave material help in guarding the Transvaal border from Zulu inroad. At the outbreak of the Sekukuni affair the Swazie army under Bovan, but officered by Captain MacLeod of the 75th Regiment, and Wyld, a concessionaire in Swaziland, and others, were ordered by the King to the assistance of the British. They fought bravely then, and Captain MacLeod claimed for them that they were the first to enter Sekukuni's town before the red-coats. When the news of the Amajuba disaster reached the ears of Umbandine, the King assembled his soldiers, and was only prevented with difficulty from despatching (them) to the aid of the British. When he dismissed his warriors then, he addressed them to the following effect:—"You are to go home to your kraals, but you are to sleep upon your shields, for whenever the Inkosagazi (Queen) of England wants your assistance you will have to give it." And, although all the usual preparations for war had been made, the Swazis returned to their kraals. The names of the various regiments are the Inyati (Buffaloes), Inhlavela (Eat up as you go), Giba (Those who are sent) the younger and Giba the older, and Magathela (youths). The Swazis have always regarded the English as their natural allies and protectors; and any trifling negotiations they have had with the Boer Government has been owing to the policy of indifference adopted by the British Government—a policy of carelessness as to whether or not the Swazis retain their independence. This policy, according to the last Ministerial statement made in England, seems about to be reversed. To Natal the preservation of Swaziland as an independent trade route to the interior is of paramount importance.

I visited the King's kraal twice. On the first occasion his Majesty had retired from sight for the evening, and I had an opportunity to examine the kraal. It is the headquarters of a fine lot of soldiers, who occupy barracks within the enclosure. At the time of my inspection these men were assembled inside the spacious cattle kraal, and were formed in long semi-circles, several lines deep. They were singing a song of

thanks to the King for the beef he had just given them. It was a kind of wild chant with now and then a pleasing minor effect accompanied by the steady and simultaneous stamping of the right foot. These men are frequently exercised in ceremonies of thanksgiving for something or other, and their evolutions are a credit to their general, Bovan. When they had returned thanks for the slaughtered oxen they made hurried rushes in detachments for the narrow exit, where there was a good-humoured "squeeze" to get out. In one portion of this large enclosure stood a number of huge oxen with long fantastically shaped horns. These are sacred beasts, and are supposed to contain the spirits of Umbandine's ancestors. They are consulted in times of doubt and difficulty, and weird looking oracles they appeared in the gathering darkness. The wives of the King were taking strolls about the kraal, and the head one I found to be a courteous and mannerly dame after I had had the honour of an introduction to her.

Next day I had a talk with the King, Mr. W. H. Bayly and John Gama, a relative of the King, educated at Edendale, kindly interpreting for me. I found Umbandine seated, with his indunas squatted in meditative snuff-taking at a respectful distance. The King wore only a blanket, and exposed a chest covered with rolls of fat. A hairdressing slave was in the act of touching up the Monarch's somewhat scanty wool. The barber wore a countenance which betokened an appreciation of the dignity of his position, and he very gravely twisted each particular hair about the gum headring. I should have said that the Monarch wore a bracelet on the left wrist. It was a cheap toy given him by a would-be concessionaire. It was a leather strap in which a little watch was fixed. The King had been told that it would show him when the sun went down, but he had expressed his disappointment at results. He is as fickle as a spoilt child over his presents. He has a number of fine pocket (?) knives, which have each interested him for as many minutes. He has a *penchant* for grey hounds and horses. (This is memorandum for would-be concessionaires.) He bought a gun while I was there and paid fifty pounds for it. In a month he will be willing to sell the gun for a cheap nag. The royal hand was extended when I was introduced to Umbandine.

I explained to the King my office, and stated that I had come to him because I wanted to hear for myself and the white people what truth there was in the reports that the Boers intended to invade his country, and that I wanted to know whether he wished to place any matters or complaints before the public.

The King replied: Yes, I should like them made known, and I have made them known through my brother Umfoweto (Mr. Shepstone) to the two Governments. The papers he has you can see, as they contain what I should like made known. The troubles I have reported are true, as my brother Umfoweto well knows. I should like everything that has occurred to be known publicly as quickly as possible in England, and by the telegraph.

I asked him if he authorised me to state in his name that he wished his troubles made known quickly to the people of England.

The King replied in the affirmative.

I asked him if it was his desire that a British resident should be appointed in his country.

The King answered, yes, it is. My brother Umfoweto knows that I have sent an application for a British resident. I do want a resident, and I have applied for one, and I wish it to be my brother (twice stated) who truly understands me.

I asked him if, in the case of being attacked by the Boers, he looked to the English to assist him.

Umbandine replied: Yes, certainly, but I hope they will interfere to prevent me being attacked, and I have asked both Governments to do so.

I asked him why he expected the English to assist him.

The King said: Because of what is in the Convention, and of what was spoken to me thereon by Lukuni (General Sir Evelyn Wood). Lukuni told me that if ever I had any cause of complaint I was to appeal to the British Government, and they would help me.

He repeated that he wished me to make known his situation to the British people as quickly as possible, and after telling him that I should do so I took my leave of him, he bidding me a kindly adieu. In another minute he was intently surveying his face in a large gilt-framed mirror, which he placed on his knee as he viewed himself from different points. In reference to Umbandine's remark about Sir Evelyn Wood, I am informed that the Swazies have never forgotten that officer's words, and frequently quote them. They say that Sir Evelyn told them that so long as they behaved themselves they could rely on the help of the British Government.

I have referred in my previous letter to the meeting to be held at the King's kraal on the 16th instant. In Steynsdorp I hear of an intention on the part of a large number of Englishmen to go down and make a demonstration on the occasion. It is also said that a contingent will journey down from Barberton for the same purpose. Scenting a profitable time, grog-sellers are buying up local stocks of liquors to wet the whistles of the assembled demonstrators. And so the work of civilisation in South Africa proceeds.

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Enclosure 3 in No. 39.

*The "Natal Mercury," Wednesday, May 25, 1887.*

THE SWAZILAND IMBROGLIO.—ITS SOLUTION.—MEETING AT THE KING'S KRAAL.—EUROPEAN RULE.—MR. T. SHEPSTONE'S SPEECH.—TRANSIT DUTIES.—GOVERNMENT OF THE COUNTRY.—BORDER COMMISSIONERS.—CONFIDENCE IN MR. SHEPSTONE.—SPEECH BY THE KING.—NEW GOLD DISCOVERIES.

*(By Telegraph, from our own Correspondent.)*

King's Kraal, Swaziland.

May 16. (*Via* Newcastle, May 23.)

EUROPEAN rule in the Swaziland country was initiated to-day, when, in reply to a circular issued by Mr. Theophilus Shepstone, C.M.G., the adviser and agent to King Umbandine, concession holders or their representatives and a number of Boers, representing the more moderate party, were in attendance. None of the Towsen party were present, and the proceedings passed off in order, and without a hitch.

Mr. Shepstone read a carefully prepared speech, which was frequently applauded. He explained that he came up in the first instance to Swaziland on private business, and that, at the request of the King and Council, he subsequently returned to take up the appointment of agent and adviser of the King. He had been at the King's kraal ever since, and amongst the matters which he had specially seen to was a proper registration of concessions. Everything was now in order. He suggested the appointment of a committee which would make rules and regulations for the Government of the country so far as the whites are concerned, and the imposition of a light transit duty on all goods passing through Swazi territory, and other duties which, although small in themselves, would be necessary to cover the expenses of Government.

The speech was received with applause, and Mr. Shepstone was thanked for what he had done to protect and consolidate the interests of capitalists and others.

At Mr. Shepstone's suggestion, a committee of concessionnaires and one Boer was appointed to draw up laws for the government of the country, so far as whites are concerned, and to decide what light taxes should be imposed.

Mr. James Forbes, of Forbes' Reef, was elected Chairman of the Committee.

King's Kraal, May 18.

No business was transacted yesterday, owing to the caprice of the King. The King, however, met the Committee to-day, when he addressed the meeting, saying he had called on the British and Transvaal Governments to appoint Border Commissioners under the Convention. He hoped for peace, and that both English and Dutch would work for good government and order in Swaziland. He further expressed himself as having thorough confidence in his adviser, who would transact all business for him, receive all moneys, and be the King's mouth in all matters affecting concessions and grazing rights.

The Committee adjourned without transacting any special business, to meet again on June 5th.

In consequence also of objections raised by Boers present, that they had not had due notice of the present meeting, it has been resolved to call another general meeting for the end of July, when another Committee will be elected.

Amongst matters to be submitted to this meeting will be a detailed proposal for a general survey of the country.

The meeting has been a substantial success, and the absence of the rowdy Boer element has confirmed belief in the theory that all danger of filibustering movement has gone by.

Prospecting parties are being sent out to different concessions, and new discoveries of gold are reported from several which are already being worked.

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FULL REPORT OF THE MEETING.

(By our Special Correspondent.)

Swaziland, May 16.

THE meeting which has been long looked forward to was held at Mr. Shepstone's near the King's kraal to day. There was a fair attendance of those interested in the government of the country, and the proceedings passed off in order, and without a hitch. The rowdy Boer element was conspicuous by its absence, only some ten Boers of the respectable class being present, and while these were not altogether pleased with the temper of the meeting they made no attempt whatever to interfere with or to interrupt the proceedings. There can be no doubt of the essential importance of the meeting and of the moral influence it will have on all evil-disposed persons, who would gain by disorder, and perhaps bloodshed, what they are at present unable to obtain by intimidation from the King. At 10 o'clock the public assembled at the meeting place near the residency tents, and there were present—Messrs. Theo. Shepstone, W. Shepstone, A. Henderson,—Penfold, Dr. Schulz, H. Stephen, H. J. McCubbin, Morris, Bell, Duprat, Captain Ewing, Somar, J. Fullerton, J. Steyn, P. Steyn, F. Steyn, N. Breytenbach, De Wit, Du Preez, D. C. Andrew, R. Ruzzighelli, P. Osborn, Wyld, Simpkins, T. Maber, G. Dark, W. Louch, J. Forbes (concessionnaire), D. Forbes, W. A. Fyfe, A. Eckerman, S. Rudolph, A. Meikle, Newman, Kinnerley, James Forbes, Alec Meikle, J. Swears, W. Grant, J. H. Wylde, A. Oldknow, G. Evans, W. Carter, J. J. Ferreira, A. H. Newman, F. Begemann, W. P. Fisher, Cathcart, G. Adamson (editor "Komati Observer"), Bryce Boyd ("Gold Fields Times"), C. Bennett ("Barberton Herald") F. Stewart ("Representative"), E. C. H. Wilson, S. Broadbent, W. Penfold, O. H. Koll, R. A. Zeederberg, Pullen, S. Gaze, F. Strecker, H. McDonald, R. McNab, Dupont, W. Wilson, Murphy, and Robinson.

The meeting having been duly constituted,

Mr. Theo. Shepstone said: Gentlemen, I have called you together at the earliest convenient opportunity to lay before you what I have done since my appointment, what I intend doing, and also to ask your advice and assistance in reference to the establishing and maintaining of law and order amongst the white population of the country. Besides advertisements in the papers, notices of this meeting were posted or delivered to all concessionnaires or white residents that I know of. For the information of those of you who are not already acquainted with the facts, I wish to state that I first came here in December last on private business, and was requested by the King and Council to remain in the country to assist him in all matters in which white people were concerned. This request was made by the King in Council, assembled on the 10th day of December 1886. I returned to Natal, and came up here again in February, and I will now read you my appointment, dated 25th February 1887, notification of which was duly sent to both the English and Transvaal Governments:—

Whereas we, Umbandine, King of the Amaswazi nation, with the advice and consent of our Councillors in Council assembled, did, on the 11th day of December 1886, select Theophilus Shepstone, C.M.G. (who had come to apply to us for a mineral concession), to be our resident adviser and agent in all matters in which white people are concerned in and about our country, and whereas he agreed to accept such appointment, and to reside in our territory.

Now, therefore, we declare, that on the 18th day of February 1887, such appointment was ratified and confirmed by us in Council assembled, and we do hereby nominate and appoint the said Theophilus Shepstone to be our resident adviser and agent in all matters in which white people are concerned, and concerning our territory of Swaziland, and to advise us in all matters concerning neighbouring States and countries.

And we further appoint the said Theophilus Shepstone to supervise and collect all our revenues arising from concessions, rentals, royalties, licenses, fines, duties, and stamps, or from any other source whatever, and to account to us for the same.

And for the purpose of carrying out the duties of his appointment in a proper and efficient manner, we hereby authorise and empower the said Theophilus Shepstone to nominate and appoint, from time to time, such persons as he may deem advisable and competent to assist him in carrying out the duties of his said office.

In making this appointment we reserve to ourselves and our successors our sovereign rights over the country, and specially declare that the said Theophilus Shepstone shall in no way interfere in matters in which our native subjects only are concerned.

Given under our hand and seal at our royal kraal this 25th day of February 1887.

(Signed) UMBANDINE, × his mark.  
SANDHLAN,                    "  
TIKUTU,                        "  
HELMN,                        "  
GUATABA,                    "

And 17 other indunas and headmen.

Continuing, Mr. Shepstone said :—Following on this I issued two circulars, one announcing my appointment, and the other in the following terms :—

SIR,

Swazi, March 18, 1887.

I HAVE to request you that you will be good enough to favour me with a copy of any concession you may have obtained from the King of Swaziland, as the copies of concessions left with the King do not in all cases appear to be complete. The object of this circular is to secure a proper registration of all concessions in order that official notification thereof may be published in the *Government Gazettes* of the Cape Colony, Natal, and the South African Republic. A sum of *l.* will be charged on registration to cover revenue fees and costs of publication. I shall address you again on the subject of rules and regulations, and the fees or duties that will be charged by the King on the sale or cession of concessions, or on the flotation of companies on concessions, as the interests of all concessionaires are identical with those of the King and nation. I should be glad to have your views as to the best mode of assisting to conserve the independence of Swaziland as recognised by the British and South African Republic Governments by the Convention of 1884, and I should also esteem it a favour to have your opinion as to the best mode of preserving law and order amongst the white population in the country.

I am, yours obediently,

(Signed) THEO. SHEPSTONE,  
Resident and Agent.

Mr. Shepstone then went on to say :—I found matters in considerable confusion, and my first endeavour was to obtain correct copies of all the concessions, including grazing rights, so as to establish a valid registry on the same lines as the registry of immovable property in Natal and the South African Republic. Everything is now in order, and the value of the system is too obvious to need any explanation, securing as it does the registration of all dealings with concessions or any portion thereof, and affording to the public the opportunity of seeing at a glance how any or all the concessions have been dealt with, and also giving confidence to the validity of the titles thereto. Of course difficulties have been experienced in getting matters into order, and the difficulties were increased by the action and threats of certain persons, who caused for a time a feeling of uneasiness as to the future prosperity of the country, both in and out of Swaziland. I am glad, however, to be able to state that both the English and Transvaal Governments have set their faces against the action I have referred to, and I do not now anticipate that there is any probability of the disturbances which threatened the country during March and April. I should state that the King appealed to both Governments under the Convention to interfere in order to prevent the threatened action of English and Dutch subjects; and a Commission consisting of Messrs. Christian Joubert and Franz Joubert was during the present month sent down here by the Government of the South African Republic to inquire into the King's report to their Government. The King was assured by them that all steps would be taken to prevent Transvaal subjects from taking part in any expedition, and that he need be under no apprehension as to any force coming in against him. The King has also applied to the English Government for the appointment of a Resident Commissioner, and the application is, I understand, receiving the consideration of Her Majesty's Government. The Commissioners from the South African Republic before referred to, also informed the King that their Government would now appoint a commissioner to reside in the republic close to the Swazi border, to prevent encroachments, and

who would also be empowered to receive and forward to the Government at Pretoria any complaint or report from the King. The application of the King for a Resident Commissioner, and the appointment by the South African Republic of a Commissioner on the border are both within the terms of the London Convention of 1884. On the 30th of March the King, taking advantage of the presence of a large number of white men at his kraal, publicly announced my appointment to them in Council assembled, and I have been happy in receiving the advice and support of concession holders and residents, particularly of those who have been long resident in the country, You are now, gentlemen, in possession of the main facts as to how matters stand in Swaziland, and I trust that you will consider the prospect sufficiently favourable and encouraging. It is a matter of great satisfaction to myself to find all the threatened troubles vanishing, and I look forward to a long period of prosperity and peace, where all will have undisturbed possession and enjoyment of the privileges conceded to them; and I trust all will pull together for the general welfare of the white population and of Swaziland. Before leaving this subject I wish to remind you not to forget that the rights and privileges you have obtained have been granted to you by the King, that his nation and he himself have always been the friends and allies of the white people, and that whilst we are with his consent arranging for the preservation of law and order amongst the white population, the King has reserved his sovereign rights, and has in no way waived his title as King and paramount Chief in this country; and he therefore looks to us for our loyal support for conserving the independence of his kingdom and the due observance of all the conditions contained in the various concessions and grants made by him. I issued notices of the different subjects to be considered at this meeting, which I will read, and I suggest that the subjects be dealt with in the order in which they appear in the notice:—(1.) Trial and punishment of offenders. This question is of vital importance to the country, and should have been more fully and explicitly set forth; that not only the trial and punishment of offenders, but the trial and settlement of all disputes as well, should also be considered. How this is to be dealt with, in order to secure the well being and future good government of the white population, is a matter to which I have given a great deal of consideration. The government of the white population and the settlement of disputes or offences, both criminal and civil, should, under the present circumstances, be in the hands of the white population themselves, who would see that the decisions in the matters tried or submitted would be enforced. To obtain that object, I am of opinion that to ensure proper government and the carrying out of decisions a committee of residents and concession holders, of say 23 in number, should be elected, of whom seven should form a quorum, with full power to decide and adjudicate on all criminal and civil matters that may arise, subject to this proviso; that all sentences or decisions must be confirmed by the King through me, and that in all cases there is a right of appeal to the King through me. By this means we shall secure the support of the white population in the carrying out of the decisions of the Committee. (2.) Extradition of criminals is also a matter for the consideration of the meeting. (3.) Postal arrangements. I have already mentioned this subject to the commission of the South African Republic, from whom I understand the matter will be submitted to the Postmaster-General. A scheme for the conveyance of a weekly post through the Transvaal and fortnightly via Delagoa Bay has been prepared and will be submitted to the Committee for approval or amendment. (4.) Squatting without permission. A tendency to squat in Swaziland has developed itself during the last two years, and is a matter which has been represented to me by the King, and which requires prompt and careful attention as it is in all native countries a precursor of trouble. (5.) Revenue. The revenue of the country is of vital importance, not only to the King but also to the white residents and the public generally, owing to the direct and indirect modes by which revenue can be raised. A direct mode of direct revenue arises out of the registration of and dealing with concessions. In the matter of transfer of concessions or flotation of companies I shall be guided by the laws in force in the South African Republic and Natal. There are other direct modes of revenue in the shape of a tax or license upon trading waggons, a prohibitive tax upon native hawkers, and a tax upon canteens. Another mode of revenue is a light transit duty on all goods passing through Swaziland to the neighbouring countries. I shall be glad to have an expression of opinion on these subjects. (6.) Survey and concessions. This subject is one to be considered by the concession-holders, several of whom have already suggested to me the importance of having all the concessions surveyed. (7.) Transaction of business. Upon this matter I have merely to point out, for your information, that in terms of my appointment all business with the King must be transacted through me. Gentlemen, this is the first meeting of the

concession holders and white residents in Swaziland. It is a meeting of great importance, and I know I can rely on the general public not interrupting the proceedings, and on those who take part in the meeting to assist me in conducting the business in an orderly and becoming manner; and I request that any one addressing the meeting should stand up while doing so. Gentlemen, we will now proceed to the business for which we are assembled (applause).

On the proposal of Mr. Meikle, it was decided to form a Committee to frame rules for the government of the white inhabitants of the country, and a number of gentlemen were nominated, who were balloted for.

Before giving the result of the ballot, Mr. Shepstone said that it had been intimated to him that the Boers were not properly represented, and that a wish had been expressed that the Committee should remain in office till the 31st July next. He said he had no objection to this, and on being put to the vote it was carried unanimously.

The following are the members of the Committee :—

J. Forbes, 45.	J. H. Wyld, 34.	G. Hutchinson, 27.
A. Henderson, 43.	C. J. Swears, 33.	J. Martin, 24.
W. Carter, 41.	T. McLachlan, 33.	E. W. Pullen, 24.
J. Colenbrander, 40.	A. H. Newland, 32.	E. King, 24.
Dr. Somersields, 39.	K. F. Rylands, 32.	W. Grant, 22.
W. A. Fyfe, 38.	J. Steyn, 31.	J. Fullerton, 21.
J. B. Rathbone, 38.	W. B. Caine, 31.	J. Botha, 21.
A. Meikle, 35.	G. Maber, 30.	
V. Purcocks, 35.	W. H. Bayly, 27.	

Mr. Carter proposed: "That there should be a general survey of the country, and that a surveyor be appointed for the purpose of surveying all concessions therein, and to take the necessary steps for having such a survey completed."

Mr. J. Forbes seconded, and the proposal was carried.

The meeting closed with a vote of thanks and cheers for the Chairman.

Swaziland, May 17.

A Committee meeting was held at Mr. Shepstone's tent this morning at 11 o'clock, when the following were present:—Messrs. Theo. Shepstone, James Forbes, B. W. Blaine, Geo. Hutchinson, W. Carter, J. Steyn, Geo. Maber, W. H. Bayley, A. Meikle, A. H. Newman, W. A. Fyfe, H. Pullen, and J. Martin.

Mr. Hutchinson proposed that Mr. Forbes be elected chairman.

Mr. Forbes said he did not care about accepting the appointment, and thought Mr. Carter, who was the oldest concessionaire in Swaziland, should be appointed. Mr. Carter however declined to be nominated.

Mr. Shepstone said that it was necessary to have a chairman who was accessible, but it did not follow that the Committee meetings should all be held at the King's. He thought the King would be pleased if Mr. Forbes was elected. Mr. Forbes then agreed to stand, and was elected unanimously.

The meeting then adjourned till 12 o'clock, to enable Mr. Shepstone to have an interview with the King, when it was again adjourned till Wednesday at 11 o'clock.

On Tuesday morning Bovan, the fighting general, arrived at the King's kraal, accompanied by some of the Inkaneni regiment, about 80 in number, who came to pay their respects to the King. The men were drawn up in line in the large cattle kraal, and after going through some military manoeuvres, were addressed by the King as follows:—

My people, you see now the white men, and you seem to favour them more than myself. I don't see you here at all, but I see that you remember me, although you take no notice of me now. With a full stomach a man can work better than on an empty one. How then can you expect me to show my power if you are not near me. You will remember me again when you want rain. The white people say that it rains of itself, but you know better. (Shouts of *inkos* from the warriors.)

Swaziland, May 18.

The adjourned Committee meeting was held under the council tree this afternoon, the King and his Council being present.

The proceedings having been opened,

Sandhlan addressed the Committee as follows, Mr. David Forbes interpreting:—He said that the King wanted all interested in the country, holders of concessions and holders of grazing rights, that Mr. Shepstone came to him like any other applicant to get a concession, and the King thereupon asked if he, the son of Somtseu, would see into all matters and papers connected with concessions. The King had heard whisperings amongst English and Dutch people that Mr. Shepstone had come to be King of the Swazi nation, and not as adviser and agent; but he wanted to make known that Umbandine was King in his own country. All the white people should know that the granting of concessions did not take away grazing rights, and that those who had concessions would have them respected. The same applied to grazing rights. The King had no preference for any particular class of white people. He liked them all, both English and Dutch; the white people were all the same (applause). If any trouble rose in the country it would be amongst and be caused by the white people themselves. The King did not know what was passing in the hearts of the white people, but he wished that all the quarrelling in the country would come to an end, and that ill-feeling would cease (applause). He had given out mineral concessions at a stated rental, and 3,000% to be paid down when machinery was erected. This would continue the same as before. The holders of grazing licenses would enjoy the same privileges. All trading waggons would be taxed, and also hawkers. The King was fond of hunting, and wished that all his game should be preserved. The King had certain hunting grounds, and he desired that nobody should burn the grass there, and that people travelling through the country should not set fire to grass. The King also objected to roads being made through his cattle stations, particularly Empolanime. He objected to roads being made through parts where his cattle were grazing. He wished also to say that some people who brought their sheep down to graze said they lost their sheep, and blaming his people, made them pay, without any proof that the animals were stolen. This would have to be seen to.

Sandhlan having sat down, the King raised himself on to his knees, and in this position said, through the interpreter:—*Yebo Makosi* (white chiefs), all that Sandhlan says is quite right. I have given out these concessions and rights to white people, and I wish you to let me live in friendship with you as King, and as the British and Dutch Governments agreed that I should live under the Convention an independent King (applause), I want you all to assist me, and I have appointed "Nomfi," the son of Somtseu, to attend to my business. I hope none of you will go against the son of Somtseu, nor say when he is doing his duty perhaps in writing to you that it is merely the "dreaming of the kafir," but to remember that it is the order of the King (applause). Mr. Shepstone came here to obtain a concession like anybody else, and I appointed him to help me as he was the son of Somtseu, who previously came and assisted us when the Zulus were our enemies. When I appointed him I still retained my sovereign rights, and am still King of the Swazi nation. I have sent to both Governments to have Commissioners placed on the borders of the country to know all that is being done (applause). I want it made known that Mr. Shepstone was not appointed by any Government, it was merely done by myself; and it was my own idea to have him here to look after papers, as gold was being found in the country. I wish it also to be known that nobody shall force kafirs to work on concessions, nor beat them if they refuse to do so. I have not sold you the ground, you have simply got a lease of it. You concessionaires are getting rich and take out my country, and I don't see why I should not be able to do the same (laughter and applause). I also want to make known that I shall be displeased if the white men in this country interfere with the girls (laughter). There shall be rules and regulations made with regard to the transit dues, which will be fixed according to those levied by other Governments. In the district of the Hoho there are a number of squatters, and I hear they are burning the grass. This is very objectionable. People having concessions shall not have a monopoly of trading, and anybody can trade with my consent. If this were allowed concession holders would have a revenue that belongs to me. Mr. Shepstone has been appointed by me to look after such matters. I want all parties to stand by me, as in my father's time Umswazi was supported by the English and Boers, and when they wanted assistance by arms they got it. I also wish the white people living in the country to help me in upholding my independence, and I want again to make known that I have sent to both Governments to have representatives resident on the border in consequence of one Stoffel Towsen, who used to be a friend to us, turning against us, and forcing me to send for help (applause).

The King having finished speaking, laid himself on the ground again; and

Mr. Wyld said: I think we ought to thank the King for the address he has given us (applause).

Mr. Carter: Tell the King we will do our best to meet his views.

Mr. J. Ferreira: Ask the King if people who have to pay rent shall do so to himself or through Mr. Shepstone?

Sandhlan, answering that question, said: Mr. Shepstone is to look after all papers, and see that the correct accounts are paid, and if all is right he will hand the money to the King.

Mr. Shepstone: If you have given grazing rights without licenses will you remember them?

The King: I will. Mineral concessions do not give grazing rights.

The interpreter having told the King that the "white Chiefs" desired to thank him for his address, three hearty cheers were given for Umbandine and his people, and then three for Mr. Shepstone.

The King: I have forgotten one thing. I have omitted to tell you that certain concessions are larger than I intended them to be, and they will have to be reduced in accordance with the beacons that my *indunas* will point out.

A number of those present having shaken hands with the King, the proceedings terminated, and Umbandine retired to his kraal.

SOUTH AFRICA.

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**FURTHER CORRESPONDENCE**

RESPECTING THE

**AFFAIRS OF SWAZILAND  
AND TONGALAND.**

*(In continuation of [C.—5089] June 1887.)*

**(Maps will be found at pages 1, 205, and 226.)**

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**Presented to both Houses of Parliament by Command of Her Majesty.**  
*August 1890.*

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1890.

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172	To the Havelock Gold Mining and Exploration Company.	Feb. 18	Observes that the due protection of all well established rights of British subjects will be one of the principal objects that will be kept in view by Her Majesty's Government in deciding upon the arrangements to be made for the future administration of Swaziland.	247
173	F. H. Faviell, Esq. -	Feb. 19	Enclosing a memorial adopted at a meeting of Swaziland mining companies, with respect to the claims of British subjects in that country, and asking for an interview with the Secretary of State.	247
174	Messrs. Venning, Sons, and Mannings.	Feb. 19	Encloses a memorial from the Swaziland Gold Exploration and Land Company requesting that the rights and interests of the Company may be protected, and that Swaziland may not be ceded to the South African Republic.	248
175	To Messrs. Venning, Sons, and Mannings.	Feb. 22	Observes that the due protection of all valid rights and claims of British subjects in Swaziland will be one of the first objects to be kept in view by Her Majesty's Government in deciding upon the arrangements for the future government of the country.	249
176	To F. H. Faviell, Esq. -	Feb. 24	Observing that Lord Knutsford receives a deputation from the London Chamber of Commerce on the 27th February and will be happy to receive representatives from the mining companies at the same time.	250
177	To Sir H. B. Loch -	Mar. 5 Telegraphic.	Observes that Her Majesty's Government adopt all Sir F. de Winton's recommendations, except that giving to Transvaal Government the exclusive government of the whites.	250
178	Sir H. B. Loch -	Feb. 13 (Rec. Mar. 6.)	Transmits copy of a Despatch from Colonel Martin, covering a copy of the Proclamation by the Queen Regent constituting the Joint Committee.	250
179	To Sir H. B. Loch -	Mar. 7 Telegraphic.	Observes that the Proclamation enclosed in his Despatch of 13th February appears to be a good basis of an arrangement for the joint government of the whites, and inquires whether the period of its operation could not be extended indefinitely.	253

Serial No.	From or to whom.	Date.	Subject.	Page.
180	Foreign Office - -	1890. Mar. 8	Encloses copy of a Despatch from Mr. Petre, reporting satisfactory assurances by the Portuguese Government on the subject of the mission from Tongaland.	253
181	Sir C. B. H. Mitchell -	Feb. 12 (Rec. Mar. 10.)	Encloses copies of papers relative to the desire of the Chiefs Zambaan, Umbegeza, and Mtyelekwana for the annexation of their territories by Great Britain, and again urges the importance of including at least Zambaan's territory in Zululand.	254
182	Graham Bower, Esq. (Imperial Secretary).	Feb. 19 (Rec. Mar. 10.)	Encloses copy of correspondence relative to the alleged request of Zambaan and Umbegeza for the protection of the South African Republic.	257
183	To Sir H. B. Loch - -	Mar. 13	Observes, with reference to Lord Knutsford's telegrams of 5th and 7th March, that the Secretary of State presumes that the High Commissioner will consider with President Kruger whether the requirements of the situation may not best be met by placing the present temporary arrangement for the government of the country on a more permanent footing.	258
184	Sir H. B. Loch - -	(Rec. Mar. 15.) Telegraphic.	Reports that the extension for four months of the provisional arrangement for the government of the country has been agreed to.	258
185	Sir C. B. H. Mitchell -	Feb. 15 (Rec. Mar. 17.)	Encloses copy of a Proclamation declaring the territories of the Chiefs Fokoti, Umginti, and the late Manaba to be included in Zululand.	258
186	Sir H. B. Loch - -	Feb. 24 (Rec. Mar. 17.)	Transmits copy of a Despatch from Lieut.-Colonel Martin covering a copy of the instructions issued to justices of the peace in Swaziland by the Provisional Government Committee.	260
187	Ditto - - -	Feb. 24 (Rec. Mar. 17.)	Transmits copy of a Despatch from Lieut.-Colonel Martin reporting that the law prohibiting the sale of liquor to Natives come into force on the 1st February.	261
188	Ditto - - -	Feb. 25 (Rec. Mar. 17.)	Transmits copy of a Despatch from Lieut.-Colonel Martin reporting the measures taken for the collection of the Swaziland revenue.	262
189	Ditto - - -	Feb. 26 (Rec. Mar. 17.)	Transmits copies of telegrams from Lieut.-Colonel Martin reporting the "killing off" of Natives in Swaziland.	263
190	Ditto - - -	Mar. 5 (Rec. Mar. 24.)	Encloses copy of a Despatch from Lieut.-Colonel Martin forwarding a cutting from the "Barberton Herald" relative to the "killing off" of Natives at Wyldsdale.	264

Serial No.	From or to whom.	Date.	Subject.	Page.
191	To Sir H. B. Loch - -	<b>1890.</b> Mar. 24	Encloses copy of a letter from Sir F. de Winton covering his report, and requests that the High Commissioner will inform the Government of the South African Republic that Her Majesty's Government note with much satisfaction Sir F. de Winton's appreciation of the assistance, courtesy, and cordial co-operation which he experienced from the Commissioners of the Republic.	267
192	To War Office - -	Mar. 24	Requests that an expression of Lord Knutsford's high appreciation of the tact and ability with which Sir F. de Winton fulfilled his important duties may be conveyed to Mr. Stanhope and the Commander-in-Chief, and encloses copy of a letter from Sir F. de Winton, bearing testimony to the good services rendered by Colonel Martin and Capt. Baden-Powell.	267
193	To Sir H. B. Loch - -	Apr. 1 Telegraphic.	Instructs him to convey to the Swazis the Queen's detestation of "killing off," and her wish that such practices should cease.	268
194	G. S. Fort, Esquire (Private Secretary).	Mar. 12 (Rec. Apr. 1.)	Transmits copy of telegraphic correspondence with Lieut.-Colonel Martin relative to the sensational reports of "killing off" published by the "Barberton Herald."	268
195	Sir H. B. Loch - -	(Rec. Apr. 11) Telegraphic.	Reports that a Proclamation extending the term of office of the Provisional Government Committee to 18th August was signed by the Queen Regent on the 10th April.	269
196	Ditto - - -	(Rec. Apr. 11) Telegraphic.	Reports that the Secretary of State's message of 1st April relative to the practice of "killing off" has been delivered to the Queen Regent, who will call her Councillors together and tell them what the Queen had said.	269
197	Ditto - - -	Apr. 1 (Rec. Apr. 21.)	Encloses copy of a Despatch from Lieut.-Colonel Martin, covering papers relative to an alleged case of "killing off."	269
198	Ditto - - -	Apr. 2 (Rec. Apr. 21.)	Transmits copy of a telegram from Lieut.-Colonel Martin respecting the extension of the telegraph line and the postal arrangements of Swaziland.	271
199	Ditto - - -	Apr. 3 (Rec. Apr. 29.)	Encloses copy of a telegram from Lieut.-Colonel Martin reporting that the Swazies consent to the extension of the telegraph line and the postal arrangements.	271
200	Ditto - - -	Apr. 5 (Rec. Apr. 29.)	Transmits copy of a Despatch from Lieut.-Colonel Martin reporting the steps taken by the Provisional Government Committee to prevent "killing off."	272

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1890.</b>		
201	To Sir H. B. Loch - -	May 7	Approves the steps taken by Lieut.-Colonel Martin, in conjunction with his colleagues, to prevent "killing off."	273
202	G. S. Fort, Esq. (Private Secretary).	May 7 (Rec. May 27.)	Encloses copy of a telegraphic correspondence respecting the renewed request of the Swazis to be allowed to carry out the custom of "killing off."	273
203	To Sir H. B. Loch - -	May 30	Approves Colonel Martin's action with reference to the request of the Swazies to be allowed to carry out the practice of "killing off" on the occasion of the coronation of the new King.	274
204	Sir H. B. Loch - -	May 12 (Rec. June 2.)	Transmits copy of a letter from Lieut.-Colonel Martin reporting the removal of the post and telegraph office from Indimba to Messrs. Wallerstein and Bremer's store.	274
205	Ditto - - -	May 13 (Rec. June 2.)	Encloses copies of telegraphic correspondence with Lieut.-Colonel Martin respecting the affairs of Swaziland.	276
206	Ditto - - -	May 14 (Rec. June 2.)	Transmits copy of a Despatch from Lieut.-Colonel Martin reporting the delivery to the Queen Regent of Queen Victoria's message as to the custom of "killing off."	277
207	Ditto - - -	May 21 (Rec. June 9.)	Transmits copy of a letter from Lieut.-Colonel Martin reporting that the Swazis promise that there shall be no more "killing off."	278
208	To Sir H. B. Loch - -	June 12	Approves his action in the matter of the abandonment of the practice of "killing off" in Swaziland.	279
209	Sir H. B. Loch - -	May 26 (Rec. June 16.)	Transmits copy of a Despatch from Lieut.-Colonel Martin forwarding a proclamation warning all persons that the spreaders of false reports will be punished.	279
210	Ditto - - -	May 26 (Rec. June 16.)	Transmits copies of a Despatch from Lieut.-Colonel Martin reporting the peaceful harvesting of the young King's crops and the arrangements for his installation.	280
211	Ditto - - -	May 27 (Rec. June 16.)	Transmits copy of a Despatch from Lieut.-Colonel Martin forwarding newspaper extracts giving currency to false reports respecting the practice of "killing off."	282
212	Ditto - - -	May 28 (Rec. June 16.)	Transmits copy of telegraphic correspondence respecting the installation of the new King, and the absence of the representative of the South African Republic.	283

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1890.</b>		
213	Sir H. B. Loch - -	(Rec. June 18) Telegraphic.	Recommends that Mr. Hofmeyr should be sent to Pretoria with a view to explaining the position of Her Majesty's Government.	284
214	To Sir H. B. Loch -	June 19 Telegraphic.	Approves his proposal to send Mr. Hofmeyr to Pretoria.	285
215	Sir H. B. Loch - -	June 4 (Rec. June 24.)	Transmits copy of a telegram from the President of the South African Republic stating that Mr. Esselen has been instructed to return to Swaziland.	285
216	Ditto - - -	June 4 (Rec. June 24.)	Transmits copy of a letter from Lieut.-Colonel Martin respecting the aggressive proceedings of one F. F. Maritz and another in Swaziland.	285
217	To Sir H. B. Loch - -	June 26	Expresses satisfaction at the peaceful harvesting of the young King's crops, and approves the action of the High Commissioner with regard to the installation.	287
218	Sir H. B. Loch - -	June 25 (Rec. July 14.)	Transmits copy telegraphic correspondence with Lieut.-Colonel Martin respecting grazing rights disputes, and the issue of a proclamation with regard thereto.	288
219	Ditto - - -	July 1 (Rec. July 21.)	Transmits copy of a Despatch from Colonel Martin, covering one from Mr. Shepstone respecting press reports as to "killing off" in Swaziland.	289
202	Ditto - - -	July 2 (Rec. July 21.)	Transmits copies of two telegrams from Lieutenant-Colonel Martin regarding grazing disputes, and reporting that the South African Republican Government agree to proposals for a temporary settlement.	292
221	Ditto - - -	Aug. 2 (Rec. Aug. 2.) Telegraphic.	Reports that the Convention has been signed by the President of the South African Republic, and that it will be submitted to Volksraad on Monday next, August 4th.	293
222	Ditto - - -	July 12 (Rec. Aug. 5.)	Forwards copies of further telegraphic correspondence with Colonel Martin respecting grazing disputes.	293
223	Ditto - - -	July 14 (Rec. Aug. 5.)	Transmits copy of a Despatch from Colonel Martin reporting on the prospects of the Swaziland revenue during the current year.	294
224	Ditto - - -	July 15 (Rec. Aug. 5.)	Transmits copy of a Despatch from Colonel Martin enclosing a complaint by certain Swaziland storekeepers respecting excessive payment of customs dues.	294
225	Ditto - - -	Aug. 8 (Rec. Aug. 8.) Telegraphic.	Conveys substance of resolution of Volksraad of South African Republic on the occasion of ratifying the Convention.	296

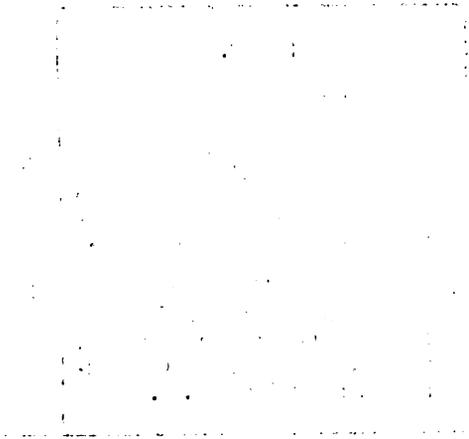
Serial No.	From or to whom.	Date.	Subject.	Page.
226	To Sir H. B. Loch - -	1890. Aug. 8 Telegraphic.	Inquires as to estimated expenditure for Swaziland during present year, and requests that Mr. Hofmeyr may be thanked for his services.	296
227	Ditto - - -	Aug. 9 Telegraphic.	States that Her Majesty's Government have learnt with satisfaction that the Convention has been ratified, and that High Commissioner's action is approved.	296

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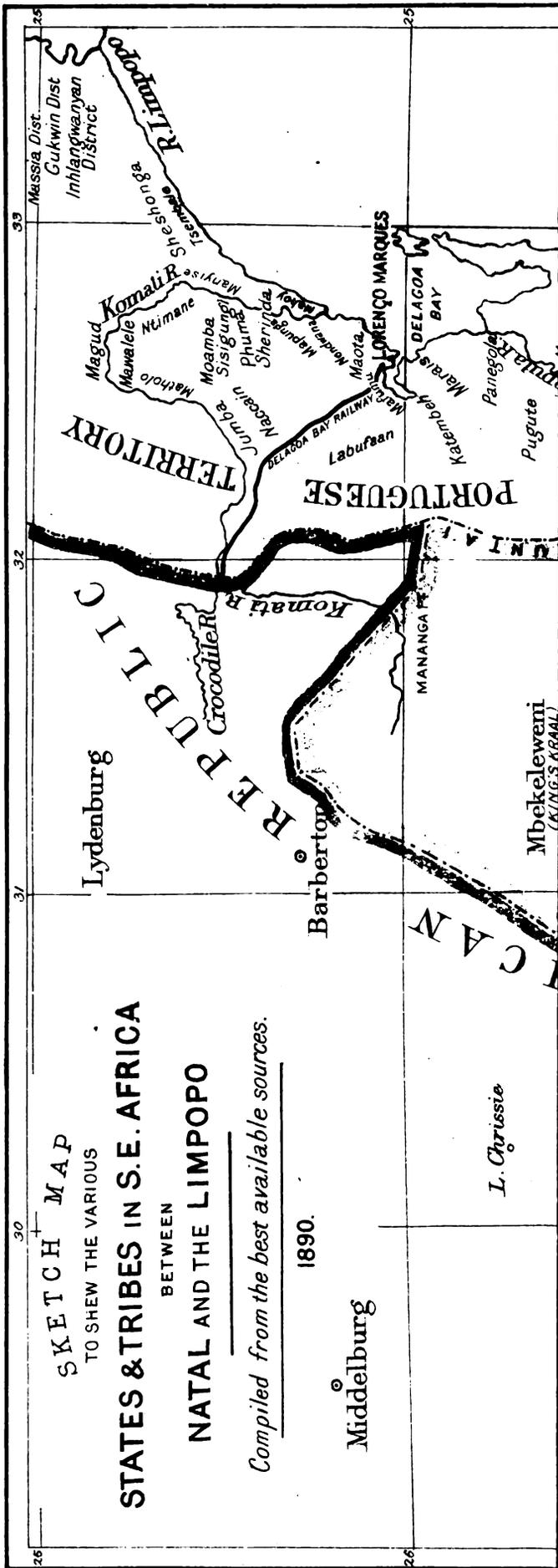
### M A P S.

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1. Sketch Map showing the various States and Tribes in S.E. Africa, between Natal and the Limpopo - - - - - to face page 1
  2. Map relating to the Northern boundary of Zululand, showing territories of Umbegiza, Ncamana, Fokoti, &c. - - - - - ,, 205
  3. Sketch Map referred to in Report on demarcation of Zululand and Tongaland boundary line, by Mr. C. R. Saunders - - - - - ,, 226
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**SOUTH AFRICA.**

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**FURTHER CORRESPONDENCE**

RESPECTING THE

**AFFAIRS OF SWAZILAND AND TONGALAND.**

(In continuation of [C.—5089] June 1887.)

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No. 1.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received July 27, 1887.)

Government House, Cape Town,  
July 6, 1887.

SIR,

I HAVE the honour to enclose for your information copy of a Despatch which I have received from the Governor of Natal, forwarding—

1. Copy of a letter by Mr. Theophilus Shepstone, covering copy of a communication from Umbandeen, King of the Swazies, to the President of the South African Republic.

2. Copy of a minute by Mr. Henriques Shepstone, the Natal Secretary for Native Affairs, on the foregoing correspondence.

I have, &c.

(Signed)

HERCULES ROBINSON,  
High Commissioner.

The Right Hon.

Sir H. T. Holland, Bart., G.C.M.G., M.P.,

&c.

&c.

&c.

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Enclosure in No. 1.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
June 25, 1887.

SIR,

I HAVE the honour to forward for your Excellency's information a copy of a letter written by Mr. T. Shepstone (on behalf of the Swazi King) to the Secretary for Native Affairs, Natal, enclosing therein a copy of a communication sent by Umbandeen to the President of the South African Republic.

I also enclose a copy of a minute by the Secretary for Native Affairs on the subject.

I have, &c.

(Signed)

A. E. HAVELOCK.

His Excellency

The Right Hon. Sir Hercules Robinson, G.C.M.G.,

&c.

&c.

&c.

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Mr. T. SHEPSTONE to SECRETARY NATIVE AFFAIRS.

The King's Kraal, Swaziland,  
June 10, 1887.

SIR,

I HAVE the honour, on behalf of the Swazi King, to enclose, for the information of his Excellency the High Commissioner, a copy of a letter the Swazi King has addressed to the President of the South African Republic, with a copy of the enclosure referred to therein.

The King is very anxious on this subject, and earnestly hopes that his Excellency will urge upon his Honour the President prompt action in the matter.

What the King is especially afraid of is that Transvaal subjects may cause bloodshed amongst themselves over these disputes; that the neighbouring kraals may be drawn into the conflict and very serious disturbances occur.

I feel bound to say that from personal observation I am satisfied that, owing to recent occurrences in the country, if any of such disturbances as the King is apprehensive of ensue, it will be almost impossible to restrain the Swazis from asserting their independence.

I have, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi King.

The Hon. the Secretary for Native Affairs,  
&c. &c. &c.

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UMBANDEEN to PRESIDENT SOUTH AFRICAN REPUBLIC.

King's Kraal, Embekelweni, Swaziland,  
June 10, 1887.

UMBANDEEN, King of the Swazi nation, informs his Honour that on the 29th May Messrs. Jideon Broderick and L. D. Joubert arrived and complained that Messrs. Fick and Van Rensburg and about 10 other Transvaal subjects, all of Wakkerstroom district, had driven them off their grazing ground, pelting them with stones, and threatening them with other personal injury, and saying they would serve Umbandeen the same if he came to them.

They also threatened to shoot anyone who attempted to graze on that land, claiming that they held it from one Townsen. Messrs. Broderick and Joubert were here again last Sunday and repeated their complaint.

To-day Messrs. Van Wyck, Wessells, and Oosthuysen have arrived here complaining of similar behaviour by the same body of men, the former having had his house burnt down. A copy of their statement is enclosed.

The five men who complain hold grazing rights from the King, and they and those who are complained of are, the King believes, Transvaal subjects.

The matter is so serious, the King believes, that his Honour will at once use his influence to put a stop to these lawless proceedings as soon as his Honour hears of them.

The King is aware that both the English and South African Republic Governments would sanction his using force to put a stop to these lawless proceedings, but, as his Honour is aware, the King is most loth, unless absolutely compelled, to do anything that may cause trouble or bloodshed.

The King, however, respectfully points out to his Honour his fears that, if these proceedings go on, bloodshed will be the result between Transvaal subjects in the King's territory.

The King trusts that his Honour's Government will at once take action in the matter.

Given in Council assembled at Embekelweni Kraal, Swaziland, this 10th day of June 1887.

(Signed) UMBANDEEN, King,  
his X mark.

Witnesses :

(Signed) THEO. SHEPSTONE.  
JOHN GAMA.}

June 10th.—J. C. Wessells and P. C. Oosthuysen complain that Van Wyk's house has been burnt down by a body of 10 or 12 Dutch people from Wakkerstroom district, who are led by Messrs. John Fick and H. van Rensburg; that they daily threaten to burn Mr. Wessells' house also; that they ride about armed and prevent Messrs. Van Wyck, Wessells, and Oosthuysen from enjoying, or in any way using, the grazing and other rights acquired by them from the Swazi King; that they have threatened to beat "Shamalo," the Swazi King's brother and Chief of the district, and "Shamalo's" wives and children have fled to Wessells for protection. The complainant's rights are situated in or about the Umpulusi and Usutu Rivers (near the Transvaal border), in Swaziland, and the aggressors claim to be authorised to act as they are doing by one Tausen. It is impossible for things to go on as they are without bloodshed, and the complainants beg the King to appeal to the Transvaal Government to restrain its subjects, and to protect those of its subjects who are thus hindered by the action of the men complained of.

(Signed) J. C. WESSELS.  
P. J. OOSTHUYSEN.  
C. J. VAN WYK.

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SECRETARY FOR NATIVE AFFAIRS.

MINUTE.

HIS EXCELLENCY,

I FORWARD this letter for your Excellency's information, and trust that your Excellency will forward it to the High Commissioner at the Cape, as I fully concur in all that Mr. T. Shepstone states as to the danger of the Swazis not putting up with much more interference from the Boers. The Swazis are feeling their strength more now, and this renewed feeling of self-confidence on their part has arisen from the effect which the late demonstration made by the Swazi Chief in calling up his army has had upon the Boers.

June 23, 1887.

(Signed) H. C. SHEPSTONE,  
Secretary of Native Affairs.

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No. 2.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received July 27, 1887.)

Government House, Cape Town,  
July 6, 1887.

SIR,

WITH reference to your telegram of the 26th April last,\* I have the honour to forward for your consideration a translation of a letter which I have received from the Government of the South African Republic, transmitting copy of a report of the Commission recently appointed by that Government to visit Swaziland and investigate complaints made by three Swazi captains against persons who had leased winter grazing lands from the King Umbandeen.

2. The Government of the South African Republic express the opinion that the Swazi question can best be settled by mutual co-operation between Her Majesty's Government and the Government of the Republic. I propose to address you in reference to this suggestion in another Despatch.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Sir H. T. Holland, Bart., G.C.M.G., M.P.  
&c. &c. &c.

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\* No. 28 in [C.—5089] June 1887.

## Enclosure in No. 2.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

Government Office, Pretoria,  
South African Republic,  
June 10, 1887.

YOUR EXCELLENCY,

I HAVE the honour to transmit to your Excellency a copy, in the name of the Government, of the report of the Commission which has been to Swaziland, in connexion with a communication transmitted from here on the 20th of April.

I am instructed to state that the question cannot be considered settled; that the settlement of the question is a necessity, and, in the opinion of this Government, it can best be effected by mutual co-operation between the Government of Her Majesty the Queen and this Government. This Government will, therefore, be glad to learn that your Excellency concurs in this, in order in that case more closely to define the manner of procedure.

I have, &amp;c.

To His Excellency the High Commissioner, (Signed) W. EDUARD BOK,  
Cape Town. State Secretary.

REPORT to his Honour the State President and Members of the Executive Council  
at Pretoria.

(Translation.)

GENTLEMEN,

THE Commission appointed by the Executive Council's Resolution of the 19th April 1887, section 141, proceeded as speedily as possible to Umbandeen's chief place in Swaziland, where we arrived on the 4th instant, where we awaited Messrs. Erskine and Tosen on the 5th of May, in accordance with the letter addressed by the Government to the Native Commissioner on the Swaziland Border.

The Commission thought fit, after they had been informed that Mr. Erskine had left the country for a time, to address a letter (see Appendix A.).

Mr. Tosen appeared on the 7th of the present month, whereupon the Commission immediately commenced an investigation of the question referred to them, from which it appears that no thefts or deeds of violence or acts of rebellion were committed by white men. The investigation further showed that the complaint contained in the last paragraph of the letter addressed by King Umbandeen to this Government was merely based upon a statement made by Tosen to the King in the presence of Mr. T. Shepstone, viz., that King Umbandeen must drive this man out of his kingdom, pointing with his finger to Mr. Shepstone; that through him war would come into the land; that, as his father was the cause of Majuba, through him, Shepstone, blood would also flow in Swaziland. Mr. Tosen confessed having used these words, not in the sense of any opposition, but as a warning addressed to King Umbandeen.

It has further appeared from the investigation that the ground question arose in that King Umbandeen afterwards granted concessions on grounds previously granted by him to white persons.

During the investigation certain documents were exhibited, copies of which will be found under Appendix B.

The Commission has after investigation regulated the question with respect to war in accordance with the Convention, by giving an assurance to King Umbandeen that the Government of the South African Republic would not permit any of its subjects to commit acts of violence against him, and that his independence, in accordance with the Convention, will be recognised. This gave the King and his Council pleasure.

The Commission did not succeed in regulating the question of land in its entirety, as they did not consider themselves competent to treat further in respect to this matter, as it appeared to them that the question resolved itself into one of law. The question, however, appears to us to have been dealt with in a somewhat arbitrary manner, as will appear from Appendix F.

The Commission consider it their duty to report what was brought to their notice by Captain Ferreira, notwithstanding that this was a matter outside their instructions, viz., that Mr. Shepstone had told him that the Swazi King Umbandeen had asked for British authority. We forthwith upon our arrival in Umbandeen's chief place communicated this to him, but he denied it emphatically.

The following morning early at sunrise he came to us again, and said that we had put such a fright into him by what we had told him yesterday evening that he had not slept a wink during the whole night. We repeated the same to him in the presence of his Council and of Mr. Shepstone, when they all again emphatically denied it with the exception of Mr. Shepstone, who gave us a dodging answer, saying that all that was asked for was a British Resident, and when we pointed out to him that this, under the Convention, was an impossibility he said that the intention was only to ask to have the rights of the Swazis given under the Convention respected, with which the King and his Council agreed, stating that their only intention was that no foreign authority shall be placed above that of the King.

The Commission trust that they have satisfactorily carried out the instructions given them, and have the honour to be,

(Signed) C. J. JOUBERT,  
F. Y. JOUBERT,  
Members of the Commission.  
J. F. JOUBERT,  
Secretary.

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### Appendix A.

(Translation.)

SIR,

Umbandeen's Chief Place, May 4, 1887.

You are hereby instructed forthwith to return to this place, as serious charges have been brought against you by King Umbandeen, the Governor of this country, myself and Mr. F. Y. Joubert having been appointed a special Commission to inquire into and regulate this very serious matter, we are already waiting for you, and it appears to us desirable to hear what you have to say as well as King Umbandine, so as to be able to come to a just and proper conclusion, and to report upon it accordingly, by means of which the Government will be in a position to put an end to questions of this kind.

We shall await your coming here to the 6th instant, when we shall commence the investigation even in your absence.

Trusting that the above will be obeyed by you,

Your obedient Servant,  
(Signed) C. J. JOUBERT.

MY DEAR SOMTSEU,

Swaziland, April 16, 1887.

I DARESAY ere this you have heard the latest from the Swaziland country.

The King to whom I have just been and explained what is likely to happen if he does not come to some terms about the ground on the south of the Sutu, or in other words, the ground Shepstone has a concession, which you, together with some others, applied for a concession and were refused, owing to which there is likely to be a row.

I am astonished to find that the King knows nothing about all this, and the fact is, I can assure you, your ground, or part of each in question, the King is quite willing for you and Ferreira to come down to arrange for the said ground in question.

I have been down myself, and I hold a letter which I am sure, were you to see it, would give great satisfaction. Can you not come down here to see me yourself?

Faithfully yours,  
(Signed) E. N. PULLEN.

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### Annexure.

GENTLEMEN,

The King's Kraal, May 8, 1887.

As requested by you, I enclose some copies of the first grazing licenses to hand amongst those sent in to me for registration in terms of my notice.

Whatever the wording of the various licenses may be, they are all sent in and claimed as grazing licenses during the winter months, as is also maintained by the King and councillors.

I would draw your attention to the consideration purported to be given to the King for these licenses.

Yours, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident and Agent Swazi King.

The Hon. the South African Republic  
Commissioners.

Enclosures : P. J. Fowrie and others, H. Bester, J. P. Botha, and others, W. C. Koetsee and others.

True copy.  
(Signed) W. EDWARD BOK,  
State Secretary.

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CONTRACT OF LEASE.

(Translation.)

Umbekelen, May 5, 1884.

I, the undersigned Umbandeen, Supreme Chief of the Amaswazies, acknowledge by these presents legally to have let to Mr. P. J. Fowrie, W. Fowrie, L. D. de Jager Fowrie, a certain piece of ground in extent according to guess 4,000 morgen in territory belonging to me. It is let for the period of 50 successive years for the sum of 80*l.* sterling, which I acknowledge to have received by signing this lease. The lease commences on the 5th of May 1884 and ends on the 5th of May 1934; the ground is to be divided among the three above-named gentlemen, so that half of the ground will belong to P. J. Fowrie, and the second half to Messrs. W. Fowrie and L. D. de Jager Fowrie.

The said ground is therefore situated as follows:—Beacon 1, where the South African Republic's boundary intersects the Lezacte River, following that line up to the Sucooth Kop called Bel's Kop. Beacon 2, from there in a straight line to the corner beacon of J. Tosen and Moolman. Beacon 3, and from there with the said line of J. Tosen and L. Moolman up to the Lezacte River, then higher up to the first-named beacon No. 1.

(Signed) X UMBANDEEN,  
Supreme Chief.

As witnesses.

(Signed) J. J. COETZEE,  
W. P. V. R. VAN OUDTSTROOM.

Interpreter.

(Signed) C. J. TOSEN.

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(Translation.)

CONTRACT of lease of a certain patch of land situated in the Umswazie territory on both sides of the Umslambe tribe, with the beacons pointed out by the King of Umswaziland.

I, the King Umbandeen or Islamien hereby declare by these to have let to Mr. H. Bester a patch of veldt for a period of 30 years in succession for the sum of 60*l.* sterling for value received.

Thus done on the 16th of August 1880.

I, the King Umbandeen or Islamien, ratify what has been done, and sign myself—  
X UMBANDEEN OR ISLAMIEN.

As witnesses.

X MACAIBA.  
X MAFAAU.

---

COPY OF CONTRACT OF LEASE.

(Translation.)

Umbekelen, June 4, 1881.

I, the undersigned Umbandeen, King of the Amaswazies, hereby acknowledge duly and legally to have let a piece of ground of my land to Mr. J. P. Botha, senior, and C. Botha, J.'s son, for the period of 30 years for the sum of 50*l.* sterling for the above-

named number of years, paid with horses; the ground is situated on the Umpalaas River. The ground, as well as the beacons, has been pointed out by me.

(Signed) UMBANDINE, <sup>his</sup> × King.  
mark.  
LEKOMBA, <sup>his</sup> × Captain.  
mark.

As witnesses.

(Signed) F. J. VELDTMAN.  
L. J. MOOLMAN.

As interpreter.

(Signed) C. J. TOSSEN.

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THE COPY OF OUR CONTRACT.

CONTRACT of Lease between Umbandeen, King of the Amaswazies and W. J. Coetzee and G. J. Stoop.

Umbekelen.

By these presents the undersigned declare legally and duly to have let to Mr. W. J. Coetzee and G. J. Stoop a piece of ground in my territory for a period of 30 years for the sum of 50*l.* sterling. The ground is situated on the river called Omslaaw.

I, the undersigned, further acknowledge to have received the above-named sum, and promise to have the above-named piece of ground beaconed off.

(Signed) UMBANDEEN, <sup>his</sup> × King.  
mark.  
(Signed) UMBANFAN, <sup>his</sup> × Captain.  
mark.

As witness.

(Signed) C. J. TOSSEN.

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Annexure.

(Translation.)

Umbekelen, July 7, 1880.

I, the undersigned, acknowledge duly and legally to have let a piece of my ground for the period of 30 years to Mr. H. M. Janse van Rensburg for the sum of 30*l.* sterling for value received. To receive the ground situated between Zoeloo and Masloun and J. Botha's line and P. van der Merwe's line, in accordance with the beacons pointed out.

(Was signed) King <sup>his</sup> × BANDEN (? UMBANDEEN).  
mark.

As witnesses.

(Was signed) <sup>his</sup> DERKAAN, × King's Interpreter.  
mark.  
<sup>his</sup> MAKOM, ×  
mark.

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Appendix B.

(Translation.)

DEED OF SALE.

I, the undersigned Umbandeen, King of the Amaswazies, and my High Council of State declare solemnly the sum of 150*l.* sterling to be the full and whole sum for which I sold to Christoffel Jacobus Tosen, W.'s son, a piece of ground situated on the River Imponon in my territory, and I further declare that neither I, the said Umbandeen, nor my successors have any right or title in the said ground so sold, and I further declare

that the said sum has been fully paid to me in the shape of work and labour done, for which I expect no other kind of payment or value, and I declare the said C. J. Tosen, W.'s son, to be the only person who has bought this piece of ground, and all this I declare to be the simple truth without any reservation or exception whatever.

Thus done and signed upon my territory and in my town Umbekelen on the 10th day of the month of September in the year of our Lord 1884, and not before that time.

Buyer.

(Signed) C. J. TOSEN.

As witnesses.

(Signed) S. W. BROODRYK.  
W. F. TOSEN.

Seller.

his  
UMBANDEEN, X King.  
mark.

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Annexure.

MEMORANDUM of Grant or Concession made by Umbandeen, King of the Swazi Nation, son of Umswazi, to Christoffel Jacobus Tosen on the 19th day of February 1887.

I. I, Umbandeen, King of the Swazi Nation, in Council assembled at the M'Bekelene Kraal, do hereby certify that on the 19th day of February 1887, in the presence of the undersigned witnesses, I did freely grant and cede to Christoffel Jacobus Tosen the monopoly and mining rights of all gold, precious stones, and all other minerals which may be discovered on a district of country herein-after mentioned, with full rights and permission to explore, prospect, dig, or mine; and also to have the full use and control of all wood and water on the grant or concession, to erect stores or houses, graze cattle, horses, sheep, goats, &c., and cultivate lands, make roads or tramways, and import machinery or machineries and goods all of which may be necessary for the development of the works.

II. That the boundaries of the grant or concession to be as follows:—From a large stone marked TB on the rise above Kaffir Kraal, known as Zumbene, from thence in a direct line easterly on the waterfall of the river or Spruit Umslambenythe, and thence through the River Umslambenythe on to a hill named Isegwana (or Zwartkop), and then with the Sugarbush Spruit to where the said Sugarbush Spruit runs into the Usutschwana River, and then with the Usutschwana River up to where a spruit runs into the Usutschwana River named Makuba, and thence with the Spruit Makuba up to the source on the main transport road from Delagoa Bay, and thence with the transport road up northerly on to a hill known as Malman's Hill, and thence south-east, according to the watershed, on to the large stone above Zumbine marked TB, viz., the first-mentioned beacon, better known by the natives as Botha's Beacon.

III. The period for which I make this grant or concession is for 50 (fifty) years, with a further right of renewal for 50 years.

IV. In making this grant or concession I do not alienate from my kingdom this or any portion of it, but reserve intact the sovereignty of my dominion.

V. Further, that the said Christoffel Jacobus Tosen shall not make any claim contrary or injurious to my right as sovereign of the country, but do recognise my right as King.

VI. I further engage to give them and those engaged by them all protection should they apply for it to me, so as to enable them to enjoy all lawful and proper use of the privileges granted to them.

VII. I also regard this grant or concession given to C. J. Tosen as valid and binding on my heirs or successors.

VIII. That the sum of 100*l.* sterling shall be paid down until the discovery of a payable gold reef on the concession and the erection of machinery, when the sum of 1,000*l.* sterling shall be paid, and an annual payment thereafter of 50*l.* per annum as rental during the term of this grant or concession.

IX. That the said C. J. Tosen will have the full right of disposing or selling to any company or persons that he may deem proper this grant or concession.

(No signatures.)

The undersigned declare hereby that the foregoing deed or concession was duly translated to the King Umbandeen in Council, and in the presence of the afore-mentioned witnesses.

(No signatures.)

## Appendix F.

Elandsfontein, May 13, 1887.

IN answer to two questions addressed by the Commission to Mr. Shepstone, he replied—

To the first question : Have you a concession of the ground in question ? Yes.

To the second question : Were you aware when you asked for the concession and received it that the lands were held under a contract of lease ? Yes.

## No. 3.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received July 27, 1887.)

Government House, Cape Town,  
July 6, 1887.

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 19th May last,\* inquiring whether in my opinion it would be desirable that a joint Commission consisting of representatives of the British and Transvaal Governments should be appointed to inquire into the state of affairs in Swaziland, and to report what measures might be jointly taken to prevent complications arising, and to secure the independence of the Swazis.

2. You add that upon the report of such a Commission it would seem possible that Her Majesty's Government and the Government of the South African Republic might agree upon some person whom they could alike trust, who should be appointed a Resident Agent in Swaziland, with or without police to support him, and who should communicate with both Governments.

3. I gather from the newspaper reports that the position of affairs in Swaziland has undergone a considerable change in the last few months. Umbandeen, the King, has appointed Mr. Theophilus Shepstone, C.M.G., to be his chief adviser, and to be the ruler under him over all the white people in Swaziland. He has invested Mr. Shepstone with authority to frame laws for the government of all persons other than natives, with jurisdiction to deal with offences and disputes, and with power to collect from white persons a revenue sufficient for the purposes of their administration.

4. A committee of 25 Europeans has been elected to assist Mr. Shepstone. A register has been made of all grazing licenses and mineral concessions granted by Umbandeen, and it has been arranged that persons holding the former shall be compensated for any injury done to their pasturage rights by those empowered to search for gold over the same areas. Accordingly the fear which, a short time since, was entertained of an invasion of Swaziland by Transvaal burghers appears for the present to have subsided.

5. I do not see, therefore, that there is anything now for a joint Commission to inquire into. Umbandeen has been clearly within his rights as an independent Chief in delegating to a Resident and an advising committee the power to govern in his name the white persons in his territory; and the arrangements, although somewhat primitive, appear sufficient for the present to secure to the Europeans protection for life and property, and the maintenance of equal justice between individuals. All that can be desired under the circumstances has, therefore, been effected without entailing any responsibility whatever on Her Majesty's Government.

6. As to the appointment of a joint Resident Agent, who should communicate with both the British and the Transvaal Governments as suggested in your Despatch, I fear there would be much difficulty in finding any person who could fill such a dual post with satisfaction to both Governments. His position, too, would be one of doubtful utility. He could scarcely be an adviser of Umbandeen, who has already appointed Mr. Shepstone in that capacity, and whose appointment is distasteful to the Transvaal burghers. Such a joint Agent, too, would have no power whatever to enforce the views of either Government, all legislative, judicial, and administrative authority over white persons having been made over by Umbandeen to Mr. Shepstone and the European Committee. If the Agent agreed with Mr. Shepstone he would be a cypher. If he differed from him his

\* No. 35 in [C.—5089] June 1887.

appointment would tend to weaken Mr. Shepstone's authority without supplying any other to take its place.

7. The only advantage of such an officer would be that he could keep Her Majesty's Government correctly informed of what was going on in the country, a want which is no doubt now being constantly felt. On the whole, however, I should be disposed to deprecate such an appointment at present, lest it should prejudice or in any way interfere with the legitimate attempt at self-government which is now being made.

8. But if Her Majesty's Government think it desirable to comply with the desire for mutual co-operation in this matter expressed by the Government of the South African Republic, then I would advise that the course laid down in the Convention should be strictly adhered to. The Transvaal Government have no right to intervene in the settlement of Swazi affairs, and their interference would not be likely to benefit the Swazis. They might be informed that Her Majesty's Government propose, under Article 2 of the Convention of London, to "appoint a Commissioner to reside in Swazi-land, outside the eastern border of the South African Republic, to maintain order and prevent encroachments;" and the Government of the South African Republic might be invited, in accordance with their undertaking in the same Article, "to appoint a Commissioner upon their eastern border whose duty it will be strictly to guard against irregularities and all trespassing over the boundary." This is the plan which has already been adopted by both Governments upon the western border, with much advantage to the inhabitants of both British Bechuanaland and the Transvaal.

9. If Her Majesty's Government should think it desirable to adopt such a course, Major Martin of the Inniskilling Dragoons, now in Natal and lately second in command of the Bechuanaland Border Police, would be admirably suited for the post of British Border Commissioner in Swaziland, and I do not think he would require, at all events for the present, any police to support him. A couple of mounted orderlies would be sufficient assistance, and the cost of the Commissioner and his establishment would probably not exceed 1,000*l.* or 1,200*l.* a year.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G., M.P.  
&c. &c. &c.

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No. 4.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

SIR,

Downing Street, August 9, 1887.

I HAVE the honour to acknowledge the receipt of your Despatches of the 6th ultimo,\* relating to the proposal to appoint, in conjunction with the South African Republic, a joint Commission to inquire into the affairs of Swaziland, and to report what measures should be taken to avoid complications there.

Under the present circumstances of the case I am inclined to agree with your view, that it is unnecessary to incur the expense of a joint Commission, and it appears to me that your doubts as to the efficiency of such a Commission apply, to a considerable extent, to the proposal to appoint a Resident Commissioner in the country.

I have, therefore, come to the conclusion that no action should be taken in the matter at present, and I request that you will cause the Government of the South African Republic to be informed, after acknowledging the friendly offer of mutual co-operation which they made, that Her Majesty's Government do not think any immediate action necessary, as, from the latest intelligence, they gather that matters are quieting down, and that Umbandeen is able to maintain the independence of his country.

Sir H. Robinson.

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

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\* Nos. 1, 2, and 3.

No. 5.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received August 12, 1887.)

Government House, Cape Town,

July 20, 1887.

SIR,

I HAVE the honour to forward, for your information, extracts which I have cut from recent Pretoria newspapers, showing the steps which are being taken by Mr. Theophilus Shepstone, as Resident Adviser and Agent of King Umbandeen, to establish some forms of self-government among the European inhabitants of Swaziland.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.

Sir H. T. Holland, Bart., G.C.M.G., M.P.,

&amp;c.

&amp;c.

&amp;c.

Enclosure in No. 5.

SWAZILAND.

NOTICE.

In terms of the resolution passed at the meeting on the 16th May at the King's Kraal, it is hereby notified that the general meeting of the concessionaires, grazing right holders, storekeepers and residents, will take place at the King's Kraal on the 30th July, to receive the report of the outgoing committee, and for election of a committee for a further period.

On behalf of the Swazie King,

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent.

SWAZILAND.—It is understood that every store or canteen in Swaziland will have to pay, as from the 1st June, a license of 5*l.*, canteen and store combined 10*l.*, trading waggon, 5*l.*, hawkers of goods, 2*l.*, transport waggons, 1*l.*, and carts employed in transport, 10*s.* Indiscriminate drinking is in a measure debarred by the proviso that no trading waggon can sell liquor.

No. 5a.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received August 17, 1887.)

Government House, Cape Town,

July 27, 1887.

SIR,

WITH reference to my previous Despatches on the subject of Tongaland, I have the honour to enclose, for your consideration, copies of two Despatches which I have received from the Governor of Natal concerning a fresh application for British protection from Zambile, the Regent Queen of Tongaland.

The later Despatch encloses an agreement, in duplicate, between Sir Arthur Havelock and Zambile's messengers, a copy of which is herewith forwarded to you. I would recommend that I be authorised by telegraph to approve and ratify this agreement on behalf of Her Majesty's Government.

A notification of this to Zambile through Sir Arthur Havelock would tend to allay the anxiety evidently felt by the Tonga people, pending the decision of Her Majesty's Government on the questions which I have submitted in my previous Despatches.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.

Sir H. T. Holland, Bart., G.C.M.G., M.P.,

&amp;c.

&amp;c.

&amp;c.

Colonial Office.

## Enclosure 1 in No. 5a.

Sir A. E. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
July 9, 1887.

SIR,

I TELEGRAPHED to your Excellency on the 18th June, saying, with reference to my telegram of the same date, on the subject of a fresh application for British protection from Zambile, the Regent Queen of Tongaland, that I gathered from an intimation made to me privately by Sir Henry Holland, that Her Majesty's Government might not be disinclined to consider an agreement with the Tonga Queen, which would bind her not to grant a cession of any part of her territory to any foreign Power, without having previously consulted on the subject with the High Commissioner. I asked your Excellency, in the same telegram, whether you were able to empower me to suggest an agreement to Queen Zambile.

2. On the 19th ultimo I received a telegram from your Excellency, in which you informed me that you saw no objection to my proposing such an agreement. I accordingly signed such an agreement with the messengers from Queen Zambile on the 6th instant. The agreement and a report of the proceedings connected with its execution will be submitted to your Excellency in another Despatch.

3. The fact of such an agreement having been made with Her Majesty's Government would serve to strengthen the hands of Queen Zambile against any possible encroachments by the Portuguese Government, and this is, I conclude, the object that is desired to be attained.

His Excellency the Right Hon.  
Sir Hercules Robinson, G.C.M.G.,  
&c.                    &c.                    &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

## Enclosure 2 in No. 5a.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
July 10, 1887.

SIR,

I INFORMED your Excellency, by telegraph, on the 18th June, that I had just had an interview with a fresh deputation from Zambile, the Queen Regent of Tongaland, and that this deputation had reiterated on her behalf the request previously made by her for British protection.

2. I now enclose, for your Excellency's information, a copy of the statement made by the messengers who formed the deputation, which statement was taken and interpreted by Mr. Saunders, Zulu interpreter of the Supreme Court.

Statement by messengers.  
17 June 1887.

3. I received the messengers on the 18th June, when they repeated in my presence and in that of the Secretary for Native Affairs, the substance of the statement made by them to Mr. Saunders. I attach a copy of notes taken by myself of the proceedings at this meeting. It will be observed that I gathered from what I elicited from the messengers, that their complaints of interference on the part of the Portuguese Government were made in ignorance of the rights derived by that Government under the MacMahon Award of 1875, and that the Portuguese had not, as far as I could make out, exceeded their rights under that award.

4. Having communicated by telegraph with your Excellency on the subject, I caused the messengers to be asked if they had authority and were willing to sign an agreement with me for submission to your Excellency, for the consideration of Her Majesty's Government, and subject to the ratification of Queen Zambile and her Chiefs, which would bind Queen Zambile not to enter into any treaty for the cession or surrender of any portion of her country to any foreign State, except with the knowledge and the

sanction of Her Majesty's High Commissioner for South Africa. Having ascertained that the messengers were willing to execute such an agreement, and that they considered themselves empowered to do so, I caused a draft agreement to be prepared and interpreted and explained to them. I received the messengers again on the 6th instant, when the agreement was once more carefully interpreted and fully explained to them. It was then signed in duplicate by them and by myself. I forward this agreement herewith.

Agreement between Sir A. Havelock  
and Tonga messengers.

5. I told the messengers that the agreement would be transmitted to you, for the consideration of Her Majesty's Government, and that if Her Majesty approved of it, it would be returned to me, when I would send it by a European officer to Queen Zambile in order that it might be ratified by her. I added that one copy would then be given to her and that the other would remain in the hands of Her Majesty's representative. In order that Queen Zambile should be fully informed of what had transpired I have given the messengers an unsigned copy of the agreement to take back with them.

6. A reference to the notes made by me of what took place during my interview with the messengers on the 18th June will show that the MacMahon Award of 1875 and its effects upon the Tongas and their country, seem never to have been communicated to the Tongas. The Secretary for Native Affairs reports that as far as he is aware no notification of this award has ever been made to the Tongas. I took the opportunity offered by the presence of these messengers to explain the whole matter to them, and I caused to be handed to them a written message addressed to Zambile giving the substance of what I had said in the matter to the messengers. I enclose a copy of my message.

Message to Zambile.  
7 June 1887.

7. I thought also that a warning to Zambile against the danger of signing documents granting concessions to private individuals, the nature of which she did not understand, might be of use. I gave a verbal warning to this effect to the messengers and caused the sense of what I had said to be embodied in a written message addressed to Zambile. I attach a copy of this message.

Message to Zambile.  
7 June 1887.

8. The messengers left Pietermaritzburg on the 8th instant on their return journey to Tongaland, taking with them a few articles, which they chose, as a present from me to Zambile.

His Excellency the Right Hon.  
Sir Hercules Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

Office of Secretary for Native Affairs, Natal,  
June 17, 1887.

STATEMENT of G. BRÜHEIM, MASOLOLO, and UNKONKA, a deputation from UZAMBILI, Regent of a portion of the AMATONGA NATION known as the AMATEMBE, lately under the Chief NOZINYINGILI.

G. BRÜHEIM states:—

I AM sent here as the head of a deputation to his Excellency the Governor of Natal with the following message, viz. :—

UZAMBILI states:—

She and her tribe are in great distress and trouble in consequence of the treatment they are subjected to by the Portuguese Government at Delagoa Bay. That shortly before I left her kraal on my present mission a message was sent to her by that Government to the effect that they were to pay taxes, and in consequence of her tribe not complying with this demand the kraal of a petty Chief in her district was burnt down. In consequence of this I was despatched with the two head men, Masololo and Unkonka, on the 20th of last month (May) to complain of these acts of aggression to the Governor of Natal. On the 28th of that month, whilst on my journey here, a messenger reached

me from Uzambili to state that after my departure a further demand for taxes and tribute had been made by the Portuguese Government, and that in this last demand it was stated that unless the taxes were paid within 25 (twenty-five) days an army would be sent to eat us up, and that already the Governor of Lorenzo Marques had gone to Mozambique to get soldiers for this purpose.

This message was delivered to Uzambili on the 24th or 25th of May. I was directed through this messenger to inform his Excellency of this latter demand, and request that the Governor of Lorenzo Marques might be telegraphed to and informed that Uzambili and her people are British subjects, and that they are agreeable to any dispute between them and the Portuguese Government being settled by arbitration, and that the English Government should be the arbitrator. That although the island of "Inyack" was awarded to the Portuguese without her knowledge and that of her people, she is quite willing that they should retain possession of that and the small strip of land opposite Delagoa Bay already awarded to the Portuguese; but that she will withdraw all her people from there.

That when first the Portuguese obtained permission to occupy this island and strip of land they paid tribute.

That on a second occasion tribute was sent to our late King Noziyingili, but as it was of such small value that it was returned to them, and they have never since paid any, in consequence of the nonpayment of tribute she, Uzambili, would not consent to their erecting a lighthouse on the island of "Inyack" as intended by the Portuguese, and that this has not been done.

Uzambili directed me to state that she and her people consider themselves British subjects, and wish to be acknowledged as such, and they now earnestly request his Excellency the Governor to despatch a representative of that Government with me on my return, with authority to settle disputes about boundaries between ourselves and the Portuguese Government, and between ourselves and four petty Chiefs who reside on the extreme southern boundary of our territory on the Sibicane stream. According to the map compiled by the British Government, or pointed out by the authorities of the Government of Natal as the recognised map of that territory, those tribes (which are under the petty Chiefs Umgongobali, Fokoti, Unxamane, and Umtuku) appear to be in that territory. However, they refuse in any way to recognise Uzambili as their Queen or Regent, and will not pay tribute to her. She therefore asks that the representative she now requests the Governor to despatch with me may have authority to settle her disputes with these Chiefs as well as that with the Portuguese.

That should his Excellency see his way to accede to this request she would wish this representative to appoint her son, Unqwanase, King (he being the rightful heir to the throne under our laws) in the same manner that Cetywayo was appointed King of Zululand by the English Government.

That should his appointment be made in the manner she requests, it will be recognised by the whole of her tribe.

In conclusion, Uzambili directed me to inform his Excellency that during the reigns of the Zulu Kings in Zululand, she and her people voluntarily paid tribute to the Zulus, and that now that Zululand has been annexed by the British Government she and all her tribe consider themselves British subjects, and that they will be most thankful to his Excellency if he can give them an assurance that they will be considered as such, by acceding to her request, and despatching a representative of the British Government as requested by her to settle the disputes she mentions, and crown her son King of the Abatebe tribe of Amatongas.

That she is now making this earnest appeal to the British Government on behalf of herself and her tribe, and trusts that that Government will see its way to interfere without any delay, in order that the strife and bloodshed which will most certainly follow may be avoided. Already some of her subjects are getting dissatisfied, and seem inclined to recognise the Portuguese Government, but she has appeased them for a time by saying that she should make this last appeal to the English. They, however, say they have so often appealed to the English Government and have received no reply or assistance, and in consequence consider it almost hopeless to do so again. Uzambili, however, states that she still has confidence the English will come to her assistance, but if they do not, she shall never recognise the Portuguese Government, but, as a last alternative, will return to her own country (Swaziland) where she was born, with her children, and leave her tribe to make the best arrangement they can.

MASOLOLO and UNKONKA state :—

We are two of the deputation sent with this message to his Excellency.

Mr. G. Brüheim, who has married one of Noziyingili's (the late Chief) daughters and has lived amongst us for the last 10 years, was to deliver the message. We were to accompany him in order to see that he delivered the words entrusted to him by our Regent Uzambili.

His statement has been read over and interpreted to us, and we find it is correct. It contains the whole of the words Uzambili directed us to deliver to his Excellency the Governor of Natal.

MASOLOLO, his × mark.

UNKONKA, his × mark.

(Signed)

G. BRÜHEIM.

Taken and interpreted by me,

(Signed)

C. R. SAUNDERS,

Interpreter, Supreme Court.

#### NOTES of INTERVIEW of 18th June taken by Sir A. E. HAVELOCK.

I RECEIVED this deputation on the 18th instant. Mr. Brüheim is a trader living near the Queen's kraal in Tongaland. Masololo is a servant or attendant about the person of the young King. He has been to Natal before, as a messenger. Unkonka is a cousin of the late King of Tongaland. They said they were sent by the Queen. They started 28 days ago. They brought with them the last letter written to the Queen, by the Secretary for Native Affairs, as a mark of their being duly accredited.

I told the messengers that I had read the statement made by Mr. Brüheim, which had been read over and interpreted to them, and had been declared by them to be the message which they were charged to deliver. I asked them to repeat their message in my presence.

Masololo said that trouble and distress had come upon them through the Portuguese claiming authority over them. They and their Queen would not recognise the Portuguese, but wished to be subject to the English Government. Some of Zambile's people want to belong to the Portuguese. They are on the other or north side of the Maputa River, and are few in number. Zambile says that as the English have conquered the Zulus and taken over their country, and that as they (the Tongas) paid tribute to the Zulus, she now wishes to follow the Zulus, by also coming under England. Zambile feels aggrieved that no answer has been given to her previous representations to the British Government on this subject. Masololo reports that Mr. Brüheim's statement is correct.

On examining the messengers by questions, I elicited :—

- (1.) That the Portuguese had asserted that Queen Zambile is under them, and that they had claimed taxes from the people on the other or north side of the Maputu River, but not from the people on the south side.
- (2.) That the Portuguese sent an officer to Zambile about three years ago, with regard to Inyack Island, but no officer has been since.
- (3.) That the Portuguese say that the country is theirs, and demand tribute.
- (4.) That Queen Zambile wishes to come under the English, to whom she belongs. If the English won't take her over, she will leave Tongaland, and return to Swaziland, from whence she came.
- (5.) That the Queen wants the young King, her son, to be appointed in the same manner as Cetywayo, that she wishes to be subject to the English and not to the Portuguese, who burn her kraals.
- (6.) That the Portuguese asked some time ago, for permission to build on Inyack Island. They now say that the country belongs to them.

- (7.) That after they (the messengers) had started from the Queen's kraal on their journey to Natal, messengers overtook them from the Queen to say that the people on the other side of the Maputa reported that the Portuguese had been there to demand taxes, and that they had burnt down a kraal. The kraal burnt was on the other side of the Maputa. No taxes have been demanded or trouble given by the Portuguese on their side of the Maputa. They do not claim on the south side of the Maputa. The Queen Zambile claims the country on the other side of the Maputa, and says that the Tembe is her boundary.
- (8.) That there are only three European settlers in Tongaland south of the Maputa.

The deputation then took leave.

I gathered from all that was said that it did not seem that the Portuguese had gone beyond the rights which they derive under the MacMahon Award of 1875, which makes the Maputa River their southern boundary. This award and its effects upon the Tongas seem never to have been made known to the Tongas.

June 18, 1887.

(Signed) A. E. HAVELOCK.

AGREEMENT between Sir ARTHUR ELIBANK HAVELOCK, K.C.M.G., Governor of the Colony of Natal and of Zululand, of the one part, and "MASOLOLO" and "UMKONKA," Messengers of "Zambile," the Regent and Paramount Chief of the Tonga Country, who are accompanied by a German resident of that country, viz., Mr. G. BRÜHEIM of the other part.

WHEREAS "Zambile," Regent and Paramount Chief, during the minority of her son "Ungwanase," in and over the country known as the Tonga country, which lies to the north of Zululand, and is bounded by the Indian Ocean on the east, by the Portuguese territory of Lorenzo Marques on the north, and by the Swazi country on the west, has frequently sent, by and with the advice and consent of her headmen and indunas, to request that she and her people may be acknowledged as British subjects, and that their said country may be taken under the dominion of Her Majesty the Queen of Great Britain and Ireland :

And whereas the above-mentioned messengers "Masololo" and "Unkonka," accompanied by a German resident of her country, Mr. G. Brühheim, who arrived in Pietermaritzburg, Natal, on the 17th of June 1887, have again been sent to urge this request :

And whereas they state their willingness and authority to sign a treaty of amity and friendship to Her Majesty's Government, and to pledge themselves on behalf of the aforesaid "Zambile," Regent and Paramount Chief of their country, not to enter into any correspondence or treaty with any foreign State or Power for the cession or surrender of the whole or any portion of the Tonga country, or on any other matter, except with the knowledge and sanction of Her Majesty's Government :

And whereas the said Governor, Sir A. E. Havelock, is willing, with the knowledge and consent of Her Majesty's High Commissioner for South Africa, to submit the offer of a treaty of amity and friendship to Her Majesty for Her Majesty's gracious consideration :

We, the undersigned, now hereby agree to the following articles and conditions :—

That peace and amity shall continue for ever between Her Britannic Majesty, Her subjects, and the Tonga people, and the contracting Paramount Chief engages to use her utmost endeavours to prevent any rupture of the same, and to cause the strict observance of this treaty.

It is hereby further agreed that "Zambile" Regent and Paramount Chief in and over the Tonga country as aforesaid, on behalf of herself and people, will refrain from entering into any correspondence or treaty with any foreign State or Power to sell, alienate or cede, or permit or countenance any sale, alienation or cession, of the whole or any part of the aforesaid Tonga country under her Paramount Chieftainship, or upon any other subject without the previous knowledge and sanction of Her Majesty's High Commissioner for South Africa.

This agreement shall have no effect whatever until it shall have been ratified and signed by "Zambile," Regent and Paramount Chief of the Tonga country, and her principal indunas and councillors, nor until Her Majesty's approval of and ratification of the same shall have been given and published by proclamation by Her Majesty's High Commissioner for South Africa.

In faith of which we have hereunto set our hands at Pietermaritzburg, Natal, this sixth day of July in the year 1887, and of Her Majesty's reign the fifty-first.

(Signed) A. E. HAVELOCK,  
Governor of Natal and of Zululand.

MASOLOLO, his × mark.

UNKONKA, his × mark.

G. BRÜHEIM.

Witness to signatures and marks.

(Signed) GERALD BROWNE,  
Private Secretary.

We the undersigned do solemnly and sincerely declare that we have read over and explained and interpreted the above agreement to the signatories thereof, and that they fully understood the same.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs, Natal.  
C. R. SAUNDERS,  
Interpreter, Supreme Court, Natal.

Government House, Pietermaritzburg, Natal,  
6th July 1887.

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MESSAGE from the GOVERNOR of NATAL to ZAMAILE, Regent of the Tonga Country, by the messengers MASOLOLO and UMKONKA, who are accompanied by Mr. G. BRÜHEIM.

It appears to the Governor from the message which he has received from Zambili that she is unaware of the fact that the ownership of the island of Inyack formed the subject of a dispute between Her Majesty's Government and the Government of Portugal, about 15 years ago, which dispute was referred to the arbitration of the President of the French Republic, Marshal MacMahon.

The result of the arbitration was adverse to the claims of the British Government, and awarded the possession of the Peninsula and island of Inyack, together with a strip of land on the coast to the south of Maputa or Usutu River, from the parallel of 26° 30' south latitude, along the said parallel to where it cuts the Maputa or Usutu River, and thence down the river to the sea, to the Government of Portugal.

The award further decreed that the land to the north of the Maputa or Usutu River, between it and the Tembe River and up to the Lebombo mountains belonged to the Government of Portugal also; the English Government accepted and agreed to this award.

This being the case, Zambili will see that the English Government cannot interfere in any way regarding the acts of the Portuguese Government in the country to the north of the Maputa or Usutu River. The Government having consented to and recognised the award, that country now belongs to Portugal, and the Governor advises Zambili not to interfere in that territory, but to remove any of her people living there who do not wish to live under the Portuguese Government.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs,  
Natal.

7th July 1887.

No. 6.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

TELEGRAPHIC.

18th August 1887. In reply to your Despatch, 27th July,\* you have authority to ratify Convention with Zambili.

No. 6a.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received August 30, 1887.)

Government House, Cape Town,

August 6, 1887.

SIR,

IN continuation of my Despatch of 20th ultimo,† I have the honour to forward two telegrams from Barberton and Durban published here to-day giving an account of a meeting held at the King's kraal in Swaziland towards the close of last month for the election of a new committee of 15 members, authorised by Umbandeen to undertake the government of the graziers, miners, storekeepers, and other Europeans residing in the country.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,

High Commissioner.

The Right Hon.

Sir H. T. Holland, Bart., G.C.M.G., M.P.

&amp;c.

&amp;c.

&amp;c.

Enclosures in No. 6a.

"Argus," August 6, 1887.

SWAZIELAND.

MEETING AT THE KING'S KRAAL.

THINGS SHAPING THEMSELVES.

THE FIRST BALL.

(By Telegraph from our Correspondent.)

BARBERTON, August 4th.—The meeting at the King's kraal passed off quietly. 200 whites were present. Mr. Shepstone read a report of the outgoing committee. The meeting decided upon electing 15 members as the new committee, consisting of five concessionaires, five residents and storekeepers, and five grazing-right holders. The latter at the last meeting wished to be represented on the committee. Just before the meeting a letter was sent in to Mr. Shepstone by Mr. Ferreira, representing 40 Boers, declining to take part in the election of the committee for the ensuing year, and stating that he had been informed that the British and Transvaal Governments are negotiating for the future good government of Swazieland. Many Boers were present, but took no part in the proceedings. Four of them were elected on the committee. The balloting was very slipshod. Communication with the Transvaal by a regular postal service, and arrangements for the extradition of criminals, for trading licenses and taxes, to be enforced on stores and canteens, of 5*l.* each annually; trading waggons, 5*l.*; hawkers, 2*l.*; registrations of concessions, 20*l.* A police force is being established. Over 100 grazing licenses are registered. There are many disputes between the holders, and serious disturbances have ensued. The five members from the grazing holders form a sub-committee to settle disputes. The Tausen and Erskine faction are out of it. Mr. Shepstone is the right man for the position. There is a good future for Swazieland, if the white population work together. A concessionaire ball was given on the evening of the election of the committee in a large marquee, which passed off successfully.

\* No. 5a.

† No. 5.

## PRESS ASSOCIATION CABLEGRAM.

## CAPE TOWN AGENCY.

Message despatched from Durban 11.5 a.m., August 6th, 1887.

Message received at Cape Town 11.6 a.m., August 6th, 1887.

At a meeting in Swazieland on Saturday week about 70 whites were present, including about 40 Boers, who previously held a conference, at which it was decided not to take part in the proceedings, on the plea that the English and Transvaal Governments were to interfere in Swaziland. A new committee of 15 were elected for three constituencies, five for mineral concessionaires, five for grazing license holders, and five for storekeepers and residents.

The duties as imposed by the old committee were approved. 20% being payable on registration of each mineral concession, five each for trading waggon, for store or canteen. Shepstone, who presided, stated disposition in certain quarters to resist paying licenses, but it would be enforced. Stock thefts rife, and scheme has been submitted for effective police force. 100 grazing licenses have been registered to date, in connexion with which a number of disputes in Western Swazieland and several serious disturbances.

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No. 7.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received August 30, 1887.)

Government House, Cape Town,  
August 9, 1887.

SIR,

IN continuation of my Despatch of the 6th instant,\* I have the honour to forward a cutting from this morning's Cape "Argus" which shows that Mr. Shepstone and his committee of white residents are not without the means to suppress lawlessness in Swaziland.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G., M.P.  
&c.                      &c.                      &c.

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Enclosure in No. 7.

*Policing Swazieland.*

A QUESTION of the greatest interest that has suggested itself in connexion with the recent meetings of white residents in Swazieland is, where force is to be found and how it is to be exercised for the repression of crime or lawlessness. It appears, however, from a report in the *Komatie Observer*, that authority is not altogether a shadow in Swazieland. Numbers of oxen and other animals having recently been lifted from the mining camp at Steynsdorp—the future capital—"Mr. Von Brandis, mining commissioner, despatched the sheriff (Mr. J. Herbert) with a letter to Mr. Shepstone, acquainting the latter with the circumstances of the case, and asking his co-operation and help in getting back the cattle, and in apprehending the men who had carried them off. The sheriff reached the King's kraal on Monday night week, and Mr. Shepstone being some distance up the valley, it was next morning before Mr. Herbert could deliver the Commissioner's letter. The delay was unfortunate, for it appears that Bill Weir and Micky Farrell, the two men suspected of stealing the contractors' cattle, were actually hanging about the King's kraal when Mr. Von Brandis's messenger arrived, and that, probably recognising Herbert, they 'cleared' in the night,

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\* No. 6a.

“ along with the oxen.” The account that follows exhibits a highly original but most effective method of executing a writ :—

The moment Mr. Herbert delivered his letter, Mr. Shepstone directed Mr. Hugh Lloyd—who, in conjunction with Mr. Wilson, will have the carrying out of police duties in Swaziland—to take some of the Havela (the King’s regiment) and, with Mr. Herbert, follow up the men and make them prisoners. The runaways having taken the road to Delagoa Bay, the pursuing party hurried along that road ; but Weir and Farrell having travelled all Tuesday night, it was not until Wednesday midday that the pursuers became at all aware that they were nearing the objects of their pursuit. By this time Mr. Herbert’s horse was done up, and Mr. Lloyd, taking the warrant and one of the natives, rode on ahead. Two or three miles further on he came up with Farrell and Weir, and after he had replied to their question as to where water was to be found, cantered on to meet a party of Tongas, who were coming from the Bomba. Telling the Tongas that he wanted their help in arresting the two white men whom they saw approaching, the natives laid down their loads. When the men came up, Mr. Lloyd stopped them, and telling them they were his prisoners, read the warrant. They, brought to bay by the readiness of Mr. Lloyd’s revolver and the row of the natives, offered no resistance, and, having been warned that any attempt at escape would occasion the use of the revolver, were marched back to the King’s kraal. Mr. Lloyd and Mr. Herbert marched in on Friday with their prisoners, the oxen, which were secured by natives at the foot of the Bomba, being brought on after them. The prisoners being securely guarded, Mr. Lloyd set out after Mr. Sheriff’s cattle, which he traced to a storekeeper’s place some distance from Embekelweni. The storekeeper, who appears to have been “ taken in,” showed by his looks [books ?] that he had given 40*l.* worth of goods to three men for nine of the stolen cattle, and he at once yielded possession of them to Mr. Lloyd. The cattle were then driven to the King’s kraal, and, along with the contractors’ cattle and the four donkeys which had also been recovered, were sent into Steynsdorp. The delinquents in the case of Mr. Sheriff had not been arrested up to the time our informant left Embekelweni, but as their whereabouts are known they can hardly escape.

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No. 8.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received September 7, 1887.)

Government House, Cape Town,  
August 17, 1887.

SIR,

WITH reference to my Despatch of the 6th instant,\* I have the honour to enclose for your information a cutting from the “ Cape Argus ” giving a full account of the recent meeting of European residents in Swaziland for the purpose of electing a committee to frame rules for the government of the country and the maintenance of order amongst the white population.

It will be observed that a number of Boers abstained from taking part in the proceedings on the plea that they had heard that the British and Transvaal Governments have the matter of the future government of Swaziland under consideration.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G., M.P.  
&c.                      &c.                      &c.

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\* No. 6a.

## Enclosure in No. 8.

The CAPE ARGUS.—Thursday, August 11, 1887.

## SWAZIELAND.

*The Meeting of White Residents.*

WE are favoured with advance proofs of the "Komatie Observer" containing the following report of the above meeting:—The adjourned general meeting of concession holders, white residents, and grazing right holders in Swazieland was held at the meeting place, near the King's kraal on Saturday last. The meeting was quite as fully attended as was the first meeting on the 16th of May—fully 70 white men, exclusive of over 40 Boers, who subsequently declined to take part in the proceedings, being present. The meeting was supposed to begin at 10 o'clock, but it was an hour later when the people gathered at the meeting place, an awning improvised opposite Mr. Shepstone's office. There were then present, amongst others:—Messrs. T. B. Rathbone, St. Clair, Heller, J. Forbes, Jacob Steyn, Colenbrander, Langley Gace, Kannemeyer, Robertse, H. Lloyd, E. C. H. Wilson, W. C. Penfold, A. F. Henderson, H. J. M'Cubbin, Handford, A. Meikle, J. Fullerton, G. Adamson, Clench, H. Klein, C. J. Swears, W. Blaine, Liehemann, Parkinson, W. Wilson, Clarke, W. A. Fyfe, E. King, C. B. Acton, J. C. Wessels, H. Steyne, Rylands, Robinson, Bogie, Fels, J. Thorburn, J. Martyn, E. N. Pullen, Duprat, Jordaan, Downes, E. Dupont, Rev. J. Jackson, &c. Previous to the meeting some 40 Boers held a conference, the outcome of which was that they declined to take any part in the proceedings, on the plea that the English and Transvaal Governments were to interfere in Swazieland, and that therefore they would not vote, or have anything to do with the meeting.

At a quarter-past 11 Mr. Shepstone took the chair, and in opening the proceedings, said:—This meeting is convened in accordance with the wish expressed, and the resolution passed, at the general meeting of the 16th May last. The report of the retiring committee is as follows:—

At the general meeting of white people interested in Swazieland, held at Embekelweni on May 16th, the Swazieland committee was called into existence, with the King's approval, by Mr. Shepstone, the King's adviser. The election by public vote took place, and 25 gentlemen were elected, with Mr. James Forbes as chairman, to form the first Swazieland committee and to remain in office till the 31st July, at which date the committee would dissolve and a new committee be elected. On the 18th of May the committee, at the King's request, met him and his indunas under the Council tree. The King explained to the committee what he wanted done for the good government of the white people in the country, and the conservation of his independence. Thereafter the committee met and discussed the question of "who are entitled to vote," and ultimately a sub-committee, consisting of Messrs. Meikle, Forbes, Henderson, Pullen, Fyfe, and Stein, was appointed to inquire into the question, and report. The committee re-met on June 6th, when the sub-committee submitted the following report:—

The sub-committee recommend that at the forthcoming general meeting in July, the following alterations in the constitution of the committee be adopted:—

(a.) That the committee consists of 15 members, instead of 25 as at present.

(b.) That these be elected from three constituencies, viz., (1) mineral concessionaires; (2) grazing license holders; (3) storekeepers and residents.

(c.) That each of the constituencies shall return five members.

Definition of resident: Only persons who have resided legitimately for six months in the country shall be entitled to vote under the heading "storekeepers and residents." Employés on mineral concessions to vote as residents.

Proxies: That proxies, duly vouched, be admitted.

The report of the sub-committee was unanimously approved and adopted. Mr. Shepstone was requested to communicate with the Transvaal Government in reference to postal matters and the extradition of criminals. Mr. Murphy, a storekeeper, was reported to the committee for use of disadvantageous expressions used in contempt of the committee and Mr. Shepstone. A letter was addressed to Mr. Murphy, calling on him to make apology. A letter from Mr. Shepstone was read, in which a number of rules and regulations were submitted to the committee for their approval. The following rules were submitted to the committee for their approval, and unanimously adopted:—

1. The rights to grazing contained in concessions do not include the right to graze herds of cattle, sheep, and other animals, but simply give the right to the concession-holders to graze the animals necessary for the working of the concessions.

2. Subject to the grazing proviso, all *bonâ fide* grazing rights must be recognised by concession-holders.
3. Where it is impossible to avoid it, and gardens, buildings, huts, are interfered with, concession-holders or companies must recompense the owners thereof.
4. The natives on concessions are not to be interfered with without permission had and obtained.
5. The right to import and export duty free, must be construed to refer to machinery only.
6. The right of trading is not to be construed to the exclusion of other duly licensed traders.
7. A fee of 20*l.* is payable on the registration of each mineral concession.
8. A license of 5*l.* per annum will be charged on each trading wagon.
9. A license of 2*l.* per annum will be charged on every hawker of goods.
10. A license of 5*l.* per annum will be charged on each store, and a license of 5*l.* per annum on each canteen.
11. A license of 1*l.* per annum will be charged on every wagon employed on transport.
12. A license of 10*s.* per annum will be charged on each cart employed on transport.

The committee adjourned and again met on July 7th. No answer having been received from Mr. Murphy, a special messenger was despatched with another letter containing a copy of the original letter and demanding an apology. This letter was delivered unopened, Mr. Murphy declined to open it. Several tenders for the survey of the country were submitted, but it was resolved that the question of survey be held over for the incoming committee to consider. The tenders varied greatly in detail and price.

Mr. Shepstone continued:—The decision arrived at by the committee as to the number of persons to form the committee now to be elected, and the section of the white community from which they are to be elected—viz., five by grazing right holders, five by mineral concession holders, and five by residents and storekeepers—has been approved, and is also in accordance with the views of an influential committee of the grazing license holders, who had an interview with me on the subject early in June. Lists of those entitled to vote have been prepared, as far as possible, for the information of the meeting. They are divided into three sections of the community, viz., mineral concession holders, residents and storekeepers, and grazing license holders. No extended postal service has yet been organised, but in the meanwhile there is a weekly post to Steynsdorp, and a fortnightly one to Delagoa Bay. The rates fixed by the committee for the various licenses having been approved by the King, were duly advertised and are now in force. A disposition has been shown in certain quarters to resist paying these licenses. I have reported this to the King, and the licenses will be duly enforced. Stock thefts being rife, the necessity for a police force is becoming more and more apparent, and a scheme for the establishment of an effective force will be laid before the incoming committee. One hundred grazing licenses have been registered up to date, and I regret to state that a number of disputes have arisen between the holders of these licenses, especially in the western portion of Swaziland, and several serious disturbances have ensued. To settle these disputes I suggest to the meeting that the five members of the committee elected to represent holders of grazing licenses should be a sub-committee to inquire into and settle these disputes. With reference to the grazing licenses, I wish to state that I have been informed that a rumour is prevalent of an intention to tax these holders in addition to their annual payments to the King. The report, so far as I am concerned, is incorrect, the only matter affecting these licenses being the registration fee to be paid, a fee which all are willing to pay to the King, but which I have left over for the incoming committee to fix. The state of the country, taking all things into consideration, is, I am glad to say, satisfactory, and I see no reason to doubt its continued peace and prosperity. I have to thank the outgoing committee for its co-operation and assistance, and express a hope that the incoming committee will suggest or frame such rules (applause).

Before Mr. Pullen proceeded to read the report to the Dutch people present,

Mr. Robinson said he should like to know if it was competent for him to ask for information regarding the action of the committee?

Mr. Shepstone informed Mr. Robinson that the business of the committee had been stated in the report.

Mr. Monk Mason said that was so. But if the committee had exceeded its powers? The committee was appointed to draw up, not to enforce, rules.

Mr. Shepstone stated that the committee was empowered to do all that it had done.

The report of the committee having been read by Mr. Pullen to the Dutchmen present, previous to the election of committee being proceeded with,

Mr. Robinson again referred to the question of revenue, and said that as they all liked to know where the money went to, he would be obliged if the information were submitted to the meeting. The question was, Was the money which was being received on account of taxes going to the King, or what was done with it?

Mr. Shepstone said that every shilling of revenue he had received had been paid over to the King (hear, hear). It was a matter entirely for the King to deal with.

Mr. Robinson asked if the matter was not one for discussion.

Mr. Shepstone explained. The King had told the committee under the council tree that these moneys had to go to him. They would see that the outgoing committee could not be blamed for not going into the matter of revenue. The new committee would do this, and that was all that was wanted (applause).

Mr. Monk Mason said they wanted to know by whose authority these taxes were levied.

Mr. Shepstone: By the King's authority.

Mr. Mason: That is all right.

Scrutineers were then appointed, and the voting papers counted. After an hour's waiting Mr. Shepstone announced the result as follows:—

Mineral Concession Holders.—Mr. C. J. Swears, 53; Captain Ewing, 36; Mr. W. Carter, 34; Mr. A. Meikle, 32; Mr. W. Blaine, 20.

Storekeepers and Residents.—Mr. J. H. Colenbrander, 42; Mr. J. Thorburn, 40; Mr. W. A. Fyfe, 40; Mr. J. Fullerton, 23; Mr. Rathbone, 22.

Grazing Right Holders.—Mr. J. Steyn, 21; Mr. P. J. Joubert, 22; Mr. A. F. Henderson, 17; Mr. N. J. Breytenbach, 12; Mr. Van Staden, 12.

Mr. Jas. Forbes did not seek re-election. A number of Dutchmen from the Bomba district voted.

Mr. Shepstone said he had received the following letter from the Boers who had taken no part in the meeting:—

**THEOPHILUS SHEPSTONE, KING'S AGENT AND ADVISER,**

WE, residents and interested holders in Swazieland, have decided not to take any part in the election. The reason is we have heard, and also noticed from the newspapers, that the British and Transvaal Governments have the matter for the future government of Swazieland under consideration.

We are, &c.

C. VAN ROOYEN.

T. BOTHA.

G. FERREIRA.

July 30th, 1887.

Continuing, he said he would not detain the meeting longer. The business of the meeting was concluded. The decision to have the committee 15 in number, was, he might say, simply according to the wish of the Dutch themselves, who at the last meeting complained that 25 of a committee was too many. It was now for the new committee to suggest rules for the good government of the country, and he hoped they would be successful in maintaining order in Swazieland, and in conducting by their labours to the prosperity of the country (loud applause).

A vote of thanks to Mr. Shepstone for presiding brought the proceedings to a close.

The committee subsequently met in the office, when Mr. Swears was elected chairman.

In the afternoon Mr. Shepstone and the new committee met Sandhlan, the Prime Minister, and the Royal Councillors in the cattle kraal—Umbandine himself having gone out hunting, and having deputed Sandhlan to act for him. Mr. G. Ferreira attended—in common with a number of others—and sought to discuss matters affecting the committee and the government of the country. After an animated conversation, Mr. Ferreira was told that he had no right to be there, that the meeting was between the councillors and the committee, and that he had better leave. Mr. Ferreira thereupon did so, saying that he had been insulted, and the formal business for which the committee had met was concluded without further delay.

No. 9.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

SIR,

Downing Street, September 26, 1887.

I HAVE the honour to acknowledge the receipt of your Despatch of the 17th of August,\* enclosing a full account from the "Cape Argus" of the meeting of the Europeans in Swaziland for the election of a committee of government. I have to thank you for this report, and I take this opportunity of stating that I desire to be kept fully informed of all that passes in Swaziland, and I trust to you to give me early information of any negotiations which may be started and may come to your knowledge between the South African Republic and the committee in Swaziland.

Sir A. E. Havelock will, in the same way, doubtless report to you any facts which may come to his knowledge, and of which you are not likely to be otherwise authoritatively informed.

Sir H. Robinson.

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

No. 10.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received November 22, 1887.)

Government House, Cape Town,  
November 2, 1887.

SIR,

I HAVE the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal, covering a copy of a correspondence with Mr. Shepstone, adviser and agent to the Swazi King, respecting a request made by Umbandeen that Mr. Rudolph be granted permission to act as a Swazi Commissioner for pointing out the beacons on the Transvaal-Swazi boundary.

I enclose also a copy of the reply which I have addressed to Sir Arthur Havelock.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.  
&c. &c. &c.

Enclosure 1 in No. 10.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
October 17, 1887.

SIR,

I HAVE the honour to forward to your Excellency copy of a correspondence addressed by Mr. T. Shepstone, for your information, to the Secretary of Native Affairs of Natal, relative to the appointment of a Commission to point out all the Convention beacons between the South African Republic and Swaziland.

2. Your Excellency will see that Mr. T. Shepstone asks, on behalf of Umbandeen, that I would give permission to Mr. Rudolph, who is a Resident Magistrate in Natal, to act as one of the members of the proposed Commission. The Secretary of Native Affairs has, in his reply, a copy of which I enclose, informed Mr. T. Shepstone that I will place the correspondence before your Excellency, and that, subject to your approval and to Mr. Rudolph's own consent, and on the understanding that satisfactory arrangements are made for the performance of the duties of Mr. Rudolph's office, without cost to the Natal Government, I will allow Mr. Rudolph such leave of absence as may be required to enable him to act as a Commissioner.

His Excellency  
The Right Hon. Sir Hercules Robinson, G.C.M.G.  
&c. &c. &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

## MR. T. SHEPSTONE TO SECRETARY NATIVE AFFAIRS.

The King's Kraal, Swaziland,  
September 26, 1887.

SIR,

I AM directed by Umbandeen, King of Swaziland, to inform you, for the information of his Excellency the High Commissioner, that he has applied to his Honour the President of the South African Republic to be good enough to concur in appointing a Commission to point out all the Convention beacons between the South African Republic and Swaziland.

The King trusts that his Excellency the High Commissioner will approve of his having made this application, the advisability of which will be apparent to his Excellency.

The King desires that Mr. G. M. Rudolph, C.M.G., should act as one of his Commissioners, and respectfully asks his Excellency the Governor of Natal to give his permission to Mr. Rudolph so to act.

I enclose a copy of my letter of even date to the Honourable the State Secretary, Pretoria.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi King.

The Honourable  
The Secretary for Native Affairs,  
Natal.

The King's Kraal, Swaziland,  
September 26, 1887.

SIR,

I AM directed by Umbandeen, King of the Amaswazi, to address you on the subject of his Honour the President's letter to the King, of the 20th August.

I have the honour (by direction of the King) to ask you to inform his Honour that the King only received the letter on the 9th instant, and that I have already, by the King's desire, explained to the Surveyor General the reason that prevented the King being represented at the Commission, and I enclose a copy of my letter.

The King desires me to say that he had not notice enough to allow of his appointing Commissioners to represent him at the Commission.

The King thanks his Honour for appointing a Commission, and informs his Honour that he wishes to have all the Convention beacons pointed out, and that he has selected Mr. G. M. Rudolph, C.M.G., of Ladysmith, Natal, to act as one of his Commissioners, and has applied to the Governor of Natal to allow Mr. Rudolph to act.

The King trusts that his Honour will be good enough to agree to a Commission being appointed to point out all the Convention beacons, and that his Honour will be good enough to let the King have sufficient notice to enable him to obtain Mr. Rudolph's presence at such place as his Honour may fix for the Commission to meet.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi King.

The Honourable the State Secretary,  
Pretoria.

The King's Kraal, Swaziland,  
September 29 (*sic*), 1887.

SIR,

OWING to the King's illness while on his hunting trip I only saw him on the 9th instant, and pushed on via Nomahasha's kraal to meet you at Cooper's Dal Drift on the Komatie, as arranged by you.

I wrote you on the 6th instant informing you of the reason of being delayed.

I reached the Komatie Drift early on the morning of the 14th and found you had left. Just as I was leaving the Drift I received your letter of the 5th instant, informing me you would be at Nomahasha's kraal on the 10th instant, and it was only on my return here yesterday that I got your letter of the 8th instant asking me to meet you at Matambo's kraal. I am exceedingly sorry for this, as I could have proceeded up the left bank of the Komatie to meet you just as well as up the other bank home here.

The King has directed me to point out that so little notice of the Commission was given him that he had not time to appoint his Commissioner, and he is applying for

Mr. G. M. Rudolph, of Ladysmith, to be appointed as his Commissioner, and I shall duly write to the Hon. the State Secretary on the subject.

I write this letter to let you know that there was no intentional discourtesy to the Commission, on the King's or my part, in not reaching the Drift sooner than I did.

I address you as Chairman of the Commission, and will be obliged to you if you will communicate the contents of this letter to the State Secretary.

I have, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi King.

The Surveyor General,  
Transvaal.

SECRETARY OF NATIVE AFFAIRS to Mr. T. SHEPSTONE.

SIR,

Pietermaritzburg, Natal, October 11, 1887.

I HAVE to acknowledge your letter of the 26th ultimo, reporting, for the information of his Excellency the High Commissioner, that Umbandeen had applied to his Honour the President of the South African Republic for his concurrence in the appointment of a joint Commission to point out all the Convention beacons between the South African Republic and Swaziland, trusting that his Excellency will approve of what he has done, and asking that in the event of the proposal being agreed to, Mr. G. M. Rudolph, C.M.G., Resident Magistrate, Klip River, may be allowed by the Governor of Natal to act as his Commissioner.

2. In reply, I have the honour, by direction of his Excellency the Governor, to inform you that he will place the correspondence before his Excellency the High Commissioner, and that, subject to the High Commissioner's approval, to Mr. Rudolph's own consent, and to satisfactory arrangements being made for the performance of Mr. Rudolph's duties during his absence without cost to this Government, he will allow Mr. Rudolph such leave of absence as may be necessary to enable him to act as a Commissioner.

I have, &c.

T. Shepstone, Esq., C.M.G.,  
Resident Adviser and Agent, Swazi King,  
Swaziland.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

Enclosure 2 in No. 10.

Sir H. ROBINSON to Sir A. HAVELOCK.

Government House, Cape Town,  
October 31, 1887.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 17th instant, covering a copy of a letter from Mr. Shepstone requesting that permission be granted to Mr. Rudolph to act as one of the Swazi Commissioners for pointing out the beacons on the Transvaal-Swazi boundary.

I see no objection to the joint Commission proposed by the Swazi King, and I concur in the reply which the Secretary for Native Affairs has, by your direction, addressed to Mr. Shepstone.

I have, &c.

His Excellency  
Sir Arthur Havelock, K.C.M.G.  
&c.      &c.      &c.  
Natal.

(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

No. 11.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received November 22, 1887.)

Government House, Cape Town,  
November 2, 1887.

SIR,

I HAVE the honour to enclose, for your information, a cutting from the "Barberton Herald," giving an account of affairs in Swaziland, and of an interview between some malcontent Boers and the Swazi King.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.  
&c.                      &c.                      &c.

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Enclosure in No. 11.

EXTRACT from the "BARBERTON HERALD" and "TRANSVAAL MINING MAIL,"  
October 18, 1887.

SWAZILAND.

(From our own Correspondent.)

THE present aspect of affairs in Swaziland, if one were to trust to newspaper reports, would appear, to say the least of it, alarming. Certain newspapers seem to exist solely for the purpose of publishing sensational articles, in order to have the pleasure of contradicting them in their next issue. Happily, however, for those interested in this country, a great deal of what is written by *Our own Correspondent* must be taken with the proverbial grain of salt.

Yesterday a Boer deputation, headed by Gert Ferreira, and accompanied by G. Van Rooyen and a person by the name of Murphy, made its appearance at the King's kraal. The King granted them a public audience, and, as will be seen in the account following, a good many respectable persons, including several members of the Committee, took the opportunity of being present.

Comparing the audience of yesterday with the audiences granted less than a year ago to the Erskine-Tosen gang, nothing could be more remarkable than the calm and contemptuous indifference which the King and Indunas bestowed upon Mr. Ferreira.

It has now been brought home to the minds of many thinking persons here that conciliation has been a mistake; there are a certain class who object to the country being under civilised law, and nothing but the teaching of a very serious lesson indeed will put a stop to the continual agitation made by one or two persons in the country, who seem to exist solely for the purpose of mischief making.

I am reliably informed that Mr. Ferreira has registered his mineral concession, as also his grazing right.

The report published in one of the Barberton papers, stating that the King had informed Mr. Achim Ferreira that he could not get rid of Mr. Shepstone under 3,000*l.* is creating a good deal of amusement here amongst those who know the state of affairs. Nothing could be more absurd, and Mr. Achim Ferreira's influence with the King is not of a nature that would permit for a moment of his making any such suggestion.

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King's Kraal, October 8, 1887.

Present: The King and Council; Gert Ferreira, Wessels, Van Rooyen, and G. H. Murphy (a deputation representing 47 Boers); also present: Theophilus Shepstone, C. J. Swears (Chairman of Committee), Messrs. W. Carter, N. Breytenbach, J. Thorburn, T. B. Rathbone, A. Meikle (members of Committee), W. C. Penfold (Secretary of Committee), Messrs. Pigg, Hampson, Dupont, Kannemeyer, Rivers Smith, E. King, Sam Acton, Dan Henry, J. Gama, &c., &c.

Gert Ferreira addressed the King in Council. He held a paper in his hand, which he interpreted to the King in Council. He said: We are a deputation sent by a

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number of grazing holders and residents. We are not sent by Government. We are told by them to say that we do not recognise the Committee and will not acknowledge the Committee. We only recognise the King and Councillors. We say that if the King cannot rule his own country (we do not say he cannot), but we say if he cannot rule his own country, we are prepared to rule it (Busa) for him.

We say there cannot be two Kings to rule over the same country. That is all I am sent to say. I am only sent to say that. If you want any explanation from me I will give it. I am not here to argue (pendula), I am not authorised to argue (pendula).

The King: Sandhlana, you know I am ill. You must answer, please.

Umsweli (an Induna, after a pause): How can we answer? We have not heard enough. What is in the paper that Gert had in his hand? He says he is not sent by the Government.

Ferreira: I am sent by grazing holders.

Sandhlana: Grazing holders in Swaziland?

Ferreira: Yes.

Sandhlana: You say you won't acknowledge the Committee?

Ferreira: Yes.

Sandhlana: Why, Ferreira, you were present, and you know that we explained everything to the white people under the Council tree. Explained how Mr. Shepstone came to be here, and why he is here, and what he has to do. That he was in charge of and had to look after all papers and documents and matters relating to white people. We told you all this, and the Committee that were selected. We told you the laws, too, and we understood you and all of you approved and were thankful for it, &c., &c.

Ferreira: Is that your reply?

Sandhlana: Yes. Our reply is a repetition of what we explained to all the white people in your presence under the Council tree (May, 1887).

Sandhlana (after a pause): Ferreira, do not keep anything back. If you have any more to say, say it. I say to you, what is wrong? What has gone wrong? Have you any complaint against U'Ouifi (Shepstone)? Say if you have. Let us know what you may have behind.

Ferreira: I have no more to say.

Sandhlana: Say what is wrong. Go on.

Ferreira: I am satisfied with your reply. I have got your reply. I cannot say more than I have said (Ngyaeluleka, I am unable).

The King: Sandhlana, what Ferreira says is, he will not acknowledge the Committee that Umhlakwana (Mr. Shepstone) has called into existence. Why does Ferreira say he refuses to say more?

Sandhlana: Recapitulate all he said before. As to being two Kings, whoever said Offy was King? We told you, and you all know that there is only one King and that is Umbandine. Say if Offy has done anything wrong or if anything wrong has been done? Don't keep anything back.

Ferreira: No, I am not here for that. I'll report what you say in reply to me. I have not touched Mr. Shepstone's name at all.

Sandhlana: We cannot understand these continual protests: all about the same subject. Is this the first time you have heard of Mr. Shepstone's appointment and his duties, &c., &c.?

Sandhlana: Say what you find fault with. It is bad to keep anything back.

Ferreira: You have answered me, and we (tokoza) are pleased. We will now go.

Sandhlana: No, do not go, having kept anything back. You say you have said all you came for, and you are not sent by Paul (the President).

Ferreira: No, we are not sent by him. I am satisfied with your reply.

Sandhlana: No, say on if you have more to say. Offy is not the King: Umbandine is King of Swaziland. Are you here to say that Offy says he is King, &c.?

Ferreira: No, I am not sent for that.

Sandhlana: No? Then go on and say, &c.

Ferreira: I tell you I am only sent for the one thing, &c.

Sandhlana: You say you'll only have one King? Is that it?

Ferreira: Yes.

Sandhlana: And that you will not recognise Offy?

Ferreira: No, not that.

The King: He says he will not recognise the Committee.

Ferreira: Yes.

Sandhlana : Then you mean that no white people are to help the King with papers and white people's affairs ?

Ferreira : No, not that.

After a pause—

Ferreira : I have thanked you for your answer, and now I will go.

John Gama : I should like permission to say a few words. He recapitulated all the facts as to the meeting of 16th May, and election of Committee and what took place under the Committee. Ferreira himself also joined the Committee and sat on it. No laws had been made by the Committee contrary to the King's wishes. All the laws were made what the King himself had laid down. Everything was going right. All people, white and black, recognised Umhlokwana, and the King had told them that if Offy wrote anything in his name, the white people were to understand that it was his orders. Everyone was pleased. Everything had gone right. Why this change on Ferreira's part ? What does it mean ? There must be something behind which we do not know of. What has he find fault with Offy about ? I conclude for the present, but I have more to say if Ferreira will say more.

Ferreira : I have said nothing about Offy at all.

Sandhlana : We have always lived on good terms with the whites. English and Dutch have got land to dig in, to live and graze on. Has Offy turned any of you out ? Is there any difference in the way English and Dutch are treated here ? As to waggon hire and such things, did not the King tell you of them under the Council tree ?

Ferreira : I am not sent to talk about that.

Sandhlana : We are not children.

Ferreira : No, I know that, and I know and recognise your position.

Sandhlana : Do not be foolish. Remain on friendly terms as before, and support the King as before.

Ferreira : We want things to be as they were in olden times.

Jabez Motifa : No, Great Chief, we cannot answer what has not been said. How can we answer nothing. The owner (or conveyor) of the message does not unburden himself of the whole of it. We would like him to yehtisa and give us all the words he has, like milk is given, and not to keep any back. It is no use discussing Umhlokewana. His position here, and all about his being here, is perfectly well known to everyone. Let us take the question of the Committee which Mr. Ferreira objects to. Let us also take the question of there being two Kings in the country. Now, let us take Mr. Ferreira's statement that those he represents are prepared to rule the country. Now, who has sent Ferreira : a Committee of self-elected white persons who come here to complain of an existing recognised Committee in the land. And he says that they are prepared to rule the country if the King cannot. Has anyone said the King cannot rule it, or that he is not King ? Is not what Ferreira is doing undermining the King, and antagonistic to the King ?

Ferreira angrily interrupted Jabez, who, however, continued, and said a few more words in the same strain, but Ferreira would not say more.

Mr. Shepstone then, on behalf of the King, asked Mr. Ferreira for a copy of the document he had, which was given by Mr. Ferreira, and is as follows.

Mr. Swears pointed out to Ferreira that he had not interpreted the whole of the document to the King.

The meeting then ended.

Ferreira is a registered mining concessionaire and a registered grazing holder, as is Van Rooyen.

Three of the signatories to the documents yesterday repudiated their signatures, or rather said they had not intended to sign it, but were afraid of Ferreira.

This was at Mr. Shepstone's offices.

The document as explained by Ferreira differs materially from the document itself.

HIGH WORTHY KING,

Absly, September 20, 1887.

WE bring to your notice that we, members of the Commission chosen at Absly, neither will nor shall recognise the chosen Committee at Embekelweni; that we recognise you as King of Swaziland with your Council as heretofore, and if you think

that you cannot rule Swaziland with your previous advisers, then we will govern ourselves from this date in accordance with rights granted by you to us according to our contracts.

The reason is that we cannot see how one country can exist with two Governments, and we are not aware that at the head of one country two Governments can reign.

(Signed) C. TOSEN.  
L. BOTHA.  
And 45 others.

The Worthy King Umbandine,  
King of the Amazwazies.

Certified that the foregoing is a true translation of document annexed hereto.

(Signed) C. KANNEMEYER.

SWAZILAND COMMITTEE MEETING.

October 5, 1887.

PRESENT: MESSRS. Swears (Chairman), Thorburn, Carter, Meikle, Rathbone, Breytenbach, and Joubert.

*Police force.*—Second reading adopted, report passed without amendment.

*Revenue.*—Mining Concession Tax, second reading. Proposed by Mr. Carter, and seconded by Mr. Thorburn, that the clause be in operation for 12 months. Carried.

Grazing Right Tax, on second reading. Proposed by Mr. Breytenbach, and seconded by Mr. Joubert, that the clause read “hirer of grazing rights.” Carried.

Remaining clauses passed without amendment.

*Emergency meetings.*—Proposed by Mr. Meikle, and seconded by Mr. Thorburn, “that in the case of the King considering it advisable to call an emergency meeting of the Committee, Mr. Shepstone be empowered to call such meeting as occasion may occur, and that any resolution passed at that meeting may be considered final.” Carried.

*Canteen licenses.*—Proposed by Mr. Carter, and seconded by Mr. Meikle, “that no canteen license be issued on any mineral concession without due notice be given to the concessionaire or his representative, and any objection to said license be heard and decided before the Committee.” Carried.

Committee adjourned.

No. 12.

SIR HERCULES ROBINSON TO SIR H. T. HOLLAND.  
(Received November 22, 1887.)

Government House, Cape Town,  
November 2, 1887.

SIR,

I HAVE the honour to enclose for your information a copy of a Despatch which I have received from Sir Arthur Havelock, covering a copy of a letter from Mr. Shepstone, adviser and agent to the Swazi King, forwarding an account of a meeting held at Umbandeen's kraal on the 8th ultimo, at which the King received a deputation representing 47 malcontent Boers.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.  
&c. &c. &c.

Enclosure in No. 12.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
October 25 1887.

SIR,

I HAVE the honour to transmit herewith, for your Excellency's information, a copy of a letter which has been addressed to the Secretary for Native Affairs in this Colony by Mr. T. Shepstone, C.M.G., resident adviser and agent to the Swazi King, in which he forwards an account of a meeting held at Umbandeen's kraal on the 8th instant, at which the King received a deputation representing 47 Boers who are resident in the Swazi country, and who have been granted licenses to graze cattle there.

I have, &amp;c.

His Excellency (Signed) A. E. HAVELOCK.  
The Right Hon. Sir Hercules Robinson, G.C.M.G.,  
&c. &c. &c.

SIR,

The King's Kraal, Swaziland, October 10, 1887.

I HAVE the honour to enclose a copy (translation) of a document handed to the Swazi King on the 8th instant by delegates from a meeting of a section of residents and grazing right holders in this country, together with an account of what occurred on the occasion.\*

I have the honour also to enclose a copy of a letter that the King has thought fit to address to his Honour the President, South African Republic, on the subject, and to request that this correspondence may be laid before his Excellency the High Commissioner for his information.

I have, &amp;c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi King.

The Hon. the Secretary for Native Affairs,  
Natal

SIR,

The King's Kraal, Swaziland, October 10, 1887.

I AM directed by Umbandeen, the King of Swaziland, to forward to you a copy (translation) of a document presented to the King on the 8th instant by Messrs. Gert Ferreira and Wessels van Rooyen, representing themselves as a deputation sent by a number of grazing right holders and residents in this country.

The King asks that you will be good enough to lay it before his Honour the President for his information, as Mr. Ferreira, Mr. van Rooyen, and others who signed the document are, he is informed, subjects of the South African Republic.

The King begs respectfully to point out to his Honour the President that the statement that two Governments are in existence in this country is incorrect, and he relies on his Honour's friendly influence to restrain any South African Republic subjects who may be taking part in the movement.

I have, &amp;c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi King.

The Hon. the State Secretary,  
South African Republic.

\* See Enclosure in No. 11.

## No. 13.

SIR H. T. HOLLAND to SIR A. E. HAVELOCK.

TELEGRAPHIC.

24th November.—Press telegram reports 700 Boers threatening attack upon Swaziland. Is there any truth in report?

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## No. 14.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

TELEGRAPHIC.

29th November.—Keep me informed by telegraph as to position of affairs on Swaziland border.

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## No. 15.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received November 30, 1887.)

TELEGRAPHIC.

30th November.—Yours 29th November.\* President of South African Republic informed me on 25th November that his Government had taken steps to prevent any troubles arising on Swazi border. This morning press telegram from Barberton states Shepstone has returned to Swaziland from Pretoria, and reports everything amicably arranged with the Government of the South African Republic. Press telegram from Newcastle states that peaceful settlement of mineral rights dispute is expected.

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## No. 16.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received December 3, 1887.)

TELEGRAPHIC.

3rd December.—Press Telegram from Swaziland states scare over, reports were greatly exaggerated. Government of South African Republic has decided to interfere with any attempts made by freebooters and punish them severely. A peaceful future now expected.

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## No. 17.

SIR A. E. HAVELOCK to SIR H. T. HOLLAND.

(Received December 6, 1887.)

TELEGRAPHIC.

5th December.—Referring to your telegram of 24 November,† have reason to believe that threatened troubles in Swaziland have been for the present averted. Government of the South African Republic seems disposed to observe Articles two and twelve of Convention.

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\* No. 14.

† No. 13.

No. 18.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received December 20, 1887.)

Government House, Cape Town,  
November 30, 1887.

MY LORD,

I HAVE the honour to enclose for your information, a copy of a telegraphic correspondence which I have had with the Governor of Natal and the State President of the South African Republic respecting a report of a threatened attack on Umbandeen, the Swazi King.

I have, &c.  
(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.  
&c. &c. &c.  
Colonial Office.

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Enclosure 1 in No. 18.

Telegram from GOVERNOR, Natal, to HIS EXCELLENCY THE HIGH COMMISSIONER,  
Cape Town.

24th November.—Following telegraphic information, dated Barberton, Tuesday, appears in local newspaper to-day.

Begins :—One of the Swazi Committee writes that seven hundred Boers are assembled on the border and demand the dismissal of Shepstone and his Committee, and the cancellation of all concessions. The Boers are said to have appointed their own governing officials. Umbandine requests all interested to join him immediately. Ends.

Reuter's Agency of same date begins :—A gentleman in Barberton, largely interested in Swaziland and a member of the Committee, has received a letter from a friend there, dated the 18th, of which the following is an extract :—Affairs very serious in this country. Seven hundred Boers collected on border with avowed intention of taking country if their demands are not complied with. The King desires that all white people interested in country should at once assemble here to take measures for protection (and) defence. The Boers demand abolition of Shepstone's authority and his Committee, and that all concessions should be annulled, and they have already, I hear, appointed Government officials and officers for a Republic. Ends.

Am informed that Krogh, Landdrost of Wakkerstroom, is at the bottom of the movement, and a resident there named Michaelson is the moneyed man.

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Enclosure 2 in No. 18.

Telegram from STATE PRESIDENT, Pretoria, to HIS EXCELLENCY THE HIGH COMMISSIONER,  
Cape Town.

(Translation.)

25.11.87.—It has been reported to the Government to-day that certain persons have come to resolutions, which will be conveyed to King Umbandine by a Committee consisting of Messrs. C. Tosen, W. Dupliezies (*sic*), and Murphy (an Englishman) residing

in Swaziland, from which this Government fears that troubles may arise. The Government has, therefore, taken steps immediately in order to prevent it. I shall, if necessary, refer to this again.

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Enclosure 3 in No. 18.

Telegram from HIGH COMMISSIONER to HIS HONOUR THE STATE PRESIDENT, Pretoria.

25th November.—I have to thank your Honour for your telegram of yesterday, and am glad to learn that your Government have taken steps in order to prevent trouble arising on the Transvaal-Swazi border. Press telegrams received from Barberton report that several hundred Boers are collected on the border with avowed intention of taking Swaziland if their demands on the Swazi King are not complied with. Sir Arthur Havelock, the Governor of Natal, telegraphs to me he is informed that Krogh, the Landdrost of Wakkerstroom, is at the bottom of this movement, and that a resident there named Michaelson is the moneyed man.

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Enclosure 4 in No. 18.

Telegram from HIGH COMMISSIONER to HIS EXCELLENCY THE GOVERNOR,  
Maritzburg, Natal.

26th.—I thank your Excellency for your telegram of yesterday. The following is a translation of a telegram which I have received from the State President of the South African Republic. Begins:—

25th.—It has been reported \* \* \* \* \* (*Vide* Enclosure 2) \* \* \* to this again. Ends.

In replying to the State President, I have informed him of the report that the Landdrost of Wakkerstroom is at the bottom of the movement.

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Enclosure 5 in No. 18.

Telegram from GOVERNOR, Natal, to HIS EXCELLENCY THE HIGH COMMISSIONER,  
Cape Town.

26th.—Your telegram of to-day. See "Barberton Herald" of November twenty-second, report headed "Swaziland, Alarming Rumours." In reply to inquiry\* received yesterday from Secretary of State whether there is any truth in report in Press telegram that 700 Boers about to attack Swaziland, I have telegraphed as follows:—

There appear to be grounds for disquietude in Swaziland, but Press telegram is probably exaggerated. Have communicated all the information I have to the High Commissioner, who is communicating with Government of South African Republic. Telegram ends.

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\* No. 13.

No. 19.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received December 26, 1887.)

Government House, Cape Town,  
December 7, 1887.

SIR,

WITH reference to my Despatch of the 30th ultimo,\* I have the honour to enclose for your information cuttings of recent press telegrams respecting the reports which had been circulated regarding impending disturbances in Swaziland.

I enclose also a cutting from the "Cape Argus," commenting on the despatch of Mr. Krogh, the Landdrost of Wakkerstroom, to Swaziland.

It would appear from these telegrams that the original reports were greatly exaggerated and that the Government of the South African Republic is successfully exerting its influence for the maintenance of order on the Transvaal border.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.

Enclosure 1 in No. 19.

"CAPE ARGUS," November 30th.

SWAZILAND.

*Quieting down.*

[By telegraph per Reuter's Agency.]

Barberton, November 28th.—News from Swaziland is of a more reassuring character. Mr. Shepstone has returned, and says that everything has been amicably arranged with the Transvaal Government.

*Mr. Krogh sent to Swaziland.*

[By telegraph per Reuter's Agency.]

Newcastle, November 29th.—The Transvaal Government have sent Mr. Krogh, the Landdrost of Wakkerstroom, to Swaziland, entrusted with a special mission in connexion with Shepstone and the Boers. It is stated that Joachim Ferreira has far more influence with the King with Shepstone. A peaceable settlement of the mineral rights dispute is expected.

"NATAL WITNESS," November 29th.

SWAZILAND.

Mr. T. McCubbin informs us that he received a telegram yesterday morning from a reliable correspondent in Barberton to the effect as far as Swaziland is concerned that all sensational rumours are false, nothing having happened.

\* No. 18.

"CAPE ARGUS," December 3rd.

SWAZILAND.

*The Scare over.*

[By telegraph from our correspondent.]

Swaziland, *vid* Barberton, December 2nd.—The scare is over; things were greatly exaggerated. The Transvaal Government has decided to interfere in future with any attempts made by these freebooters, and will punish them severely. A deputation was expected here, but up to the present none has turned up. It is presumed they have received an ultimatum from the Transvaal Government. This attempt at intimidation is expected to be the last. A peaceful future for the country is expected. The mining prospect is good, and several payable things will be opened shortly. The King is suffering from gout.

Enclosure 2 in No. 19.

"CAPE ARGUS," November 30th.

SWAZILAND.

The despatch of Mr. Krogh, Landdrost of Wakkerstroom, to Umbandine argues an honest disposition on the part of the Transvaal Government to avoid any difficulty with the Swazie people, because Mr. Krogh is a moderate man and a most excellent officer, as good a man, in fact, as could have been selected for work of some delicacy. If the claim of the Transvaal Government be confined to asserting the rights of the Boers who have taken out grazing licenses there need be no Swazie question, for Mr. Shepstone's Committee recognised such rights, and there are but few cases, if any, we believe, in which grazing rights and mining concessions overlap. If there are such cases it should be easy to find fresh grazing ground for the claimants, for grazing land is much more easily found than land blessed with auriferous reefs, even in so rich a country as Swaziland. It is a little ominous, however, that the influence of one Ferreira should be mentioned in the Newcastle telegram. It is questions of rival influence with Umbandine that are at the bottom of whatever difficulties exist.

No. 19A.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received December 26, 1887.)

Government House, Cape Town,

December 7, 1887.

SIR,

WITH reference to your telegraphic Despatch of the 18th August last,\* I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal covering a report by Mr. C. R. Saunders, the officer entrusted with the mission to Tongaland, together with the treaty which has been duly executed by Zambili the Queen Regent.

I enclose also six copies of the Proclamation which I have issued making known the ratification of the treaty with Tongaland.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.

Sir H. T. Holland, Bart., G.C.M.G.,

&c.

&c.

&c.

\* No. 6.

## Enclosure in No. 19A.

Sir ARTHUR HAVELOCK to Sir HERCULES ROBINSON.

Government House, Pietermaritzburg, Natal,  
November 18, 1887.

SIR,

WITH reference to my Despatch of 15th September last, and to previous correspondence relative to the ratification by Zambili, the Regent of Tongaland, of the agreement entered into by me with her messengers on the 6th July last, I have the honour to place before your Excellency, a copy of a report of the proceedings of Mr. C. R. Saunders, the officer entrusted with the mission to Tongaland, for the purpose of obtaining the ratification of Queen Zambili and her councillors. I also forward the agreement in duplicate, duly executed. The transaction will be completed on the ratification and proclamation of the agreement, by your Excellency, as provided in the agreement itself.

If your Excellency will, after completion, be so good as to return to me one duplicate of the agreement, I will cause it to be handed to Queen Zambili.

2. I have much pleasure in bringing to your notice the successful manner in which Mr. Saunders has carried out the duty entrusted to him. I may state, for your Excellency's information, that Mr. Saunders and those who accompanied him were exposed to considerable risk from the unhealthy climate of Tongaland. Both Mr. Saunders and Mr. Giles were attacked by malarial fever, and the former has suffered from it somewhat severely, but of 25 persons who formed the party, 15 took the fever. Some of them have not yet completely recovered from it.

3. I would particularly call your Excellency's attention to the emphatic assertion of Zambili, that although several persons, among whom Mr. Thompson and Colonel Cocpe are mentioned, had applied to her for concessions, she had refused to grant any.

I have, &amp;c.

(Signed) A. E. HAVELOCK.

His Excellency the Right Hon.  
Sir Hercules Robinson, G.C.M.G.,  
High Commissioner,  
&c.                      &c.                      &c.

## REPORT BY MR. SAUNDERS.

SIR,

Pietermaritzburg, Natal, November 12, 1887.

IN accordance with the instructions contained in your letter dated 12th September 1887, I started from Pietermaritzburg on that date, accompanied by Mr. Giles, for the Amatonga country for the purpose of getting the provisional treaty, made and signed in June last by Masololo, Unkonka, and G. Brühem, ratified and signed by Zambili the Regent, and the principal Indunas and headmen of the Amatonga country.

We travelled via Vryheid to the Bombo Mountain, where we left the wagonette about eight or nine miles north of the Pongolo Poort. From there we proceeded partly on foot and partly on horseback to the "Imfihlweni," the Queen's Kraal, where we arrived on the 11th October. On the 12th I had an interview with her and the principal headmen present. On this date we could do nothing as the Queen and the headmen expressed a wish that time should be allowed them to discuss the matter, as, although she herself knew the contents of the treaty, she had not had an opportunity of discussing it with some of the headmen expected that day. I informed her that of course there was no objection to this, and asked when they would be prepared to give me an answer as to whether they would ratify the treaty or not. The Queen replied that she would do so the following day. I then read the treaty to her and her headmen. The meeting, after lasting out five hours, adjourned till the next day. On the 13th (the next day) I again met her and the headmen, all of whom she said were present. I then asked her if she was ready to ratify the treaty; she replied in the affirmative through one of her chief Indunas "Tshigitsha." She then gave me the names of six headmen whom she stated had been selected by her and her people to sign and ratify the treaty as well as herself. I then asked if she did not think it would be better for more than that number to sign. She replied that those headmen she had mentioned were the representatives of the whole nation, and the treaty could not be more binding even if signed by several

others, and that she did not wish others to sign it, as these were the principal headmen. I then proceeded to read the treaty and the ratification, translating it into Zulu, which language the Queen and all the headmen understood and spoke fluently. After thoroughly explaining the contents of the treaty and asking all present whether they understood it and its effect thoroughly, and their replying in the affirmative, I proceeded to obtain the Queen's and then her headmen's signatures to it and the ratification, a form of which was handed to me with my letter of instructions. The Queen and the headmen whose names appear on the treaty signed it without the slightest hesitation, and I now have the honour to return it with the ratifications in duplicate, and trust that they may be found correct. I regret that I was unable to obtain the signature of any white resident as witness to the ratification, as I was informed there were none, with the exception of Mr. Brühlein, in the country. I got him to sign his name as a witness to the ratification, and besides him it was witnessed by eight of the natives who accompanied us from Natal.

I handed the Queen the present from his Excellency with which she seemed greatly pleased, and especially with a large mirror which formed part of it. She and her headmen desired me to express their most sincere thanks to his Excellency for the presents. After the treaty had been signed and that portion of our mission concluded, I informed Zambili that his Excellency had directed me to find out from her whether a statement which had appeared in the local newspapers in Natal, to the effect that a Mr. Thompson had obtained large concessions from her, was true. She and all the headmen denied most emphatically the truth of this statement. She stated that about a month previous to our arrival at her kraals a Mr. Thompson did come and apply for certain concessions, but that she refused to have anything to say to him on the subject, but directed that he (Mr. Thompson) should be shown the copy of the provisional treaty she had in her possession. This was done, and as soon as Mr. Thompson had read it he left at once for Delagoa Bay. The Queen then stated that a Colonel Coope, accompanied by Mr. Grantham, had applied for certain concessions, but that the same answer was given to him as to Mr. Thompson, and that subsequently a Dutchman known to them by the name of "Umtshakela" (I believe from what I have since learnt that this is Ferreira) had come for the same purpose, but he received the same reply as the others had done and left the country at once.

I then asked the Queen if she had any objections to let me see any papers she might have in her possession. She said certainly not, and at once ordered an attendant to bring a box in which all papers were kept. This was produced, and I looked most carefully through them all, but there was nothing whatever in connection with any concession of any sort, and in fact these papers consisted almost entirely of replies from this Government to messages sent by her.

She reiterated what she had already stated with reference to the granting of concessions, and said there was not a word of truth in the statements that she had done so. From the open and straightforward manner in which she answered my questions I could come to no other conclusion but that she was speaking the truth. I then warned her very strongly against signing her mark to any paper whatever, and she said she would never do so without first consulting the English Government.

The Queen stated that a great source of grievance she had to complain of was that a portion of their country had been given to the Portuguese without their knowledge. I reminded the Queen that she had already complained to his Excellency about this through the deputation sent to Natal in June last, that they had received his Excellency's reply to this complaint; and as I had no instructions on this subject, I regretted I was unable to discuss the question with her, and I could do no more than merely promise to report to his Excellency that she had mentioned this to me. Just before parting, the Queen stated she wished to introduce three men—Mafobelana, Ukevezi, and Nondabula—whom she intended to employ as her messengers to this Government, as she wished them recognised as such. She stated that she intended to send them down shortly to thank the Governor for what he had done.

With reference to the copy of the treaty to be handed to the Queen, I explained to her that it had to be signed by the High Commissioner at the Cape, and that if she allowed sufficient time before despatching these messengers for the treaty to be returned from the Cape, the copy to be retained by her might be handed to them.

This terminated the second and last meeting I had with the Queen, and in conclusion she and her people desired me to express their thanks to his Excellency for acceding to their request, and sending an officer of this Government to her. She stated that she regretted we were not able to stay longer in the country, when we might have made a

thorough inspection of it, but that as the fever season was fast approaching she should not attempt to delay us any longer, but at the same time she should be very glad if his Excellency could see his way to sending a representative of this Government to her during the winter when there would be no fear of fever, and he might make a thorough inspection of the country.

I regret I was unable to inspect and report on the mouth of the Umkosi River. The only river known to the people of the country with a name resembling that is the Umkuzi which runs through Zululand, and, I was informed, flows into St. Lucia Bay. This was evidently not the river referred to in my letter of instructions; and, as it would have taken at least 10 days to have proceeded there, I did not feel justified in exceeding the estimated time of our mission, which was two months, to that extent. The whole of this time was occupied in proceeding to the King's Kraal and back. I questioned several people about the Umkosi River but none of them knew of its existence, and stated there was no river running into the sea in their country except the Usuto or Maputa River. They stated there was a large lake about midway between the Queen's Kraal and the borders of Zululand, which had an inlet into the sea, but there was no river flowing into this. From a reference to the map since my return I find this is evidently what is referred to as the mouth of the Umkosi River; but as it was so doubtful when we were in the country whether this was the one referred to or not, and it would have taken several days to have gone down there, I did not do so, especially as I learnt verbally from you before starting that if I found going down to this river would necessitate our exceeding the two months allowed to complete our mission, I was not to go to it.

In this report, as directed by his Excellency, I have confined myself simply to reporting on the instructions I received. What I was able to observe as to the character and capabilities of the people of the country will form the subject of a separate report, which I hope to submit to you in the course of a day or two.

Before concluding this report I wish to mention the great assistance rendered to us by Mr. Brüheim. He met us at about 40 miles from the Queen's Kraal, accompanied us there; and on our return to the boundary of her country, he rendered us every assistance, and it was mainly due to him and his assistance that we were not delayed longer than we were in her country. I received every assistance from Mr. Giles who accompanied me, and all the natives we took from Natal, with one exception, behaved themselves very well throughout.

The Hon. the Secretary for Native Affairs,  
&c. &c. &c.  
Pietermaritzburg, Natal.

I have, &c.  
(Signed) C. R. SAUNDERS.

**PROCLAMATION** by his Excellency the Right Honourable Sir HERCULES GEORGE ROBERT ROBINSON, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Her Majesty's Colony of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, Governor of the Territory of British Bechuanaland, and Her Majesty's High Commissioner for South Africa, &c., &c., &c.

WHEREAS a certain treaty, convention, or agreement, herein-after fully set forth,\* was duly executed on the 6th day of July 1887, by and between Sir Arthur Elibank Havelock, K.C.M.G., Her Majesty's Governor of the Colony of Natal and of Zululand of the one part, and Masololo and Unkonka, messengers of Zambili, the Regent and Paramount Chief of the Tonga country (who were accompanied by one G. Brüheim, a resident of that country) of the other part:

And whereas Zambili, the said Regent and Paramount Chief of the Tonga country, and her principal indunas and councillors did, on the 13th day of October 1887, duly ratify and sign the said treaty, convention, or agreement:

And whereas Her Majesty has been pleased to signify her approval and ratification of the said treaty, convention, or agreement, and to authorise me, as Her Majesty's High Commissioner for South Africa, to approve of and ratify the same:

\* See Enclosure in No. 5a, page 16.

And whereas I have accordingly approved of and ratified the said treaty, convention, or agreement: Now, therefore, under and by virtue of the powers by law in me vested, I do hereby proclaim and make known the following treaty, convention, or agreement, and do hereby proclaim and declare that Her Majesty has been pleased to signify her approval and ratification thereof, and that the same is hereby approved and ratified accordingly.

[*Here follows the Treaty.\**]

We, Zambili, Regent of the Amatonga people and country, Umjiji, Ungobamakosi, Unguqa, Ujigajiga, Ugoboka, and Tshigitsha, the principal indunas and headmen, do this day sign our marks to this treaty in token of our solemn consent and ratification of the same.

Done at the "Imfihlweni" kraal, in the Amatonga country, on this 13th (thirteenth) day of October, in the year 1887.

ZAMBILI,	her X mark. their
UMJIJI,	X
UNGOBAMAKOSI,	X
UNGUQA,	X
UJIGAJIGA,	X
UQOBOKA,	X
TSHIGITSHA,	X marks.

In the presence of—

MAPLANKWE,	their X
VUNDISA,	X
MAHLUNGWANA,	X
UMGCIBELO,	X
MBUNXA,	X
NOMATSHINATSHINA,	X
TISINDE,	X
FOKORTI,	X marks.

C. R. SAUNDERS.

The treaty annexed hereto, dated at Government House, Pietermaritzburg, Natal, the 6th July 1887, and signed by his Excellency Sir Arthur Elibank Havelock, Governor of Natal and of Zululand, of the one part, and by the messengers Masololo and Unkonka, and G. Brüheim, of the other part, who were a deputation sent in May last by me, Zambili, Regent, during the minority of my son Ungwanasi, of the Tonga people and country, with the advice of my principal indunas and headmen, to the Governor of Natal, having been read over and explained to me this day at my chief kraal "Imfihlweni," by Mr. C. R. Saunders, Interpreter to the Supreme Court of Natal, in the presence of Umjiji, Ungobamakosi, Unguqa, Ujigajiga, Uqoboka, and Tshigitsha, the principal indunas and headmen of the Tonga people and country, this is to certify that with their advice and consent, we Zambili and the principal indunas and headmen aforementioned, have this day signed our marks to this paper in token of our solemn consent to and ratification of the said treaty, dated at Government House, Pietermaritzburg, Natal, the 6th day of July 1887, and signed by our messengers, aforementioned, which is annexed hereto, and to which we have also signed our marks, this 13th day of October, 1887.

ZAMBILI,	her X mark. their
UMJIJI,	X
UNGOBAMAKOSI,	X
UNGUQA,	X
UJIGAJIGA,	X
UQOBOKA,	X
TSHIGITSHA,	X marks.

\* See Enclosure in No. 5a, page 16.

In the presence of—

MAPLANKWE,	×	their
VUNDISA,	×	
MAHLUNGWANA,	×	
UMGCIBELO,	×	
UMBUNXA,	×	
NOMATSHINATSHINA,	×	
USISINDE,	×	
FOGATE,	×	
		marks.

G. BRÜHEIM.

We do hereby solemnly affirm and certify that we read over and thoroughly explained the treaty and also the contents of this document to Zambili and the indunas, after which they signed their marks to the same in our presence.

Done at the Imfihlweni Kraal, in the Amatonga country, on this 13th day of October 1887.

C. R. SAUNDERS.  
D. G. GILES.

Approved and ratified by me as Her Majesty's High Commissioner for South Africa, this 29th day of November 1887.

HERCULES ROBINSON,  
Governor and High Commissioner.

Government House, Cape Town.

GOD SAVE THE QUEEN!

Given under my hand and seal, this 3rd day of December 1887.

HERCULES ROBINSON,  
High Commissioner.

By Command of his Excellency the High Commissioner.

GRAHAM BOWER,  
Imperial Secretary.

No. 20.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

TELEGRAPHIC.

Dec. 26.—Referring to your Despatch, 2nd November,\* at what do you estimate expenses of Rudolph? From what source are they to be paid? By Swazi King, it is to be presumed.

No. 21.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received December 30, 1887.)

TELEGRAPHIC.

Referring to your telegram, 26th December,† Shepstone has stated that Swazi King is prepared to pay such cost as is necessary to obtain Rudolph's services.

\* No. 10.

† No. 20.

No. 21A.

SIR A. E. HAVELOCK to SIR H. T. HOLLAND.

(Received January 3, 1888.)

Government House, Pietermaritzburg, Natal,  
December 6, 1887.

SIR,

I HAVE the honour to submit to you a copy of a report on Amatongaland and its people, which has been made to me by Mr. C. R. Saunders, the officer recently sent to Amatongaland to obtain the ratification of the Queen Regent, Zambili, and her Councillors, to the Treaty entered into by me with her messengers, on the 6th July last. The report mentioned by Mr. Saunders in the opening paragraph of the Report now submitted is that in which he dealt with the primary object of his mission. This former Report has been submitted to the High Commissioner.

2. Mr. Saunders' report contains much useful information respecting a country and people about which little is known. I would beg leave specially to bring to your notice that portion of the Report which refers to Chief Sambana and his district.

You will observe that the tract of country claimed by this Chief is that enclosed between the Lebombo Mountains, the Pongolo river, and the Ingwavumi river (a tributary of the Usutu or Maputa river). Mr. Saunders states that Sambana paid tribute to the Zulus up to the time of the Zulu war, and that the Chief informed him that he considered himself a British subject, and that as such he had paid tribute for the last three years to a Dutchman, known to him by the name of Umtshakela (Ferreira), who said that he represented and claimed taxes or tribute on behalf of the English Government. I propose to send a copy of this portion of the Report to Mr. Osborn with instructions to take the earliest opportunity of ascertaining how far the statements made in it are correct.

The Right Honourable  
Sir Henry Holland, Bart., G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

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Enclosure in No. 21A.

SIR,

Pietermaritzburg, Natal, November 17, 1887.

IN continuation of my report of the 12th instant on the instructions issued to me on my departure for the Amatonga country, I have the honour to submit the following report as to the character and capabilities of that country and nation, with a few remarks on the route by which we travelled to and from there.

We were nine days in the country, only two of which we were stationary, after our arrival at the Queen's kraal, the remainder of that time being occupied in travelling.

It might be as well for me to commence by describing the route we travelled on our journey there, and conclude by that by which we returned.

The waggonette started from Pietermaritzburg on the afternoon of the 11th of September, Mr. Giles and myself leaving the following day. From there we made for Rorke's Drift viâ Greytown and Umsinga. This portion of our journey being along one of the main roads of the Colony, it is scarcely necessary for me to make any comment on it. I might mention, however, that the grass in the Mooi river and Tugela thorns was very bad, and scarcely a blade was to be obtained for the cattle; this necessitated buying forage for them.

From Rorke's Drift we made for Vryheid along the main road, through Hlubi's district; the grass and road here were very good. From Vryheid we took the road to Swaziland, along which we travelled about 30 miles, then striking off to the right

made for the Ingome Forest, where we arrived just two weeks after our departure from Pietermaritzburg. From there we made for the Umkuzi river, passing Masipula's kraal, and through the Maquouqo hills, where the final battle between Mpande and Dingana was fought, then on to what is known as Marcu's road to Swaziland. This road we struck about 18 or 20 miles from the Pongolo river. From where we left the road to Swaziland, out of Vryheid, until we got into Marcu's road we had frightfully rough travelling. In many places there was no road or even a waggon track to follow, but with the assistance of a rope attached to the waggonette, and the help of the Natives we had with us, we managed to get through without a capsizing. I might mention that I think a very good road might easily be found along this part, which would only require making in certain places. So far the traffic in this part has been confined to the Dutch going to the Ingome Forest for timber, and beyond that by others taking down empty waggons with their stock to graze in winter. After striking Marcu's road, we travelled along it to the Pongolo river, and across to the Umzimvubu river, which is from 12 to 15 miles beyond the former. After crossing the Umzimvubu we continued to travel about five miles along Marcu's road, then turned off it to the right and travelled parallel with the Pongolo on its western bank to the foot of the Bombo mountain, where we left the waggonette at a pass about eight or nine miles north of the Pongolo port. The portion of Marcu's road we travelled was exceedingly good, and the only place which struck me as one that people might find difficulty in passing through in wet weather was the Drift across the Pongolo river, the approaches being very steep. After leaving Marcu's road we followed the tracks of some Dutch waggons that had been down to within about 10 miles of the Bombo mountain; these had been down there to shoot game and graze their stock during the winter. Although there was no road we had no difficulty in reaching the foot of the Bombo, as, with the exception of some steep approaches to dry watercourses, which we had to cross, the country is level. After crossing the Pongolo, until our arrival at the Bombo, we only passed three Kaffir kraals, and these belonged to people who had been under Usibebu, and only came there after his overthrow. They, however, informed me that the country was so unhealthy, and so many of them had died during the short time that they had lived there, that they should have to move. The latter portion of our journey to the Bombo was through a district almost entirely unoccupied for a distance of about 60 miles square; the water, with the exception of that in Pongolo river, is very bad. The country from the Umkuzi river to the Bombo mountain abounds in game, and in portions of it lions are numerous. On our arrival at the foot of the Bombo we had to leave the waggonette and climb the mountain on foot up a steep pass leading to the kraals of a petty Chief named Sambana. It was by his people that Dingana was killed, and the spot where his grave is was pointed out to us, on the edge of a forest called Hlatikulu. We left the oxen and everything we could at Sambana's, in charge of the driver and leader, and travelled the rest of our journey partly on foot and partly on horseback. The district occupied by this Chief, or the greater portion of it, is an exceedingly healthy and fertile one. It extends from the Pongolo port along the Bombo to the Ingwavumi port. The Pongolo, after passing through the Bombo mountain, takes a northerly course, and flows for about 60 miles or more almost parallel with the sea coast, till it joins the Usuto or Maputa river. Sambana claims this as his eastern and southern, the Ingwavumi as his northern, and the top of the Bombo as his western, border. His tribe adjoins the Amatonga people, and they dispute the eastern boundary claimed by Sambana, their contention being that his boundary is the foot of the Bombo on the east, and that he has only encroached on their territory since the death of their late King Noziyingile. The tract of country here in dispute is about 60 miles long by about 20 wide. If Sambana's contention is correct, his district would extend over an area of about 60 miles long by about 40 wide, all of which, with the exception of that along the banks of the Pongolo, is a very healthy district, being well wooded and watered. Sambana's people are all very rich in cattle, and the Chief himself has a few horses. The habits and language of his people resemble those of the Zulus, to whom he paid tribute up to the time of the Zulu war. He informed me that he now considered himself a British subject, and that he had paid tribute for the last three years to a Dutchman known to them by the name of Umtshakela (Ferreira), who said that he represented and claimed taxes or tribute on behalf of the English Government; that this tribute was paid partly in money, cattle, and skins. I informed him that although I knew of no one being sent by the English Government to claim taxes or tribute from him, it was a matter I could not discuss, and that if he had any representation to make to the Government about it, he knew the course to adopt.

Although the pass up which we travelled to the top of the Bombo is very steep, I believe a very good road could be made through either the Pongolo, Ingwavumi, or Usuto Ports. The Pongolo would, as far as I could judge, be the most easy, and having once got through the Bombo mountain by this route it would lead to almost perfectly level country through any portion of the Amatonga country. The distance traversed by the Pongolo through the Bombo cannot be more than 20 miles.

After leaving Sambana's on the 7th October (our journey this far having taken 26 days), we slept one night in his district, the following day crossed the Pongolo 20 or 30 miles from where it comes through the Bombo, and got into country occupied by the Amatongas. We travelled on at once, and arrived at our destination on the 11th, just a month from the time we started.

I must now endeavour to report on the character and capabilities of the Amatonga country and people.

The route we took was about 70 or more miles inland, and along the eastern bank of the Pongolo river. I am hardly correct in saying "along the bank of the river," as we were seldom within five or six miles of the river itself, but we followed its course down to where it joins the Usuto or Maputa, and then turned down towards the coast till we reached the Queen's kraal, which is from 40 to 60 miles south-west of Delagoa Bay. The whole of the country we traversed presented very much the same appearance, and all the people I questioned informed me that the whole of their country was the same with the exception of that near the sea coast which was less wooded. That through which we travelled was very sandy and well wooded, but very badly watered. The only running water we saw, with the exception of one small stream which was not more than seven or eight miles in length, and flowed into the Pongolo, through all the country we passed, was that in the Pongolo river, to its junction with the Usuto or Maputa, and then in that down to the coast. Mr. Brüheim, a German, who has been resident in the country for ten or twelve years, and several of the people of the country, informed me that this was the only river in the country, and that even on the coast there was nothing beyond some swamps or marshes, some terminating in lakes, one of which had an inlet into the sea. This is evidently the one which is marked on the map as the mouth of the "Umkosi" river, but none of the people knew of any river of that description. As I have already reported on this in my previous report it is hardly necessary to repeat what I stated there.

What is stated in this report with reference to the belt of country along the coast is not from personal observation, but from what I gathered from the people of the country, all of whom agreed, however, in what they said. Our time was so limited that it was not possible for us to inspect the whole country.

Reverting to what I was saying about the country being so badly watered; the people who cannot obtain water from the Pongolo river itself have to depend upon what they can get from small holes which can hardly be called wells. They dig along the edge of any marsh or swamp they may live near to, but the water from these holes is so bad that they prefer travelling even as far as ten miles to the Pongolo river to obtain at least their drinking water. The water of this and the Usutu river seemed good. For miles along the Pongolo up to its junction with the Usutu there are large lakes into which I was informed that river flowed when it was flooded during the summer. All these lakes abound with hippopotami and wild fowl of all kinds. The water in some of these lakes appears to be good, and is used by the people, but in others it is brackish and not fit for use. As already stated, the soil appears to be all sandy. That, however, which extends for some miles back on either bank of the Pongolo, and around these lakes, although being of a sandy nature, is a very much stiffer and richer soil, and ought to grow almost anything. Sugar ought to do very well there, as lots of water and wood could be obtained from and along the Pongolo with which to manufacture it. With the exception of this belt of country, the soil seemed to be very poor, as it is of a light sandy nature, resembling very much that found immediately along the sea coast in most parts of Natal. In moderately wet seasons, however, the people stated it produced very good crops of maize (mealies) and millet, which they call inyaloti. For ground nuts and sweet potatoes this soil seems specially adapted. Large areas of the former (*i.e.*, ground nuts) are cultivated by almost every kraal or homestead. The staple articles of food in the country are maize or mealies, millet or inyaloti, and ground nuts. Sweet potatoes, although grown by numbers of the people, can hardly be called one of the staple articles of food, as a good many of them hardly know what they are. Maize or mealies is used in many ways, but chiefly after being stamped in stampers resembling a

pestle and mortar. After being reduced to a pulp in these, it is boiled for a long time, and makes a very wholesome diet. It is also boiled in its whole state, or roasted in a vessel on the embers, or in its cob and then eaten. It is the chief ingredient in the beer of the country, and it is for this that the millet or inyaloti is used, but only in sufficient quantities to ferment it. The millet is seldom used in any other form, but as every kraal or homestead consumes a very large amount of beer in the year, this is largely used. Ground nuts are used as an ingredient to almost every meal that is cooked, and although giving rather a pleasant flavour to it, to my mind it is a bilious article of food. The mabele or kaffir corn is little grown in the country. Pumpkins and gourds are grown, but to no large extent, and rice the same. These are almost the only products of the country. Besides the food I have mentioned, the Natives consume large quantities of palm wine, which they extract either from the wild date, or a palm known as the vegetable ivory. The trunk of the tree is tapped, where the leaves sprout, and small gourds are attached to it, into which the liquid drops, and is then collected. If allowed to ferment, I was informed, it is a very intoxicating drink. The Pongolo river and all the lakes abound with fish, and the people eat them. The natives breed fowls to eat, and a few have cattle and goats, but the greater portion of the cattle belong to the Queen. Cattle thrive remarkably well in the country, and the reason why they had so few, is that when the Zulus were in power, they feared that the fact of their owning cattle would be an object for the Zulus to attack them. They are, however, now commencing to collect cattle, and in a short time will, no, doubt, possess numbers. Horses, I was informed, would not live any time in the country, but donkeys do well.

The country through which we travelled, although thickly wooded, had very few trees out of which timber could be sawn. I was informed, however, that along the coast a large supply of timber could be obtained, and what is called the mahogany tree abounds there. The India rubber tree is to be found everywhere, and although this tribe make little or no use of it beyond eating the fruit, which they state is very good, I was informed that the Natives north of Inhambane extract the India rubber and pay their taxes in it to the Portuguese; a man is said to be able to extract about 4 lbs. a day without difficulty.

There is a good deal of game still in the country, but this is being fast killed out, as nearly all the Natives possess guns.

At the junction of the Pongolo and Usutu or Maputa rivers, there are elephants, buffalo, rhinoceros, water buck, koodo, and inyala, as well as all the smaller species of antelope found in Natal. Hippopotami I have already mentioned as abounding in all the lakes. The remainder of the country abounds in small antelope. Inyala and water buck are still to be found in certain places, and a single rhinoceros here and there. Numbers of the wild bush pig, baboons, and monkeys, are to be found in all the bushes. Pheasants and a large species of Guinea-fowl are also to be found in numbers.

As to the people themselves, they resemble the Zulus in certain respects, but are not of nearly such fine physique. The men wear the same Native dress as that worn by the Zulu; and the women, instead of wearing a petticoat of softened hide, use cotton or print stuffs, which they can readily obtain from the Portuguese at Delagoa Bay, or from a store kept by one of the Portuguese a few miles from the Queen's kraal. This is the only store actually in the country. The men on arriving at a certain age wear the head ring worn by the Zulus; but the women have no distinguishing dress or mode of wearing their hair to denote that they are married women, as is the case with the Zulus. Their language is evidently a corruption of the Zulu, and one understanding the latter would very soon pick it up by contact with the people. I tried to trace the origin of the tribe, but very few of those now living could go back for more than two or three generations, and stated, as far as they knew, theirs had always been an independent tribe, and was never connected with the Zulus. Their mode of living is somewhat similar to that of the Zulu, but the huts they live in are not the quite the same. Instead of the grass going right down to the ground they have upright walls made of reeds, to a height of about 4 or 5 feet, and then a conical-shaped roof. The sides of the huts are not plastered, so there is a constant draft through them; this is allowed on account of the heat in summer. The huts, instead of being built in a circle round the cattle kraal, as is the Zulu custom, are built in clusters; some of the larger kraals contain from 30 to 40 huts, but few more than this number.

They appear to be a hard-working people, and much more industrious than the Zulu or Natal Native. They cultivate very much larger extents of ground, and both men

and women take part in doing this. I was informed that at least half the able-bodied young men of the country are always away from their homes working either in Natal, the diamond and gold fields, or Delagoa Bay. Whilst we were in the country some men returned from working on the Delagoa Bay railway line, and stated that fever was so bad there, and such a number of people were dying, that they were forced to leave. The men on returning from work bring back all the money they have earned, with the exception of a little they may spend on clothing, &c. On their return each man has to pay the Queen a tribute of 1*l.* Money appears to be the usual barter in the country. Their wives are "lobolad" with it. The "lobola" of a woman, if not of high birth, is from 10*l.* to 15*l.*, but if of high rank more has to pass, and a special arrangement is made in each case with the parents or guardians. The men and women marry at an absurdly young age. The men from about 14 to 15 and upwards, and the girls from 12 and upwards. The whole time we were in the country I do not think I saw a girl (unmarried female) over 15 years of age; even at the royal kraals, where one would expect to see numbers of girls, there were none. The girls have very little to say about their marriage, as this is all arranged for them by their parents. I could not gather the reason for their marrying so young, as from what they say this was not their custom formerly. Some of the fathers said to me that they thought it better for people who had to live together for life to become acquainted when very young as they lived more happily together, but I hardly think this is the real reason. I fancy it is for the sake of obtaining the money the girls are allowed to marry so young. I was informed that there was little or no immorality among the married women. The race is evidently deteriorating fast, the present generations, or those growing up, not being nearly such fine men as their fathers, and the same may be said of the women. The men and women appear to die young. We only saw one old man and one old woman in the country; these two may have been from 60 to 70 years of age. With these exceptions we did not see a single man or woman who, I should say, was over 45 years of age. The death rate must be enormous every year during the hot season. It is the custom to bury the head of any hut, whether man or woman, in the hut in which he or she died; the door of the hut is then built up and the hut abandoned and allowed to fall. In some deserted kraals through which we passed there were as many as nine or ten huts closed in this manner, and on inquiry we were informed that that number of people had died in one year, and that this was by no means an uncommon occurrence in the country. It was a most common thing to see from two to three or four huts in a kraal closed in the manner mentioned.

The people, during the minority of their young King Ungwanasi, are ruled by the Queen Zambile. She is a Swazi by birth, and daughter of the late Swazi King Umswazi. As is the custom of most Native tribes in South Africa, she, being the Queen, was one of the last wives married by the late King Noziyingile. The Queen is usually married late in life in this manner for fear that the heir to the throne may grow up during his father's life-time and attempt to usurp his power. The late King Noziyingile married two Queens. The first, who was a sister of the present Queen, died shortly after her marriage without issue. Zambile was then married to him, to take the place of her sister who had died, and bore him an heir before his death. It is about 10 years since the death of the late King, and at his death the present King was quite a child, so this would make him about 12 years of age. He seems a very intelligent and well developed boy, is very fond of shooting, and is stated to be one of the best shots in the tribe already. He is fond of bull-fighting, and collects all the bulls he can for this purpose. The Queen is a very tall and handsome woman, about 35 years of age, and appears to be remarkably intelligent. She governs the Nation with the assistance of Indunas or Headmen, who are always present at the councils. It appeared to me, however, that these headmen had little to say, and with the exception of a few, took little interest in the affairs of the Nation. She, however, has the interest of her people at heart, and has them under wonderful control; they all respect and seem to be very fond of her. Her chief mode of punishment is by inflicting fines, some of which are heavy. She very seldom has any one killed, and this only when a subject commits some very grave offence, which they consider can be met by no other punishment than death. I was informed that ever since the late King's death not more than 10 or 12 people had been killed by her orders.

They have little or no military organisation, and although the young men, on arriving at a certain age, every two or three years are told off and named a certain regiment, she seldom, or I think I am correct in saying, has never yet had them all present at one time at her kraal. They have nothing resembling the feast of first fruits which used to

be held annually by the Zulus when all the different regiments were supposed to be present at the King's kraal. The only opportunity she appears to have of seeing any of her regiments is when a single regiment is called up to plant or weed the fields belonging to the royal kraals annually. I heard, however, that it was the Queen's intention, had we stayed longer at her kraal, so as to have allowed her time to do so, to have called up the whole of her army in order that we should see it, but unfortunately our stay was necessarily so limited that we could not wait for this.

Her people are nearly all armed with guns, and can obtain an unlimited supply of ammunition from the Portuguese at Delagoa Bay. They appear to be fairly good shots, judging from the amount of game they kill. Scarcely any of the guns they possess are of modern patterns, but chiefly single-barelled muzzle-loading rifles, such as the Enfield and guns of that description. All these have been obtained from the Portuguese, who appear to be under no restrictions whatever as to the sale of guns and ammunition to Natives. Their guns cost from 2*l.* to 3*l.* a piece, and ammunition is about the same price as in Natal.

The Amatongas are by no means a warlike nation, and with the exception of a few wars or engagements they had with small neighbouring tribes during the reign of their late King, the men now living have done no fighting, and in fact there are not many living now who took part in these engagements.

I fancy, however, from remarks made by the people, that so soon as the young King, Ungwanazi grows up it will be his wish and that of the nation that he "wet his spears," and that with this object they will select one of the small neighbouring tribes and wage war against it. In this case the first of these will be that already mentioned, under the Chief Sambana. This tribe will be their first object of attack, partly on account of the feud now existing in consequence of the alleged encroachments by his people on what the Amatongas consider their territory, and partly on account of Sambana's and his people's wealth in cattle. The Queen complained also of the difficulty she often experienced in bringing offenders to trial, in consequence of their always being able to find a refuge among Sambana's people, and stated that when application was made to this Chief for their extradition he refused to give them up.

I endeavoured in many ways to obtain, if possible, the approximate number of fighting men the Queen had, but found it most difficult to obtain any reliable information on this subject. Mr. Brühem, who, as previously stated, has been resident in the country many years, and has had opportunities of observing the different regiments when called up to the Queen's kraal for the purpose mentioned, stated that he estimated the army to consist of about 20,000 fighting men, and from what I could learn I should think he is not far out in his estimate.

I saw the general in command of the army, or "Fighting Induna," as he is termed in the country, Umjigajiga. He gave me the names of all the different regiments and the number of detachments (Inozila) each had. He could not give the number of companies (Amaviyo), but said that a detachment consisted of somewhere about 20 companies. Calculating a company at about 50 men, this would make a detachment about 1,000 strong. By this calculation his estimate agreed very nearly with that of Mr. Brühem. Umjigajiga gave the names of nine regiments consisting in all of 22 detachments; this would make 22,000. Mr. Brühem's estimate was 20,000, which I should think is about as correct a one as it is possible to obtain without seeing the army. The names of the different regiments with the number of detachments, and the approximate age of the men of each is as follows: (I may state men from each regiment were pointed out, and it was from personal observation that I judged their ages).

Name of Regiment.	No. of Detachments.	Approximate Age.
Insanananda - - -	1	45 years.
Mahebuta - - -	2	43 to 45 "
Isitshozi - - -	2	40 to 43 "
Amakeke or Izintulo - - -	3	37 to 40 "
Amatatu - - -	3	34 to 37 "
Inqubo - - -	3	30 to 34 "
Umpondweni - - -	3	27 to 30 "
Nompelela - - -	3	24 to 27 "
Amahola - - -	2	20 to 24 "

The late King Noziyingile belonged to the Insanananda regiment, so he must have been about 45 years of age at his death.

The young men under about 20 years of age have not yet been formed into a regiment but are looked upon as the young King's personal attendants, and form his body guard. He never moves without a large detachment of these young men in personal attendance, and whenever he leaves the kraal they accompany him armed. None of the young men of this age are supposed to leave the country to work, but are supposed to be in readiness to attend on the young King, whenever called upon, at a moment's notice. Should any of them leave the country for the purpose mentioned they have to pay a penalty of 5*l.* on their return to it.

As previously stated, nearly half the able-bodied young men are generally absent from their country, so that should the Queen wish to call out her army at any time, I do not think she could place more than 15,000 warriors in the field.

The people are a more intelligent race than the Zulus, and I fancy this may be attributed to the fact of their having, for years past, been in the habit of going out to work among Europeans.

They make exceedingly pretty and useful baskets of all sizes, some large enough to hold from 10 to 15 muids of grain; these are used for storing their food after the crops are reaped. They are very good carvers in ivory, horn, and wood. They make all their own vessels for cooking, eating, &c. Those for cooking are earthenware, and those for eating are of the same ware and wood. Formerly they made their own clothing. This was obtained from the bark of large fig trees. After stripping the bark they pounded it between stones and washed it well. This produced a fibrous garment, two or three of which would be as warm as an ordinary blanket. I was informed that formerly they weaved garments out of the wild cotton to be found in the Thorn country, on the western slopes of the Bombo, but I was unable to obtain a specimen of this material. Now, however, that they can obtain all the clothing they require by purchasing it wherever they go to work, and at Delagoa Bay, they seldom or never go to the trouble of making their own, which is, of course, inferior to that made by Europeans. They make canoes out of the trunks of large trees. These are used chiefly for the purpose of crossing the Pongolo river when it is flooded.

This concludes what I was able to observe as to the character and capabilities of the people during the short time we were in the country, and I shall now make a few remarks upon the route by which we returned to Natal.

As previously stated, we were only two days at the Queen's kraal. The fever season was fast approaching, and we had to hurry out of the country as soon as possible. It might be as well to mention which are considered bad fever districts by the people themselves. The Amatonga country itself is all a bad fever district. Then comes Sambana's district, which is very healthy. Passing that you get into very bad fever country, from the western slopes of the Bombo mountain for a distance of about 60 miles till the Pongolo is reached, and, in fact, till the Umkusi is reached; but between the Umkuzi and Pongolo rivers fever does not rage nearly so badly as in the two districts just mentioned. The fever season commences in October or November, with the first heavy rains, and lasts till May or June, when the first heavy frosts appear. It was just commencing when we left the country, and we did not escape it. Of our party, which consisted of two Europeans and 23 Natives, all caught fever but eight. Both Mr. Giles and myself had it. It is an intermittent fever, and although very disagreeable whilst it lasts, is not very dangerous if dysentery can be kept off. I believe, and the people themselves say, that it is this that kills so many, and not the fever itself. We lost none of our party; but one Native, who had had fever, but had recovered, and was only suffering from weakness after it, insisted upon remaining behind at one of the kraals mentioned as having belonged to Usibebu. Whether this man will return or not I cannot say. He caused a great deal of trouble throughout, and had already delayed us two days by turning off the road to visit kraals, and then sending messages to say he was too ill to come on. On these occasions we had to halt, and send back men for him, and on his arrival found he was not nearly so bad as some of those who were travelling cheerfully along. On the last occasion on which he remained behind, and insisted upon staying, there was nothing left to us but to go on and leave him. We then had six people ill, and others were attacked daily, so we had to travel as fast as possible for fear the rains would set in, and we should be delayed by some swollen river. However, in this respect we were most fortunate as, with the exception of a few light showers, we had no rain on the whole of our trip, and were not delayed a

single day by it. Fortunately, fever did not make a decided appearance among our party until the day we got out of the Amatonga country, and the day before we reached the waggonette on our return.

The return journey was commenced on the 14th October, and by travelling very long distances we arrived on the borders of the Amatonga country on the third day. On the fourth we reached Sambana's, where we had left the oxen, &c. It was on this day that fever broke out. The following morning we reached the waggonette and at once went on, travelling till the Umkuzi river was approached, by the same route we had taken on our journey to the Queen's kraal.

I think I mentioned before that the country between the Umkuzi and Bombo abounds in game. It was more numerous here than in any part of the country through which we travelled. That to be found is the koodo, water buck, impala, zebra, lions, leopards, hyenas, and all the smaller species of antelope to be found in Natal, partridges of two or three varieties, pheasants, Guinea fowl, coran of three varieties, and a large species of paauw, known as the bush paauw, are very numerous. A great portion of this country is unoccupied, and consequently the game is not much molested, except by the Dutch, who go down there in the winter for two or three months at a time to hunt, and winter their stock.

On approaching the Umkuzi river, we kept Marcus' road, leaving that we had travelled on our journey down to the right, and crossing the river a few miles below where we had crossed it previously. We continued travelling along this route, passing through the district lately occupied by "Usibebu." Through Somkeli's district crossing the Umfolozi below the junction of the White and Black Umfolozis, and then on to Sokwetsbata's District where we met Mr. Arthur Shepstone, the Resident Magistrate there, who is stationed at the Imbabe. From him we experienced the greatest kindness. At this time a number of us were down with fever, and as soon as Mr. Shepstone heard we were in his neighbourhood, he very kindly came to meet us, bringing horses for Mr. Giles and myself to ride. This was on the 30th October, or 17 days after we had started from the Queen's kraal. Mr. Shepstone met us at about 10 o'clock p.m. Mr. Giles and I went back with him, and the next day the waggonette and men arrived there. The men and oxen were all sadly in need of a rest by this time, so we remained there till Tuesday morning, when we all felt very much better, thanks to Mr. Shepstone's kindness and attention and a rest in comfortable quarters.

It might be as well to mention here the remedies we found most effective in curing fever. We were always very careful in keeping our bowels well open, and then took quinine four or five times a day in doses of about half a tea-spoon full at a time. We took as much nourishment as possible, but one feels little inclined to eat, and almost the only thing we could take was soup and beef tea. Fortunately we had a good supply of fresh beef throughout, and could always have lots of soup.

After leaving Mr. Shepstone's, we travelled along Marcus' road as far as the Umlalazi, and from there went to Etshowe as directed by his Excellency. From the Etshowe we travelled by the main road to the Tugela, where the district surgeon from Stanger met us and attended all the sick people.

I left the waggonette at Stanger to travel over the Noodsberg to Pietermaritzburg, and came up myself by train, arriving there on the 10th of November, or just 60 days after I had started. The waggonette arrived on the 12th.

All the people were much better on their arrival at Pietermaritzburg, and the Natives have nearly all returned to their kraals.

I have already described the portion of Marcus' road we travelled on our journey down, and will now say a few words with reference to the portion we travelled on our return, not already described.

Starting from the Umkuzi, the Drift here requires a little making, and the road out of the Umkuzi Thorns requires making, as it is rather rough just now. From there right down to the Umlalazi, taking it on the whole, it is exceedingly good; there are places, of course, here and there where the road might be improved, and requires making. This, however, is chiefly where rivers or streams are to be crossed. The Umfolozi Drift is very sandy, and heavy to get through. With the exception of these bad places, it is naturally an exceedingly good road, and very much better and easier for cattle than that by which we travelled going. There are scarcely any steep hills to ascend or descend, and the grass the whole way is very good, and I hear that even

in winter there is abundance of grass to be obtained for cattle. The road from the Etshowe to Pietermaritzburg is so well known that it is not necessary for me to say anything about this. The oxen we took with us stood the journey wonderfully well, and, with the exception of being foot-sore, are in almost as good condition as when they started; we lost none.

In conclusion, I might state that should I ever go to the Amatonga country again, I should most certainly not choose the route we travelled as the best, but should take the lower or coast route. This I hear is very much shorter and a better road to travel. Going by this one would pass where Mr. Arthur Shepstone is, from there to above St. Lucia Bay, and then on to Tongaland, keeping along the coast for some distance, and then strike off towards the Queen's kraal. The journey could be completed by this route in about 20 days either way; you could not, however, reach her kraal with a waggonette, but I was informed that you could get to within three or four days journey on foot from it.

It was originally intended that we should have gone by this route, but hearing such bad accounts of the fever districts we should have to pass through, and the scarcity of water along it, that idea was abandoned, and we took the upper road. However, from what I have since seen and learnt, as far as fever is concerned, it cannot be a worse district for that than what we passed through, and I heard from the Tongas, who always travel that way when coming to Natal, that there is abundance of water and good grass for stock.

I must state that the distances given by me throughout this report are only estimated by the time it took us to travel, and wherever distances are given over country we did not travel, I ascertained the number of days it took a Native to travel on foot, and calculated accordingly. I calculated that we travelled a little over three miles an hour, and that a Native taking his own time, with no particular reason for hurrying, walks between 25 and 30 miles a day. This is how the distances given are computed.

I have, &c.

(Signed) C. R. SAUNDERS.

The Hon. the Secretary for Native Affairs,  
Natal.

No. 22.

SIR H. T. HOLLAND to SIR HERCULES ROBINSON.

TELEGRAPHIC.

January 5.—Referring to your telegram of the 30th December,\* satisfactory, Rudolph approved.

No. 23.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received January 11, 1888.)

SIR,

Grahamstown, December 19, 1887.

WITH reference to my Despatch of the 2nd ultimo,† covering correspondence respecting a request made by Umbandeen that Mr. Rudolph be granted permission to act as a Swazi Commissioner for pointing out the beacons on the Transvaal-Swazi

\* No. 21.

† No. 10.

boundary, I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal on the subject.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart, G.C.M.G.  
&c. &c. &c.

Enclosure in No. 23.

Sir A. HAVELOCK, K.C.M.G., to Sir HERCULES ROBINSON, G.C.M.G.

Government House, Pietermaritzburg, Natal,  
December 5, 1887.

SIR,

I HAVE the honour to inform your Excellency that I have caused a copy of your Despatch of the 31st October, on the subject of the employment of Mr. Rudolph to act as one of the Swazi Commissioners for pointing out the beacons on the Transvaal-Swazi boundary to be communicated to Mr. T. Shepstone, for the information of Umbandeni. I enclose a copy of the letter which the Secretary of Native Affairs has by my direction addressed to Mr. Shepstone.

2. I am prepared to permit Mr. Rudolph to proceed to Swaziland for the purposes of the Commission as soon as I receive an application in that behalf from the Swazi King.

I have, &c.

(Signed) A. E. HAVELOCK.

SECRETARY FOR NATIVE AFFAIRS to Mr. T. SHEPSTONE.

SIR,

Pietermaritzburg, Natal, November 30, 1887.

WITH reference to my letter to you of the 11th October last, stating that on certain conditions the Governor would be prepared to grant leave to Mr. G. M. Rudolph to be a member of the joint Commission on the Swazi boundary, I have now the honour, by direction of his Excellency, to transmit, for the information of Umbandeni, a copy of a Despatch from his Excellency the High Commissioner signifying his approval to Mr. Rudolph's being allowed to act for the King, and to state that his Excellency is prepared to grant Mr. Rudolph the necessary leave subject to the conditions laid down in my letter of the 11th ultimo.

I have, &c.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

No. 24.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received January 25, 1888.)

SIR,

Grahamstown, January 2, 1888.

WITH reference to previous correspondence on the subject, I have the honour to enclose for your information a copy of a correspondence which I have had with the Governor of Natal respecting a suggestion made by Mr. Shepstone, the Adviser and Agent of the Swazi King, that a notice should be published in the Government Gazette warning Natal Colonists against taking part in proceedings calculated to disturb the peace of Swaziland.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart, G.C.M.G.,  
&c. &c. &c.

## Enclosure 1 in No. 24.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
December 21, 1887.

SIR,

I HAVE the honour to forward, for your Excellency's information, a copy of a letter which has been addressed to the Secretary of Native Affairs by Mr. T. Shepstone, Resident Adviser and Agent of Umbandeen, relating to a meeting held on the 15th ultimo in Swaziland, at which 200 Europeans are said to have been present.

2. I am not aware that Natal Colonists are taking part in these proceedings. Should this, however, be the case, would your Excellency advise my publishing the notice suggested by Mr. T. Shepstone in the last paragraph of his letter?

I have, &c.  
(Signed) A. E. HAVELOCK.

His Excellency  
The Right Hon. Sir Hercules Robinson, G.C.M.G.,  
&c. &c. &c.

Mr. T. SHEPSTONE to SECRETARY FOR NATIVE AFFAIRS.

The King's Kraal Swaziland,  
December 12, 1887.

SIR,

I HAVE the honour to report, for the information of his Excellency the Governor of Natal and Zululand, and that of his Excellency the High Commissioner, that a meeting of 200 white persons was held on the 15th ultimo in Swaziland, near the Transvaal border, and certain resolutions passed which, I have no doubt, already came under their Excellencies' notice through the public press.

I sent for Umhlaba, who is King Umbandeen's uncle and chief of the district where the meeting was held, and on his arrival here I took his statement, a copy of which is enclosed herewith.

The Mr. Murphy referred to in the statement is the same person mentioned in the declaration of Messrs. McGregor and Stafford, a copy of which I also enclose.

I am also forwarding copies of these documents to the Government of the South African Republic for the information of his Honour the President and his Executive.

The action of his Honour in sending to warn Transvaal subjects who were taking part in the meeting has no doubt saved a collision, the consequences of which would have been of the most serious nature.

It is my duty to point out, for the information of his Excellency the Governor, that Natal Colonists are taking part in the movement, and respectfully to ask his Excellency to consider whether, under the circumstances, some warning to Natal Colonists could not be given in the Government Gazette.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi King.

The Hon. the Secretary for Native Affairs,  
Natal.

## STATEMENT of the CHIEF UMHLABA, living in Swaziland, on the South African Republic Border.

Mr. Gert Ferreira came to my kraal, accompanied by Mr. Murphy, and said I was to go with them to a meeting; they did not tell me what I was wanted for. I could not go, but I sent my brother and two men with him. These men came back and made their report to me. The Boers said: "We are not an impi (army); we will first send three men down to see the King." The meeting was at Louis Fourie's house. S. Tozen was also present, and also a brother of T. Botha. After this Murphy came to me and asked me to send a man with him down to the King's kraal. This is the man "Josi." Murphy told me that Mr. Krogh had arrived, and said, "That they were not to

go to the King." "Had the three delegates gone to the President?" and he added that Tozen, J. Ferreira, and Botha had gone to Pretoria. Murphy said that what he was going to the King for was to ask for a document saying he could reside where he was squatting, that he had been cheated by the Rev. Joel Jackson, who had sold him the land, and received the money, that he (Murphy) had now found out from the Swazies that the land was not Jackson's to sell, but belonged to the Swazi King, that he (Murphy) had only got part of the money back from Jackson. Murphy said also, "What the meeting object to is Mr. Shepstone; let the King rule the country with his own Indunas," and that Mr. Shepstone would ruin the country.

Murphy further said that it was the opinion of the meeting that Mr. Shepstone must go, and the King to rule his country as of old.

I add that there was also a meeting held at Murphy's house, when 12 white men were elected as a committee, with Mr. Murphy as the head. T. Botha's brother, J. Ferreira, and Murphy, we know, were three out of the 12.

I object myself to Murphy; he causes much trouble; he is appropriating land to himself, and says the natives on the ground belong to him. If the King were to send him away I would be glad myself.

Taken before me in the presence of A. Meikle, W. C. Penfold, J. Gama, and three Indunas on the 10th day of December 1887.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi King.

As witnesses :—

(Signed) W. C. PENFOLD.  
JOHN GAMA.

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COPY OF DECLARATION OF W. H. STAFFORD and D. W. MCGREGOR.

On this the 2nd day of December 1887 Walter Herbert Stafford and Duncan Walker McGregor, both of Swaziland, traders and residents, appeared before me, Theophilus Shepstone, and declared as follows :—On Wednesday, November 30th, 1887, Mr. Murphy, who was one of the deputation sent down by the meeting held in Swaziland on the Tranvaal Border in the beginning of October, called at McGregor's station, Junction Road, Swaziland, on his (Murphy's) return from the King's kraal, and stated to us, in the presence of several other whites, that at the Boer meeting held at Apsley, Swaziland, on the 15th November 1887 the meeting had received a private communication from the Government of the South African Republic that the Government would assist the meeting with 8,000 men to accomplish its object of taking Swaziland.

Mr. Murphy also stated that the meeting had got men from Vryheid and the Klein Free State, and that the remainder would be made up by the Transvaal.

We are both aware that Mr. Murphy with Messrs. Ferreira and Tozen are the prime movers in these meetings, and in furthering an attempt to take Swaziland.

(Signed) WALTER H. STAFFORD.  
DUNCAN WALKER MCGREGOR.

Before me :—

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi King.

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Enclosure 2 in No. 24.

Sir HERCULES ROBINSON, G.C.M.G., to Sir A. HAVELOCK, K.C.M.G.

SIR,

Grahamstown, January 2, 1888.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 21st ultimo, covering a copy of a letter from Mr. Shepstone, and inquiring whether, if it is the case that Natal Colonists are taking part in certain proceedings calculated to disturb the peace in Swaziland, I would advise your publishing a notice which is suggested by Mr. Shepstone in the last paragraph of his letter.

It is the case that any Natal Colonists have engaged or are likely to engage in the proceedings described by Mr. Shepstone, I would advise your publishing the notice suggested by him.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

To His Excellency Sir Arthur Havelock, K.C.M.G.,  
&c. &c. &c.  
Pietermaritzburg.

No. 24A.

SIR H. T. HOLLAND to SIR A. E. HAVELOCK.

SIR, Downing Street, February 9, 1886.

I HAVE had under my consideration the report made by Mr. C. R. Saunders as to his mission to Queen Zambili, which was transmitted to me by Sir Hercules Robinson on the 7th December last.\*

2. I have also had under consideration Mr. Saunders' report on the general condition of the Tonga country and people, submitted in your Despatch of the 6th of December.† Mr. Saunders appears to have done his work well and discreetly, and both his reports, especially the more general one, are drawn up with precision and ability. I request that you will convey to him this expression of my sense of the value of his work.

3. The reports of Mr. Saunders, and other information which has reached me, have led Her Majesty's Government to think that closer relations than those created by the Treaty recently ratified, should now be established with Queen Zambili and the Tonga people. I desire you therefore to cause the Queen Zambili to be informed that, if she still desires it, a protectorate will be extended over herself and her people and country.

4. Such protectorate, it should be explained to her, would not supersede her administration of the country, but would save her and her people from the occupation of her land by any foreign power, and would further protect her from the danger of being induced to grant to individuals privileges or concessions the nature of which she may not fully understand. All important concessions should be confirmed by the Governor of Natal, or by some officer acting under his directions, before they are finally concluded. At the same time Zambili should be made clearly to understand that Her Majesty's Government is not in a position to support any claim of the Amatonga to country north of the boundary laid down in 1875 by Marshal MacMahon, whose award Her Majesty's Government have formally bound themselves to uphold.

5. It should further be explained to her that the declaration of a protectorate would enable her to have the advice of the Governor of Natal, and of an English officer either residing in the country, or paying it occasional visits, as may be most convenient. She should be informed that she would be expected to pay the cost of such an officer. If she is satisfied to accept the British Protectorate, subject to the foregoing conditions and explanations, it should be at once declared by the officer charged with these communications and be formally notified by the High Commissioner in the usual manner.

6. The case of Sambana appears to require separate consideration. As, in the Treaty recently made with Zambili, she is recognised by Her Majesty's Government as Regent and Paramount Chief over all the country as far as the Swazi country to the westward, I conclude that it would not be open to Her Majesty's Government now to recognise Sambana as an independent chief, nor expedient to make a separate treaty with him. I have, however, no means of judging whether Sambana's claim to a certain boundary line is, or is not, well founded; but I need hardly impress upon you the necessity of taking care that Her Majesty's Government should not be involved in any dispute as to this boundary, though I do not apprehend that they would object to act as arbitrators in the question, should they be requested to do so by both parties.

7. It will, I conclude, be necessary to entrust to a white officer the conduct of the further negotiations with Queen Zambili which I have directed in this Despatch; and as the present is the unhealthy or fever season, it might lessen the exposure and risk of illness if the officer could proceed *via* Lourenço Marques, and up the river, to which there is no political impediment, as the Portuguese Government has formally stated that it makes no objection to the British Protectorate over Tongaland. In any case, the

\* No. 19A.

† No. 21A.

journey should be made by the quickest and least dangerous route, and every effort should be made to spare expense.

The cost, like that of Mr. Saunders' mission, will probably be chargeable to the High Commissioner's allowance for travelling expenses, but on this subject I will address you further.

I have sent a copy of this Despatch to Sir H. Robinson.

Sir Arthur Havelock.

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

No. 25.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received February 13, 1888.)

Government House, Cape Town,  
January 25, 1888.

SIR,

WITH reference to your telegram of the 5th instant,\* I have the honour to enclose for your information a copy of a Despatch, which I have received from the Governor of Natal, covering a copy of a letter addressed to Mr. T. Shepstone, Adviser and Agent of the Swazi King, respecting the employment of Mr. Rudolph on a joint commission appointed for the purpose of pointing out the convention beacons between the South African Republic and Swaziland.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Sir H. T. Holland, Bart., G.C.M.G.  
&c. &c. &c.

Enclosure in No. 25.

SIR A. HAVELOCK to SIR H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
January 16, 1888.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's telegraphic Despatch of the 8th instant, in which you communicate to me a telegram received by you from the Secretary of State approving of the selection, by Umbandeni, of Mr. G. M. Rudolph, C.M.G., as a Commissioner for pointing out the beacons on the Transvaal-Swazi boundary.

In pursuance of your Excellency's telegram I have caused Mr. T. Shepstone, C.M.G., Resident Adviser and Agent of Umbandeni, the Swazi King, to be informed accordingly.

I forward herewith a copy of the letter addressed to Mr. T. Shepstone by the Secretary for Native Affairs.

I have, &c.  
(Signed) A. E. HAVELOCK.

His Excellency the Right Honourable Sir Hercules Robinson, G.C.M.G.  
&c. &c. &c.

The SECRETARY FOR NATIVE AFFAIRS to Mr. T. SHEPSTONE.

SIR,

Pietermaritzburg, Natal, January 12, 1888.

WITH reference to my correspondence with you relative to the appointment, by Umbandeni, of Mr. G. M. Rudolph, Resident Magistrate, Klip River, to act as his Commissioner on a joint Commission to be appointed by him and the Government of the South African Republic, for the purpose of pointing out all the convention beacons between the South African Republic and Swaziland, I am directed by his Excellency to state, for the information of Umbandeni, that Her Majesty's Government has

expressed its approval of the selection of Mr. Rudolph by Umbandeni for this duty, and to ask when it is proposed that Mr. Rudolph should proceed to Swaziland for the purpose of acting on this Commission.

You will, of course, clearly understand that all Mr. Rudolph's expenses will have to be borne by Umbandeni.

I have, &c.  
(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

No. 26.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received February 23, 1888.)

Government House, Cape Town,  
February 1, 1888.

SIR,

I HAVE the honour to enclose for your information copies of a correspondence which I have had respecting a proposal made by the Government of the South African Republic for the appointment of a Joint Commission to settle the question of mining and grazing rights in Swaziland.

When I receive a reply from Sir Arthur Havelock I will communicate with you further on this subject.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.  
&c. &c. &c.

Enclosure 1 in No. 26.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

(Translation.)

Government Office, Pretoria, South African Republic,  
January 20, 1888.

YOUR EXCELLENCY,

UNDER date 20th April 1887 I had the honour to send you a copy of a letter from Umbandeni and three of his captains dated 31st March 1887, in which the willingness of the Swazi King is expressed to have the question of grazing and mining rights decided by the two Governments which signed the Convention of London.

This Government had the pleasure of corresponding further with your Excellency on this subject without, however, any action being resolved upon as, according to your letter dated 3rd September 1887, Her Majesty's Government did not find an immediate action necessary. This Government then let the matter rest. Circumstances, however, make it very undesirable for this Republic that the said question should remain any longer in suspense. It is necessary that the question be solved and finally decided upon by or in deliberation with this Republic. The interests of this Republic demand that in Swaziland, bordering as it does on the Republic, peace should prevail. This Government is quite prepared to take the responsibility of it upon itself. But in the first place it is necessary that the status of those who possess mining rights and those who possess grazing rights should be clearly defined.

In spite of Umbandeni's request in March last this has not yet taken place.

This Government is willing and ready to do so. They would propose to constitute a Commission for that purpose, and, if the idea found no opposition from Her Majesty's Government, to appoint Mr. Williams, British Consular Officer at Pretoria, as a member thereof.

This Government would be glad to know the opinion of Her Majesty's Government on this subject as soon as possible.

I have, &c.  
(Signed) W. EDUARD BOK,  
State Secretary.

To His Excellency the High Commissioner,  
Cape Town.

## Enclosure 2 in No. 26.

Sir HERCULES ROBINSON to Sir ARTHUR HAVELOCK.

Government House, Cape Town,  
January 27, 1888.

SIR,

I HAVE the honour to enclose, for your Excellency's information, a translation of a letter which I have received from the Government of the South African Republic, suggesting that a Joint Commission be appointed to settle the question of grazing and mining rights in Swaziland.

2. The letter of the Government of the South African Republic of the 20th April 1887, referred to by Mr. Bok, is published at page 55 of C.-5089, and I enclose a copy of my Despatch of the 3rd September last,\* which is also referred to.

3. I apprehend that in the event of a Commission being sanctioned by Her Majesty's Government, the British officer or officers to serve on it would be chosen and appointed by the Secretary of State, and not, as appears to be suggested in Mr. Bok's letter, by the Government of the South African Republic. I think, too, that no such Joint Commission could properly interfere in the internal affairs of Swaziland except by the invitation of the Swazi King.

4. I shall be obliged, therefore, if you will ascertain from Umbandeen the present position of the question as regards grazing and mining rights in Swaziland, and whether he still desires the interposition of the British and Transvaal Governments.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.His Excellency  
Sir Arthur Havelock, K.C.M.G.,  
&c. &c. &c.

## Enclosure 3 in No. 26.

Sir HERCULES ROBINSON to President KRUGER.

Government House, Cape Town,  
January 27, 1888.

SIR,

I HAVE the honour to acknowledge the receipt of your Honour's letter of the 20th instant, proposing the appointment of a Joint Commission of representatives of the British and South African Republican Governments to settle the question of mining and grazing rights in Swaziland.

I was under the impression that this question had been amicably settled; but whether that be so or not, I do not think the British or South African Republican Governments could properly interfere in the internal affairs of Swaziland except on the invitation of the Swazi King. I have accordingly forwarded a copy of your Honour's letter to the Governor of Natal, and have asked him to ascertain from Umbandeen the present position of the question as regards grazing and mining rights, and whether he still desires the interposition of the British and South African Republican Governments.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.His Honour the State President,  
Pretoria.

## No. 27.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.

(Received February 29, 1888.)

Government House, Cape Town,  
February 8, 1888.

SIR,

I HAVE the honour to enclose, for your information, a copy of a correspondence which I have had with the Government of the South African Republic, respecting certain agreements which have been recently concluded with the Chiefs Zambaan and Umbigesa by the Native Commissioner of Wakkerstroom.

\* Not printed.

A map showing the territory of the Chiefs referred to in the correspondence will be found at p. 40 of Blue Book, C.-4645.

I have communicated a copy of this correspondence to the Governor of Natal.

I have, &c.  
(Signed) **HERCULES ROBINSON,**  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.,  
&c.                      &c.                      &c.

Enclosure 1 in No. 27.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

(Translation.)

Government Office, Pretoria,  
South African Republic,  
January 30, 1888.

YOUR EXCELLENCY,

I AM directed to acknowledge the receipt of your Excellency's Despatch of the 8th December last, wherein notice is given of a Treaty concluded with Zambili, the Queen Regent of Tongaland. This Government observes that in the said Treaty the situation and borders of Tongaland are described as follows:—"Which lies to the north of Zululand, and is bounded by the Indian Ocean on the east, by the Portuguese territory of Lorenzo Marques on the north, and by the Swazi country on the west." This Government is of opinion that this description is inaccurate, in so far as is said that Amatongaland borders on the west on Swaziland, for between Amatongaland and Amaswaziland there live two Chiefs, named Zambaan and Umbigesa, who are independent, and stand under neither the Amatongas nor under the Swazis. The territory of these two independent captains is bordered as follows:—On the south and east by the Pongola River, on the north by the Usuta River, and on the west by the highest ridge of the Lebomba Mountains, and, consequently, it borders on the west partly on Swaziland and partly on this Republic. The reason that this Government makes these remarks is the following:—A portion of the people of these Chiefs live within this Republic, and therefore also pay hut-tax. The Chiefs have, however, repeatedly pressed to pay taxes on all their cottages, to come in under the Republic with all their people, and to transfer their territory to the Republic.

In consequence of this Mr. J. Ferreira, the Native Commissioner of Wakkerstroom, has concluded agreements with the Chief Umbigesa as well as with the Chief Zambaan. These agreements are made out in the proper names of Mr. Ferreira and Mr. Lammerding, the clerk who is with him, as they, being without instructions, had no power to contract in the name of the Republic. However, at the expressed desire of the said Chiefs, the right has been given to Messrs. Ferreira and Lammerding to transfer these agreements to and to have them ratified by this Republic.

This taking, transfer, and ratification are the expressed wish of the said Chiefs.

The Government was busy corresponding about this taking, transfer, and ratification (to take place with observance of Article 4 of the Convention of London), when your letter of the 8th December last reached this Government, and gave this Government occasion to make the remarks contained in this Despatch.

I have, &c.  
(Signed) **W. EDUARD BOK,**  
State Secretary.

To His Excellency  
The High Commissioner, Cape Town.

Enclosure 2 in No. 27.

Sir H. ROBINSON TO STATE PRESIDENT.

Government House, Cape Town,  
February 7, 1888.

SIR,

I HAVE the honour to acknowledge the receipt of your Honour's Despatch of the 30th ultimo, taking exception to the description of the boundaries of Tongaland given in the Treaty recently made with the Queen Zambili, and acquainting me that the Native Commissioner of Wakkerstroom, Mr. Ferreira, and his clerk, Mr. Lammerding, had concluded agreements with two Chiefs, stated to be independent, who reside on the eastern side of the Lebombo Mountains, south of the Maputa River.

You added that your Government was in correspondence respecting taking transfer and ratification of these agreements, subject to the stipulations of Article 4 of the London Convention, when my Despatch of the 8th December, covering the treaty with Zambili, reached you.

In reply I have the honour to acquaint you that the territory described in the Treaty with Zambili is regarded by Her Majesty's Government as exclusively within the sphere of British influence, and it is my duty, therefore, to state frankly to your Honour that I have no expectation that the assent of Her Majesty's Government will be given to the agreements referred to in your letter, as they would be considered to be in conflict with the interests of Great Britain and of Her Majesty's possessions in South Africa.

His Honour the State President,  
Pretoria.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

No. 28.

LORD KNUTSFORD to SIR HERCULES ROBINSON.

SIR,

Downing Street, March 14, 1888.

I HAVE the honour to acknowledge the receipt of your Despatch of the 8th ultimo,\* transmitting copies of a correspondence with the Government of the South African Republic respecting certain agreements which had been recently concluded with the Chiefs Zambaan and Umbegeza by the Native Commissioner of Wakkerström.

I approve of the terms of the reply which you addressed to the State President of the South African Republic.

Sir H. Robinson.

I have, &c.  
(Signed) KNUTSFORD.

No. 29.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 17, 1888.)

Government House, Cape Town,  
February 15, 1888.

SIR,

WITH reference to my Despatch of the 1st instant,† respecting a proposal made by the Government of the South African Republic for the appointment of a Joint Commission to settle the question of mining and grazing rights in Swaziland, I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal on the subject.

I enclose also a copy of a telegram which I have addressed to Sir Arthur Havelock in reply.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.  
&c.                      &c.                      &c.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

\* No. 27.

† No. 26.

## Enclosure 1 in No. 29.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
February 8, 1888.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 27th January last, relating to the proposal for the appointment of a Commission to settle the question of grazing and mining rights in Swaziland.

2. I shall be glad to carry out your wish that I should ascertain from Umbandeen the present position of the question as regards grazing and mining rights in Swaziland, and whether he still desires the interposition of the British and Transvaal Governments. But, before communicating with Umbandeen in this sense, I would venture to ask you to refer to the precise terms of the letter from Umbandeen to the President of the South African Republic to which reference is made in Mr. Bok's letter to your Excellency, dated April 20th, 1887. Umbandeen there says, that he replied to certain white persons who claimed the right to control the land on which they held grazing licenses, that he had given them the pass for winter grazing, and that he would ask the two Governments who had signed the Convention if, by giving grazing licenses, he had given away his right to the land or the minerals on it. It does not seem to me that this expression of Umbandeen's views as to the value and effect of a grazing license, and of his intention to ask the opinion thereon of the two Governments, can be fairly construed into an intimation of willingness to have the question settled by a Joint Commission of the two Governments. I may add that the Secretary of Native Affairs, who has seen your Despatch and the correspondence enclosed in it, feels sure that Umbandeen will reply that he never asked for a Commission.

3. If, after considering the point which I have taken the liberty of bringing to your Excellency's notice, you still wish me to communicate with Umbandeen in the sense of paragraph 4 of your Despatch under acknowledgment, I shall be ready at once to do so.

I have, &c.  
(Signed) A. E. HAVELOCK.

His Excellency the Right Hon.  
Sir Hercules Robinson, G.C.M.G.  
&c. &c. &c.

## Enclosure 2 in No. 29.

## TELEGRAM.

FROM HIGH COMMISSIONER to His Excellency the GOVERNOR, Maritzburg, Natal.

13th. Your Excellency's Despatch of 8th instant, re Swaziland Joint Commission. The point to which you refer did not escape my notice, but I thought it best instead of entering on a discussion with the Transvaal Government to ascertain from Umbandeen the present position of the question as regards grazing and mining rights, and whether he desires the interposition of the British and Transvaal Governments as now proposed by President Kruger.

## No. 30.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 20, 1888.)Government House, Cape Town,  
February 29, 1888.

SIR,

WITH reference to my Despatch of the 8th instant,\* I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal respecting the alleged action of Mr. J. Ferreira, an officer of the Government of the South African Republic, in regard to the native Chief Zambaan.

\* No. 27.

I enclose also a copy of a Despatch which I have addressed to the State President of the South African Republic on this subject.

I have, &c.  
(Signed)

HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.  
&c.            &c.            &c.

Enclosure 1 in No. 30.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
February 17, 1888.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, Natal, of the 7th instant, enclosing, for my information, a copy of a correspondence which you have had with the Government of the South African Republic respecting certain agreements which have recently been concluded with the Chiefs Zambaan and Umbegeza by the native Commissioner of Wakkerstroom.

2. I beg to place before you an extract from a report on Amatongaland and its people, which has been made to me by Mr. Saunders, the officer sent to Queen Zambili to obtain her ratification of the treaty recently entered into, containing information with respect to Chief Zambaan (Sambana) and his territory. You will see that Mr. Saunders states that Sambana paid tribute to the Zulus up to the time of the Zulu war, and that the Chief informed him that he now considered himself a British subject, and that he had paid tribute for the last three years to a Dutchman known to him by the name of Umtshakela (Ferreira), "who said that he represented and claimed taxes or tribute on behalf of the English Government."

3. I have directed the Resident Commissioner of Zululand to take the earliest opportunity of ascertaining how far the statements contained in the extract from Mr. Saunders' report are correct.

I have, &c.  
(Signed) A. E. HAVELOCK.

His Excellency  
The Right Hon. Sir H. Robinson, G.C.M.G.  
&c.            &c.            &c.

EXTRACT FROM REPORT by Mr. C. R. SAUNDERS.

On our arrival at the foot of the Bombo we had to leave the waggonette and climb the mountain on foot up a steep pass leading to the kraals of a petty Chief named Sambana. It was by his people that Dingaan was killed, and the spot where his grave is was pointed out to us, on the edge of a forest called Hlatikulu. We left the oxen and everything we could at Sambana's, in charge of the driver and leader, and travelled the rest of our journey partly on foot and partly on horseback. The district occupied by this Chief, or the greater portion of it, is an exceedingly healthy and fertile one. It extends from the Pongolo port along the Bombo to the Ingwavumi port. The Pongolo, after passing through the Bombo mountain, takes a northerly course, and flows for about 60 miles or more almost parallel with the sea coast, till it joins the Usutu or Maputa river. Sambana claims this as his eastern and southern, the Ingwavumi as his northern, and the top of the Bombo as his western border. His tribe adjoins the Amatonga people, and they dispute the eastern boundary claimed by Sambana, their contention being that his boundary is the foot of the Bombo on the east, and that he has only encroached on their territory since the death of their late King Noziyingile. The tract of country here in dispute is about 60 miles long by about 20 wide. If Sambana's contention is correct, his district would extend over an area of about 60 miles long by about 40 wide, all of which, with the exception of that along the banks of the Pongolo, is a very healthy district, being well wooded and watered. Sambana's people are all very rich in cattle, and the Chief himself has a few horses. The habits and language of his people resemble that of the Zulus, to whom he paid tribute up to the time of the Zulu war. He informed me that he now considered himself a British subject, and that he had paid tribute for the last three years to a Dutchman known by them by the name of

Umtshakela (Ferreira), who said that he represented and claimed taxes or tribute on behalf of the English Government, that this tribute was paid partly in money, cattle, and skins. I informed him that although I knew of no one being sent by the English Government to claim taxes or tribute from him, it was a matter I could not discuss, and that if he had any representation to make to the Government about it, he knew the course to adopt. . . . .

(Signed) C. R. SAUNDERS.

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Enclosure 2 in No. 30.

Sir H. ROBINSON to STATE PRESIDENT, Pretoria.

Government House, Cape Town,  
February 28, 1888.

SIR,

WITH reference to my Despatch of the 7th instant, I have the honour to enclose, for your Honour's information, a copy of a Despatch which I have received from the Governor of Natal respecting the alleged action of Mr. J. Ferreira, the native Commissioner of Wakkerstroom, in regard to the native Chief Zambaan.

Your Honour will observe that the Chief Zambaan informed Mr. Saunders, an officer of the Natal Government, that Mr. Ferreira had levied tribute from him on behalf of the British Government, and as I find it difficult to believe that an officer of your Government could have acted in the manner described, I shall be glad if you will place me in possession of a statement of the facts of the case for the information of Her Majesty's Government.

I have, &c.

(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

His Honour the State President, Pretoria.

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No. 31.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received March 20, 1888.)

Government House, Cape Town,  
February 29, 1888.

SIR,

WITH reference to my Despatch of the 15th instant,\* I have the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal, covering a copy of a letter from the Secretary for Native Affairs, to Umbandeen, enquiring as to the present position of the question of grazing and mining rights in Swaziland, and whether Umbandeen still desires the interposition of the British and South African Republican Governments.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart, G.C.M.G.  
&c.                      &c.                      &c.

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Enclosure in No. 31.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
February 18, 1888.

SIR,

WITH reference to the correspondence noted in the margin, I have the honour to inform your Excellency that, in compliance with your wish, I have caused a letter, copy enclosed, to be addressed by the Secretary for Native Affairs to Mr. Theophilus Shepstone, the Resident Adviser and Agent of Umbandeen, the Swazi King, asking for information from Umbandeen as to the present position of the question as regards

Sir H. Robinson to Sir A. E. Havelock, Natal, 27th January 1888.  
Sir A. Havelock to Sir H. Robinson, 8th February 1888.  
Sir H. Robinson to Sir

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\* No. 29.

grazing and mining rights in Swaziland, and whether Umbandeen still desires the interposition of the British and South African Republican Governments.

A. Have-  
lock, Tele-  
graphic,  
13th Febru-  
ary 1888.

His Excellency the Right Hon.  
Sir H. Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

Secretary for Native Affairs' Department,  
Pietermaritzburg, Natal, February 16, 1888.

SIR,

WITH reference to the letter signed by "Umbandeen" and his three Indunas "Sandhlana," "Umbovana," and "Tikuba," dated the 31st March 1887, addressed to the State Secretary of the South African Republic, stating that certain white persons headed by "Stoffel Towsen" and "S. T. Erskine" had been to him and claimed the right of the full control of the land on which they had grazing licenses from Umbandeen, to whom he states he replied that he had given them the grass for winter grazing, and that he would ask the two Governments who had signed the Convention if, by giving grazing licenses he had given away his rights to the land or the minerals on it, I have the honour to state, by direction of his Excellency the Governor of Natal and of Zululand, for the information of "Umbandeen," that this letter has been forwarded by the Government of the South African Republic to his Excellency the High Commissioner, with a suggestion that as by this letter the Swazi Chief had expressed his willingness to have the question of "grazing and mining rights" decided by the two Governments which signed the Convention of London, a Commission should be appointed by the two Governments for the purpose of clearly defining the status of those who possess grazing and mining rights.

Before entering upon the question of the appointment of a Commission, as suggested by the Government of the South African Republic, his Excellency the High Commissioner wishes to be informed by Umbandeen what is the present position of the question as regards grazing and mining rights in Swaziland, and whether he still desires the interposition of the British and South African Republic Governments.

I have, &c.  
(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

T. Shepstone, Esq., C.M.G.,  
Resident Adviser and Agent,  
Swazi King, Swaziland.

No. 32.

SIR HERCULES ROBINSON to SIR H. T. HOLLAND.  
(Received April 4, 1888.)

Government House, Cape Town,  
March 14, 1888.

SIR,

WITH reference to my Despatch of the 29th ultimo,\* I have the honour to enclose, for your information, a copy of a Despatch which I have received from the British Officer at Pretoria, reporting a conversation he had had with President Kruger respecting the proposal to appoint a Joint Commission to inquire into mining and grazing rights in Swaziland.

I enclose also a copy of a telegram which I have addressed to Mr. Williams on this subject.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Sir H. T. Holland, Bart., G.C.M.G.  
&c. &c. &c.

\* No. 31.

## Enclosure 1 in No. 32.

BRITISH OFFICER, Pretoria, to Sir H. ROBINSON.

SIR,

March 1, 1888.

I HAVE the honour to inform your Excellency that at an interview with his Honour the President this day I was acquainted by his Honour with the details of the correspondence which has lately passed between your Excellency and his Honour with reference to the suggested appointment of a Joint Commission for Swaziland.

His Honour the President informed me that he had suggested my own name to your Excellency, a matter to which I will not allude.

The President further informed me that he has urged upon the Boers and others in Swaziland, who look to him as their adviser, the desirability of maintaining peace and order pending the appointment of a Joint Commission.

The President, looking to Sir Henry Holland's letter of the 19th of May 1887\* understands that it is the desire of Her Majesty's Government to join in such a Commission; and further, his Honour has received a communication from Mr. Shepstone, the agent to Umbandeen, the Swazi King, stating that Umbandeen is desirous of a Joint Commission being appointed.

In view of all these facts the President urges that it is, in his opinion, undesirable that Umbandeen should be further consulted.

The President states that the 15th of April is the date at which grazing begins in Swaziland, and his Honour is most urgent that I should state to your Excellency the extreme desirability of an inquiry by the Joint Commission before that date.

His Honour also requested me to urge upon the Governor of Natal the pressing nature of the case, a step I should, of course, not take without your Excellency's instructions.

I gathered from his Honour that he considered his promise that a Joint Commission should sit binding upon him, and that it would be a breach of faith on his part if by the time the grazing season came round no steps were taken.

His Honour further said that even if no final decision was arrived at by the Joint Commissioners the information obtained by the Commission would be a foundation on which Her Majesty's Government and the Government of the South African Republic could act in the future.

I should be grateful to your Excellency for instructions forwarded to me at Maritzburg as to how far I may discuss the matter with the Governor of Natal.

I have already telegraphed to your Excellency the substance of this letter in brief.

I have, &amp;c.

His Excellency (Signed) RALPH CH. WILLIAMS,  
The Right Hon. Sir Hercules Robinson, G.C.M.G. British Agent.  
&c. &c. &c.

## Enclosure 2 in No. 32.

## TELEGRAM.

From HIGH COMMISSIONER, to RALPH WILLIAMS, Esq., British Officer, South African Republic, Maritzburg.

8th.—Your letter of the 1st instant; I approve of your communicating to Sir Arthur Havelock the purport of President Kruger's conversation with you respecting the proposal for a Joint Commission to inquire into mining and grazing rights in Swaziland.

## No. 33.

LORD KNUTSFORD to SIR HERCULES ROBINSON.

## TELEGRAPHIC.

April 6.—Referring to your Despatch,† 14th March, who will pay expenses of office selected as British Commissioner? If payable from Imperial funds send estimate of cost.

\* No. 35 in [C.-5089] June 1887.

† No. 32.

No. 34.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received April 9, 1888.)

TELEGRAPHIC.

Referring to your telegram of 6th April,\* impossible to form estimate till after selection of officer. If Rudolph, who will be on the spot, be chosen, probable expenditure 200% ; if another officer, probably 300%. No answer received from Umbandeen, but yesterday I saw Ewing, Chairman of Committee in Swaziland, who urges Joint Commissioners, and says that Umbandeen, if allowed to express his own wish, will be favourable to it.

No. 35.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received April 12, 1888.)

TELEGRAPHIC.

President of the South African Republic telegraphs again urging early appointment of Joint Commission on grazing and mining property in Swaziland, as time approaches to drive in cattle. He refers to letter from Shepstone as showing assent of Swazi King to proposed Commission. Letter referred to forwarded to you by my Despatch of 28th March.† No reply received yet from Swazi King by Governor of Natal, who considers it desirable to wait fortnight longer, by which time he expects to hear from (him). He suggests in the meantime preliminary arrangements be made for immediate despatch of Commissioners. If Swazi King (is) agreeable, he thinks Fanning, a Natal magistrate, best man available, and roughly estimates expense at 300%. I concur. Do you approve proposed arrangements ?

No. 36.

LORD KNUTSFORD to SIR HERCULES ROBINSON.

TELEGRAPHIC.

April 13.—In answer to your telegram of 11th April,‡ arrangements approved. Application has been made for sanction of Treasury to probable expenditure.

No. 37.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received April 17, 1888.)

Government House, Cape Town,  
March 28, 1888.

MY LORD,

WITH reference to my Despatch of the 15th ultimo,§ and to previous correspondence respecting the proposal for a joint commission to settle the question of grazing and mining rights in Swaziland, I have the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from the President of the South African Republic on the subject.

I enclose also a copy of the reply which I have addressed to President Kruger. I have communicated a copy of this correspondence to the Governor of Natal.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.  
&c. &c. &c.

\* No. 33.

† No. 37.

‡ No. 35.

§ No. 29.

## Enclosure 1 in No. 37.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

(Translation.)

Government Office, Pretoria,  
South African Republic,  
March 16, 1888.

YOUR EXCELLENCY,

I AM instructed to acknowledge the receipt of your Despatch of the 27th January last and that of the 17th February last.

Therein the assertion is placed on the foreground that Umbandeen had not asked for a commission, and that, therefore, also the appointment of a commission would not be desirable.

It is true that Umbandeen originally did not expressly ask for a commission. But according to the opinion of this Government it speaks for itself that when the answer to a question is asked of two Governments and those Governments take that answering upon themselves, they have not only the right, but it is their duty, to institute an inquiry into all facts and circumstances in order to place themselves in position to give that answer. This Government does not see how this is possible in any other way than by a commission.

But this Government is further able to show to your Excellency that Umbandeen has no objection to a commission, and that, indeed, he is now expecting it. I have for this purpose the honour to forward herewith copies of (a) a letter written by this Government to Umbandeen under date 20th January 1888, and (b) of the reply thereto by Mr. Shepstone in the name of Umbandeen, dated 31st January last.

This Government expects that by this the objections of your Excellency and those of his Excellency the Governor of Natal will be removed.

I have, &c.  
(Signed) W. EDUARD BOK,  
State Secretary.

To His Excellency the High Commissioner,  
Cape Town.

(Translation.)

Government Office, Pretoria,  
South African Republic,  
January 20, 1888.

KING,

I HAVE the honour to inform you that the Government of this Republic is busy sending a commission, with co-operation of Her Majesty's Government, to endeavour to bring the questions there to an end, in accordance with your former request, so that the Government expects that you, as King of Swaziland, will allow the matters mentioned in enclosed resolution of your committee to remain in abeyance until the arrival of the commission.

I name myself your friend,  
(Signed) W. EDUARD BOK,  
In the name of his Honour the State President.

To King Umbandeen.

Resident Adviser's Office,  
Embekelweni, Swaziland,  
January 31, 1888.

SIR,

I AM directed by the Swazi King to acknowledge the receipt of your letter of the 20th January 1888 concerning the publication of a proclamation by the Swazi King.

The King directs me to state, in reply, that under the circumstances he will comply with his Honour's request, and will await the arrival of the joint commission you refer to, of which, however, the King has as yet received no notice from Her Majesty's Government.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi King.

To the Honourable  
The State Secretary,  
South African Republic.

## Enclosure 2 in No. 37.

SIR HERCULES ROBINSON TO PRESIDENT KRUGER.

Government House, Cape Town,  
March 22, 1888.

SIR,

I HAVE the honour to acknowledge the receipt of your Honour's Despatch of the 16th instant, covering a copy of a correspondence with Mr. Shepstone respecting the proposal for the appointment of a joint commission for the purpose of advising in regard to the settlement of certain disputes respecting grazing and mining rights in Swaziland.

I concur with your Honour in thinking that Mr. Shepstone's letter suggests the inference that Umbandeen has no objection to the proposed joint commission; but as the commissioners could not properly interfere in the internal affairs of Swaziland unless they were formally authorised to do so by the Swazi King, I think it will be best to await the formal reply of Umbandeen to the inquiry which has been addressed to him by Sir Arthur Havelock before finally taking action in the matter.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

His Honour the State President, Pretoria.

## No. 38.

SIR HERCULES ROBINSON TO LORD KNUTSFORD.  
(Received April 17, 1888.)Government House, Cape Town,  
March 28, 1888.

MY LORD,

WITH reference to my Despatch of to-day's date,\* I have the honour to enclose, for your Lordship's information, copies of telegraphic correspondence which I have had with the Governor of Natal respecting the appointment of a joint commission to inquire into the dispute regarding grazing and mining rights in Swaziland.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

## Enclosure 1 in No. 38.

TELEGRAM.

FROM HIGH COMMISSIONER TO HIS EXCELLENCY THE GOVERNOR, NATAL.

22nd. President Kruger is very urgent for a decision re joint commission in Swaziland to inquire into grazing and mining rights, on the ground that the time is approaching for cattle to be driven in for winter grazing. I shall be glad to receive a telegram from your Excellency giving Umbandeen's answer when you receive it.

## Enclosure 2 in No. 38.

TELEGRAM.

FROM GOVERNOR, NATAL, TO HIS EXCELLENCY THE HIGH COMMISSIONER, CAPE TOWN.

(23.3.88.) Your telegram of yesterday received. A communication was despatched to Umbandeen on 16th ultimo, and no reply being received a second was sent on 13th instant. No answer has yet arrived. I will telegraph the reply to your Excellency as soon as received.

\* No. 37.

No. 39.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received April 17, 1888.)

Government House, Cape Town,  
March 28, 1888.

MY LORD,

I HAVE the honour to enclose, for your information, a copy of a Despatch which I have received from the Governor of Natal covering a memorial, signed by fifty-five persons or firms, addressed to your Lordship, praying that a British commissioner may be appointed in Swaziland.

I am at present in correspondence with the Government of the South African Republic respecting a proposal for a Joint Commission to settle the disputes regarding grazing and mining rights in Swaziland, and I would recommend that the memorialists be informed that the question of the rights of Europeans in Swaziland is now under consideration.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.  
The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 39.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
March 14, 1888.

SIR,

I HAVE the honour to forward to your Excellency herewith a memorial, signed by 55 persons or firms, addressed to the Secretary of State, praying that a British Commissioner may be appointed in Swaziland.

2. I am asked to forward this memorial to the Secretary of State. I transmit it to your Excellency as Her Majesty's High Commissioner for such action as you may think proper.

3. The memorialists are most of them merchants trading in this Colony.

I have, &amp;c.

(Signed) A. E. HAVELOCK.  
His Excellency  
The Right Hon. Sir Hercules Robinson, G.C.M.G.  
&c. &c. &c.

The Right Hon. Sir HENRY THURSTAN HOLLAND, Baronet, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Her Majesty's Secretary of State for the Colonies.

The Memorial of the undersigned humbly showeth:—

1. That your memorialists are connected with the trade of Swaziland and have acquired considerable interests in that country. They are desirous of pressing on the attention of Her Majesty's Government the fact that there is now an urgent necessity for the early appointment of a British Commissioner in Swaziland in terms of the Convention with the Transvaal agreed to in 1884.

2. That your memorialists would refer particularly to the circumstances connected with the western border of Swaziland recorded in the Blue Book [C.—5089], June 1887, and also to the reported renewal of the efforts of irresponsible persons who seek to make demands upon Umbandine with the threat that they will forcibly occupy his country if their demands are declined.

3. That in the event of such threats being carried into effect bloodshed must result and great injury to the interests of South Africa; for apart from the sad consequences which must follow a collision between the persons referred to and the Swazies, it is certain that many men of European, English, and Colonial origin residing in or near to that country will join the Swazies and assist them in the defence of their rights and their independence.

4. That the discovery of gold in Swaziland has brought within the limits of that country a rapidly increasing European population, mainly British subjects, who have invested a large capital in connexion with gold-mining, and they are anxious to enjoy security for their persons and property.

5. That it is within the knowledge of your memorialists that Umbandine has made repeated applications through his Excellency the Governor of Natal for the appointment of a British Resident, or an officer representing Her Majesty's Government in Swaziland, and that he has repeatedly stated Sir Evelyn Wood had assured him that he was to look to England for protection in the event of trouble.

6. That your memorialists' attention has been called to a telegraphic message contained in "Correspondence respecting the affairs of Swaziland," Blue Book [C.—5089], June 1887, sent by his Excellency Sir Hercules Robinson, dated 19th February 1887, in reply to a telegraphic message from the Right Honourable the Secretary of State for the Colonies, in which the High Commissioner states: "The appointment of a commissioner with a small police force would cost not less than 8,000*l.* per annum . . ." and adds, "I believe the Swazies would not pay taxes." Your memorialists are unable to concur in this opinion; on the contrary, they have the best grounds for stating that when Umbandine applied for the appointment of a British Resident he was fully aware that the request carried with it a liability to contribute towards the expense of such appointment. It is certain that the Swazies as a people would be ready to accept any reasonable obligations which the presence in their country of a representative of Her Majesty's Government would involve, and the mining interest would also assist in the necessary expense to secure law and order.

7. Your memorialists therefore pray that Her Majesty's Government may be pleased forthwith to take the necessary steps for the appointment of a resident British Commissioner in Swaziland, and your memorialists venture to suggest that this officer should be one fully conversant with the Dutch and native languages, and likewise prepared to work in harmony with the Dutch Republics. Your memorialists are impressed with the desirability of the appointment receiving not merely the approval but the support of the Transvaal Government.

(Signed) S. F. BENINGFIELD,  
Chairman Piggs Peak Co.,  
Capital 200,000*l.*  
PRICE & CO.  
RANGLES BRO. & HUDSON.  
WALTER CARTER,  
Ruby Creek Concession  
And 51 others.

Durban, Natal, 13th January 1888.  
(Received 13th March 1888.)

No. 40.

LORD KNUTSFORD to SIR HERCULES ROBINSON.

SIR,

Downing Street, April 23, 1888.

I HAVE the honour to acknowledge the receipt of your Despatch of the 28th ultimo,\* transmitting a copy of a Despatch from the Governor of Natal which covers a memorial from persons trading with Swaziland, praying that a British Commissioner may be appointed in that territory.

I concur with the terms of the answer to the petitioners as proposed by you, viz., that the question of the rights of Europeans in Swaziland is now under consideration.

I have, &c.

Sir H. Robinson.

(Signed) KNUTSFORD.

\* No. 39.

No. 40A.

SIR A. E. HAVELOCK to LORD KNUTSFORD.  
(Received April 24, 1888.)

Government House, Pietermaritzburg, Natal,  
March 26, 1888.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 9th February last,\* informing me that Her Majesty's Government have been led to think that closer relations than those created by the treaty recently ratified, should now be established with Queen Zambili and the Tonga people, and desiring me, therefore, to cause the Queen Zambili to be informed that if she still desires it, a Protectorate will be extended over herself and her people and country.

2. It is desirable that the officer charged with the mission to Tongaland should be a man of good standing. It seemed to me that Lieutenant-Colonel Martin of the Inniskilling Dragoons, who, as your Lordship is aware, has consented to serve as British Commissioner on the Portuguese-Swazi Boundary Commission, would be a very suitable person to entrust with the mission to Queen Zambili, and that there would probably be economy and advantage in employing the same officer on both missions. I have asked Colonel Martin if he would undertake both missions, and he has expressed his willingness to do so.

I propose that Colonel Martin should go, via Lourenço Marques, to Queen Zambili's kraal in Tongaland, there to negotiate and proclaim the Protectorate, before the meeting of the Portuguese-Swazi Boundary Commission, which is fixed to take place some time in May, but not earlier than the 10th of that month. Starting from Natal for Lourenço Marques about a fortnight before the meeting of the Commission, say about the 26th April, Colonel Martin would have sufficient time to complete the object of his mission to Tongaland, before his services would be required on the Boundary Commission.

3. I have made known to the High Commissioner the arrangements which I have described above. And as I understand that the cost of both missions will probably be defrayed from funds which are under his Excellency's control, I have placed before him a detailed estimate of the expenditure which the two missions together will probably entail. The total amount of this estimate is 499/.

4. Your Lordship makes allusion, in paragraph 6 of your Despatch under acknowledgment, to the territory of the Chief Sambana. From reports received by me from Mr. Osborn, Resident Commissioner of Zululand, and from Mr. H. C. Shepstone, Secretary of Native Affairs, it seems that Sambana is a Swazi chief, and that as such, Umbandeen, the Swazi King has a claim or a right to authority over him. There is, at the same time, evidence to show that Sambana has paid tribute to the Zulu kings, and that he considered himself a vassal of Cetywayo. I will bear in mind your injunction to take care that Her Majesty's Government should not be involved in any dispute as to the boundary of Tongaland in the direction of Sambana's territory. I have communicated to the High Commissioner full details of the information I have obtained as to the political status of Sambana and his country, with reference to an agreement recently concluded between the Native Commissioner of Wakkerstroom, an officer of the Government of the South African Republic, on the one side, and Chiefs Sambana (Zambaan) and Umbegeza on the other. The High Commissioner has doubtless informed your Lordship of this agreement, and of his own action in respect of it.

5. I have caused to be communicated to Mr. C. R. Saunders, the expression of the sense of your appreciation of his work, conveyed to me in paragraphs 1 and 2 of your Despatch. I should have been glad to have employed Mr. Saunders on the proposed mission to Queen Zambili. But, unfortunately, he still suffers from the effects of his recent journey to Tongaland; and, moreover, his services are much required in his new office of Resident Magistrate at Eshowe.

I have, &amp;c.

The Right Hon. Lord Knutsford, G.C.M.G.  
&c. &c. &c.

(Signed) A. E. HAVELOCK.

No. 41.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received May 3, 1888.)

Government House, Cape Town,  
April 11, 1888.

MY LORD,

WITH reference to my Despatch of the 28th ultimo,\* I have the honour to enclose, for your Lordship's information, a copy of a telegraphic correspondence which I have had with the President of the South African Republic and the Governor of Natal respecting the proposal to appoint a joint commission to inquire into mining and grazing rights in Swaziland.

The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

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Enclosure 1 in No. 41.

TELEGRAM.

FROM STATE PRESIDENT, Pretoria, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

(Translation.)

6th April 1888. Your Excellency's Despatch of 22nd March. This Government has already had many difficulties (?) with the question of grazing rights and mineral rights, and succeeded only with the promise that they would send a commission of inquiry in the month of May. The letter about this commission was addressed to the King, and to that letter this Government received a reply from Shepstone, in the name of Umbandeen, that he will await that commission. I trust that your Excellency will agree that that commission should now immediately go, before the people again trek into Swaziland.

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Enclosure 2 in No. 41.

TELEGRAM.

FROM HIGH COMMISSIONER to His Excellency the GOVERNOR, Maritzburg, Natal.

9th April. I have received the following telegram from the State President at Pretoria. Begins \* \* \* \* *vide* Enclosure 1 \* \* \* ends.

As Mr. Shepstone has not yet answered your Excellency's messages, and as the President of the South African Republic appears to consider the matter pressing, I shall be glad to learn whether, in your Excellency's opinion, we may assume that Mr. Shepstone's letter of the 31st January which formed a sub-enclosure to my Despatch to you on the 22nd ultimo, implies the assent of the Swazi King to the proposed commission. If so, will your Excellency suggest the name of the officer in your opinion best suited to inquire into the disputes regarding the mining and grazing rights in Swaziland, and the probable cost of the mission, with the view to my communicating with the Secretary of State.

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\* No. 37.

Enclosure 3 in No. 41.

TELEGRAM.

From GOVERNOR, Natal, to His Excellency the HIGH COMMISSIONER.

10th April. Your Excellency's telegram of yesterday, relative to commission on grazing and mineral rights. There seems to me no doubt that Mr. Shepstone's letter, to which your Excellency refers, implies the assent of the Swazi King to the proposed commission. Secretary for Native Affairs, whom I have consulted, thinks, however, that it would be well to wait till there has been time for a reply to the duplicate of his original letter on the subject, which was sent on the 6th instant, before taking final action. Delay of 10 days or a fortnight would be thus caused. Preliminary arrangements might in the meanwhile be made as to the most suitable person to serve as commissioner. Rough estimate of cost about 300*l.* (three hundred).

No. 42.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received May 3, 1888.)

Government House, Cape Town,  
April 11, 1888.

MY LORD,

WITH reference to my Despatch of the 29th February last,\* I have the honour to enclose for your Lordship's information, a copy of a Despatch which I have received from the Governor of Natal covering correspondence respecting the position of the Chief Zambaan and the alleged action of Mr. J. Ferreira, Native Commissioner of Wakkerstroom, in regard to him.

As I have reason to believe that an inquiry will be instituted by the Government of the South African Republic in regard to the alleged action of Mr. Ferreira I have not thought it necessary to communicate a copy of this Despatch to President Kruger.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c.      &c.      &c.

Enclosure in No. 42.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
March 23, 1888.

SIR,

WITH reference to the correspondence noted on the margin, relative to certain agreements which have been recently concluded with the Chiefs Zambaan (Sambana) and Umbegeesa, by the Native Commissioner at Wakkerstroom, and relative to the political status of Chief Sambana and his territory, I have the honour to enclose for your Excellency's information a copy of a Despatch from the Resident Commissioner of Zululand, and a copy of a Memorandum by the Secretary for Native Affairs.

Both these officers state that Sambana is a Swazi Chief, and both concur in believing that Umbandeen, the Swazi King, has a claim or a right to authority over Sambana. The Secretary for Native Affairs says, however, that Sambana and his people have paid tribute to the Zulu kings; and the statement made by Umtokwana, a well-known Zulu messenger, now in Pietermaritzburg, tends to show that Sambana considered himself a vassal of Cetywayo. But whether Sambana is under the authority of the Swazi King, or was a vassal of the Zulu kings, any treaty between him and the South African Republic would be equally open to objection. In the former case such a treaty could have no force until approved by Her Majesty's Government, and in the latter it would

\* No. 30.

be an encroachment on the sovereign rights which the Queen now possesses over Zululand.

His Excellency the Right Hon.  
Sir H. Robinson, C.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

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RESIDENT COMMISSIONER to Sir A. E. HAVELOCK, K.C.M.G.

SIR, Eshowe, Zululand, March 9, 1888.

WITH reference to your Excellency's Despatch, of the 9th December last, enclosing an extract from a report made Mr. C. R. Saunders on his return from Tongaland, on the subject of the payment of tribute by the Chief Sambana to a Dutchman named Ferreira, known by the natives as Umtshakela, who, it was alleged, claimed payment thereof on behalf of the English Government, I have the honour to state that I requested the Assistant Commissioner, Ndwandwe, to send messengers to Sambana to inquire into the matter and to obtain fuller information therein. I also directed him to invite Sambana to send to Ndwandwe one or more indunas or messengers, who could depose to the circumstances referred to.

2. I have this day received from the Assistant Commissioner, Ndwandwe, his letter, dated the 2nd instant, a copy of which I annex hereto, with the depositions of Umkamba and Umkumbuzi, the latter being the messenger who was sent from Ndwandwe to the Chief Sambana. Both these depositions I transmit herewith in original.

3. The messenger, Umkumbuzi, evidently did not deliver the message properly as sent by the Assistant Commissioner, and the Chief Sambana, instead of becoming re-assured by being sent to, became suspicious of the intention of the Government in sending to him. I regret, therefore, that the mission of inquiry on which Umkumbuzi was sent did not prove successful.

4. As Sambana is a Swazi Chief, acknowledging himself to be under authority of the Swazi King, Umbandeen, I would suggest, for your Excellency's consideration, that the desired information respecting Ferreira's proceedings be sought for through Mr. Theophilus Shepstone, C.M.G., the Resident Adviser of Umbandeen, in Swaziland.

His Excellency  
Sir A. E. Havelock, K.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) M. OSBORN,  
Resident Commissioner.

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ASSISTANT COMMISSIONER, Ndwandwe, to RESIDENT COMMISSIONER.

SIR, Ivuna, Zululand, March 2, 1888.

REFERRING to your letter of 15th January 1888, I have the honour to enclose depositions of Unkamba and Umkumbuzi. I am sorry the messenger Umkumbuzi should have delivered my message in such a manner as to raise the suspicions of the chief Sambana.

This is all the information I have been able to gather on this subject.

I do not think it would be advisable to send the messenger back at this time of year on account of the fever, and the swollen state of the rivers.

I have, &c.  
(Signed) R. H. ADDISON, R.M.,  
Ndwandwe District.

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Resident Magistrate's Office, Ndwandwe District,  
Zululand, February 6, 1888.

BEFORE me, R. H. Addison, Resident Magistrate, Nwandwe District, appeared Umkamba, son of Majibana, Chief Ziweddu, who being duly cautioned, states—

I am under the Chief Ziweddu, but at present I am living under the Swazi Chief Sambana, near the Pongolo River, on the Bombo Mountain.

Last winter Mtshakela (Ferreira) a Boer, who lives in Swaziland, came to Sambana and demanded money from him as taxes. Sambana sent all through his country and collected money and tobacco from his people, which he handed to Mtshakela himself, at his kraal "Ugcaliwani." I do not know the amount of money paid to Mtshakela. I did not pay any money myself. Mtshakela says he is coming back next winter again for the taxes. Mtshakela had a number of other Boers with him. I do not know by what right he claims taxes from Sambana. Mtshakela makes all people on the northern side of the Pongolo pay taxes, viz.—Mosepula's people and Sambana's, who belong to the Zulu nation, or acknowledge Dinizulu as their Chief; but he does not make the Swazis pay taxes because they refuse to do so, and say they belong to the English Government. The Swazis I mean are under the King Umbandeen.

(Signed) UMKAMBA, his X mark.

Witness,

(Signed) CUTHBERT C. FOXON.

(Signed) R. H. ADDISON, R. M.,  
Ndwandwe District.

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Resident Magistrate's Office, Ndwandwe District,  
Zululand, this 15th day of February, 1888.

BEFORE me, R. H. Addison, Resident Magistrate, Ndwandwe District, appeared Umkumbuzi, son of Mqula, Chief Sibepu who, being duly cautioned, states—

I am a native messenger attached to the above office. I was sent by the Resident Magistrate, Ndwandwe District, to the Chief Sambana, the Swazi Chief, who lives on the Bombo Range on the northern side of the Pongolo River, to ascertain from him whether he had paid any taxes to the Boer, known by the natives as Umtshakela. Owing to the fulness of the rivers we were 14 days on the journey. I, and my companion Somcuba, also a messenger, had an interview with Sambana and his headmen.

I informed Sambana that I had been sent by the Resident Magistrate, Ndwandwe District, to ascertain if he, "Sambana, had any complaints to make, or whether there "was anything that troubled him in his country." He said he had nothing to complain of and had not gone or sent to the Government at any time about his troubles. He did not mention anything about the Boers or Mtshakela, or having to pay taxes to Mtshakela. Previous to the interview, I had mentioned the matter to Sambana's Induna's, Sigemga, and other men. Sigemga said that Mtshakela had compelled them to pay tribute to him in the shape of catskins and tobacco and cattle. They did not pay in money as they had none: this tax they had paid for two years. The cattle, catskins, &c., were collected by Sambana, who handed them to Mtshakela. Mtshakela told Sambana that he collected taxes from them because the boundaries had been made by the English Government, and the land on northern side of the Pongolo River belonged to him. Syringa wanted to come with me but was stopped by Sambana. Sambana understood my message, but would not send messengers because he was afraid that his country would be taken from him by the English Government. Sambana acknowledges Dinizulu as his supreme chief, but is also on the same footing with Umbandeen the Swazi King.

(Signed) UMKUMBUZI, his X mark.

Witness to mark,

(Signed) CUTHBERT C. FOXON.

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#### REPORT by the SECRETARY OF NATIVE AFFAIRS.

Sambana and his people are Swazis and live on the flats on the top of the Lebombo Mountains to the north of where the Pongolo River passes through the Lebombo range.

They first became separated from their Chief in the unsettled times of Chaka's reign, and in order to secure their peace and safety paid tribute to Chaka, and, as a matter of policy, have, I believe, continued to pay tribute to the Zulu Chiefs. I believe that though they did this to secure peace and escape attack, they still considered themselves as belonging to the Swazi Nation.

Umtokwana, who is now here on a message from Dinizulu, tells me that they were Zulu subjects, and in proof of this he states that when Cetywayo called up all his

regiments to fight the English in 1879, Sambana sent up a force to the Mahlabatini, where Cetywayo saw it and placed it under his (Umtokwana's) charge, with orders to return to the Pongolo River, and to watch the drifts just above the Poort, as the English soldiers were expected to come that way also.

They went and did this.

Since the defeat of the Zulus there has been no more communication between them.

The country occupied by Sambana and his people is claimed by Umbandeen, and both he and his people are, I believe, regarded by the Swazi Chief as his subjects.

15th March 1888.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

No. 43.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received May 8, 1888.)

Government House, Cape Town,

April 14, 1888.

MY LORD,

WITH reference to my Despatch of the 11th instant,\* I have the honour to enclose, for your Lordship's information, a copy of a further telegraphic correspondence which I have had with the President of the South African Republic, respecting the proposed Joint Commission to inquire into mining and grazing rights in Swaziland.

I have, &c.

The Right Hon.  
Lord Knutsford, G.C.M.G.  
&c. &c. &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

Enclosure 1 in No. 43.

TELEGRAM.

From HIGH COMMISSIONER to His Honour the STATE PRESIDENT, Pretoria.

12th.—Your Honour's telegram of the 6th *re* Joint Commission on mining and grazing rights in Swaziland. I am informed by the Governor of Natal that he expects to receive an answer from Umbandeen in about ten days, and he suggests waiting that time before finally taking action. In the meantime, anticipating Umbandeen's assent, I have communicated with the Secretary of State, by telegraph, and requested the authority of Her Majesty's Government for the preliminary arrangements for the despatch of a Joint Commission.

Enclosure 2 in No. 43.

TELEGRAM.

From the STATE PRESIDENT to His Excellency the HIGH COMMISSIONER, Cape Town.

13th April 1888.—Your Excellency's telegram of yesterday. Umbandeen had already consented. I cannot understand why Umbandeen's answer should be asked (waited for) since the consent of Umbandeen has already been brought to your Excellency's knowledge by (Despatch) of 20th January, and further consent of Umbandeen appears to this Government entirely unnecessary. A speedy solution of this matter is of the greatest importance to the whole of South Africa, and it therefore appears to me desirable to make use of the consent already given before, perhaps, Umbandeen's opinion changes through intriguers who only have their own interest in view. Without an impartial Commission this matter cannot be remedied, but indeed occasion difficulties.

\* No. 41.

## Enclosure 3 in No. 43.

## TELEGRAM.

From the HIGH COMMISSIONER to His Honour the STATE PRESIDENT, Pretoria.

14th.—Your Honour's telegram of yesterday. I concur with you in thinking a Joint Commission to inquire into disputes regarding mining and grazing rights in Swaziland is desirable, and the preliminary arrangements for such a Commission are now being made by the Governor of Natal, but I am strongly of opinion that such a Commission can only enter the country with the full and free permission of the Swazi King. Any attempt to interfere in the internal affairs of Swaziland without the full consent of the Swazi King would be a violation of the independence of the Swazies, and might lead to complications.

## Enclosure 4 in No. 43.

## TELEGRAM.

From HIGH COMMISSIONER to His Excellency the GOVERNOR, Maritzburg.

14th.—Re your's 10th. The following is a decode of a telegram which I sent to the Secretary of State on the 11th April.

Begins. President South African Republic telegraphs again urging early appointment Joint Commission on grazing and mining property in Swaziland, as time approaches to drive in cattle. He refers to letter from Shepstone as showing assent of Swazi King to proposed Commission. Letter referred to (was) forwarded to you by my Despatch 28th March. No reply received yet from Swazi King by Governor, Natal, who considers it desirable to wait fortnight longer, by which time he expects to hear. He suggests, in the meantime, preliminary arrangements be made for immediate despatch of Commissioner, if Swazi King agreeable. He thinks Fauning, a Natal magistrate, best man available, and roughly estimates expense at 300*l*. I concur. Do you approve proposed arrangements? Ends.

I have to-day received the following cablegram in reply:—Begins. 13th April 1888. In answer to your telegram of 11th April, arrangement approved. Application has been made for sanction of Treasury to probable expenditure. Ends.

Will your Excellency kindly proceed with the preliminary arrangements as proposed?

## No. 44.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received May 15, 1888.)

Government House, Cape Town,  
April 25, 1888.

SIR,

WITH reference to my Despatch of the 14th instant,\* I have the honour to enclose, for your Lordship's information, copies of further telegraphic correspondence respecting the proposed Joint Commission for inquiring into mining and grazing rights in Swaziland.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.  
&c. &c. &c.

\* No. 43.

## Enclosure 1 in No. 44.

(Translation.)

## TELEGRAM.

FROM STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

16.4.88.—Your telegram of 14th instant. I am of the same opinion as you are, but still maintain that it is no longer necessary to ask the full and free permission of the Swazi King, inasmuch as that full and free permission has already been given, and that that permission will not be altered by the Swazi King except through intrigues of parties interested whom I alluded to in my former telegram.

## Enclosure 2 in No. 44.

## TELEGRAM.

FROM GOVERNOR, Natal, to HIGH COMMISSIONER, Cape Town.

21st April.—Have received following reply from Swazi King relative to proposed Commission grazing and mining rights.

Begins. His letter of 31st March 1887 was only to report to two Governments the preposterous claim made by English and Transvaal subjects. He did not mean by reporting to ask for Commission to inquire into the validity or otherwise of grazing licences. He reported the facts because the persons referred to, and those whom they represented, had assumed a very hostile attitude. He says the matter is a question of the internal government of the country, which he, as King, has to decide. He adds, he is perfectly well aware where and to whom he has given grazing and mineral rights. He states that nearly every document ever granted is now registered. He adds, in conclusion, that he does not consider it necessary to ask for a Commission to decide the question referred to.

## Enclosure 3 in No. 44.

## TELEGRAM.

FROM HIGH COMMISSIONER to His Honour the STATE PRESIDENT, Pretoria.

23rd.—Your Honour's telegram of 16th April, *re* Swaziland Joint Commission on grazing and mining rights. The Governor of Natal telegraphs that the following is the reply of Umbandeen. Reply begins. His letter of 31st March 1887 . . . . . (vide enclosure 2) . . . . . to decide the question referred to. Reply ends. Your Honour will observe that Umbandeen states he did not in his letter of 31st March (1887) mean to ask for a Commission, and objects to the proposed Commission as an interference with the internal government of his country. Under these circumstances I do not consider it would be dignified or proper to press on him the expediency of appointment, and I would be unable to assent to the interference of a Joint Commission until his assent has been voluntarily given. I may, however, inform your Honour that I have recently seen in Cape Town Captain Ewing, the Chairman of the Swaziland Committee, who told me that on his return to Swaziland (which he will have reached by this time) he would speak to Umbandeen on the subject, and was confident of procuring his assent.

No. 45.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received May 23, 1888.)

Government House, Cape Town,  
May 2, 1888.

MY LORD,

WITH reference to my Despatch of the 25th ultimo,\* I have the honour to enclose for your Lordship's information a copy of a Despatch which I have received from the Governor of Natal, covering a copy of a letter from Mr. T. Shepstone, the Adviser to the Swazi King, respecting the proposal to appoint a Joint Commission to inquire into mining and grazing rights in Swaziland.

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.  
&c. &c. &c.

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Enclosure in No. 45.

Sir A. E. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
April 24, 1888.

SIR,

WITH reference to the correspondence noted in the margin, on the subject of the proposed Joint Commission to settle the question of grazing and mineral rights in Swaziland, I have the honour to forward for your Excellency's information a copy of a letter dated the 16th instant, addressed by Mr. T. Shepstone, Resident Adviser and Agent of Umbandeen, the Swazi King, to the Secretary for Native Affairs, Natal.

High Commissioner to Governor, Natal, 27th January 1888.  
Governor, Natal, to High Commissioner, 8th February 1888.  
High Commissioner to Governor, Natal, telegraphic, 13th February 1888.  
Governor, Natal, to High Commissioner, 18th February 1888.  
Governor, Natal, to High Commissioner, telegraphic, 10th April 1888.  
High Commissioner to Governor, Natal, 13th April 1888.  
Governor, Natal, to High Commissioner, telegraphic, 21st April 1888.

I communicated the substance of this letter to your Excellency on the 21st instant by telegraph.

I have, &amp;c.

(Signed) A. E. HAVELOCK.

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Mr. T. SHEPSTONE to the SECRETARY FOR NATIVE AFFAIRS.

Resident Adviser's Office, Embekelweni, Swaziland,  
April 16, 1888.

SIR,

I HAVE the honour to acknowledge receipt of your letter of 16th February on the subject of grazing licences, &c., and referring to the Swazi King's letter to his Excellency the Governor of Natal, dated 31st March 1887.

Owing to the King's continued absence from the Head Kraal, I have only now been able to lay your letter before him and his Council.

The King directs me to reply, thanking his Excellency for the letter, and to say that his letter of 31st March 1887 was only to report (Bika) to the two Governments the (to the King) preposterous claim made by English and Transvaal subjects.

He did not mean by reporting it to ask for a commission to inquire into the validity or otherwise of grazing licenses. He simply reported the facts, as at that time the persons referred to, and those whom they represented, had assumed a very hostile attitude.

The matter, the King says, is a question of the internal government of the country that he is himself to decide, as King of his country.

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\* No. 44.

The King directs me to add that he is perfectly well aware where, and to whom, he gave grazing rights, and where, and to whom, he gave mineral rights.

Nearly every document ever granted by the King is now registered in the different classes to which they belong, and the King and Indunas remember, and can distinguish, apart from the documents themselves, what each document was given for.

The King directs me to add, in conclusion, that he does not consider it necessary to ask for a commission to decide the questions referred to in your letter.

I have, &c.

The Hon. the  
Secretary for Native Affairs,  
&c. &c. &c.  
Natal.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi King.

No. 46.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received June 4, 1888.)

Government House, Cape Town,  
May 16, 1888.

MY LORD,

WITH reference to my Despatch of the 2nd instant,\* I have the honour to enclose, for your Lordship's information, a copy of a telegram which I have received from the Governor of Natal, communicating the substance of a letter received from Mr. T. Shepstone, the Adviser to the Swazi King, respecting the proposal to appoint a Joint Commission to inquire into mining and grazing rights in Swaziland.

I have, &c.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

Enclosure in No. 46.

TELEGRAM.

From GOVERNOR, Natal, to His Excellency the HIGH COMMISSIONER, Cape Town.

11th May. Referring to my Despatch of 24th April on subject of Joint Commission grazing and mineral rights in Swaziland, I have received a further letter from Umbandeen's Adviser, enclosing copies of correspondence with Transvaal Government previously communicated to me in your Despatch of 22nd March. He adds the following. Begins:—Not having been previously made aware of any intention of sending in a Joint Commission, and believing that it meant a Commission to enquire into the various meetings and threatened movements to attack and if possible take Swaziland, I replied on behalf of the King, as shown in my letter of 31st January. It is right, however, that I should place on record that the Swaziland Committee were averse to the King's acquiescence to the request contained in the letter from the Transvaal Government. Ends.

I understand from this that in expressing acquiescence in Shepstone's letter of 31st January to Transvaal Government the Swazi King misunderstood the object and scope of the proposed Commission, and that he maintains the objections to that Commission which are stated in Shepstone's letter of 16th April sent to you with my Despatch of 24th April.

\* No. 45.

No. 47.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received June 11, 1888.)

Government House, Cape Town,  
May 23, 1888.

MY LORD,

WITH reference to my Despatch of the 16th instant,\* I have the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from the Governor of Natal covering a copy of a letter from Mr. T. Shepstone respecting the proposal to appoint a Joint Commission to inquire into mining and grazing rights in Swaziland.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,  
High Commissioner.The Right Hon. Lord Knutsford, G.C.M.G.  
&c. &c. &c.

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Enclosure in No. 47.

Sir A. HAVELOCK to Sir H. ROBINSON.

Sydenham, Durban, Natal,  
May 11, 1888.

SIR,

I HAVE the honour, with reference to my Despatch of the 24th April last, to forward to you a copy of a further letter from Mr. T. Shepstone, Adviser to the Swazi King, on the subject of the proposed Joint Commission to inquire into mineral and grazing rights in Swaziland.

2. I communicated the sense of Mr. Shepstone's letter to your Excellency by telegraph this morning. At the same time I said that I understood from this letter that when Mr. Shepstone, in his letter to the Transvaal Government, dated the 31st January, a copy of which was enclosed with your Despatch to me of the 22nd March, expressed acquiescence in the proposal made in the State Secretary's letter of the 20th January, the Swazi King had misunderstood the object and scope of the proposed Commission, and I added that I gathered that the King still maintains the objections to that Commission which are set forth in Mr. Shepstone's letter of the 16th April, a copy of which was enclosed in my Despatch of the 24th April.

I have, &amp;c.

(Signed) A. E. HAVELOCK.

His Excellency  
The Right Hon. Sir Hercules Robinson, G.C.M.G.,  
High Commissioner.

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Mr. T. SHEPSTONE to SECRETARY FOR NATIVE AFFAIRS.

Resident Adviser's Office, Embekelweni, Swaziland,  
April 30, 1888.

SIR,

IN continuation of my letter of April 16th on the subject of a Joint Commission of the British and South African Republic Governments to inquire into, and to decide upon, the grazing rights in Swaziland, I have the honour to enclose, for the information of his Excellency the High Commissioner, a letter I received from the Transvaal Government, dated the 20th January 1888, and the enclosure therein.

Not having been previously made aware of any intention of sending in a Joint Commission, and believing that it meant a Commission to inquire into the various meetings and threatened movements to attack and, if possible, to take Swaziland, I replied on behalf of the King, as per enclosed copy, to the State Secretary.

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\* No. 46.

It is right, however, that I should place on record that the Swaziland Committee were averse to the King's acquiescence to the request contained in the letter from the Transvaal Government.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi King.

The Hon. the Secretary for Native Affairs,  
Natal.

(Translation.)

TO THE KING UMBANDEEN.

KING, Government Office, Pretoria, January 20, 1888.  
I HAVE the honour to inform you that the Government of this Republic is occupied with the sending of a Commission, in conjunction with Her Majesty's Government, in order to endeavour to make an end there of the questions relative to your former request, wherefore the Government expects that you, as King of Swaziland, will allow the matters concerned in the accompanying resolution of your Committee to rest until the arrival of that Commission.

I call myself your friend,  
(Signed) W. EDUARD BOK,  
State Secretary.

In the name of his Honour the President a true translation.

(Signed) C. BEHRENS,  
Sworn Translator.

SWAZILAND.

At the meeting of the Swaziland Committee on the 7th instant, says the "Komatie Observer," the Secretary read a letter from Mr. Breytenbach, in which that gentleman gave notice of motion to the following effect:—That a proclamation be published in Dutch and English, to take effect from January 1, 1888, "That all parties having rights or interests in the Swazi country, who do not obey the laws and pay their taxes shall lose their rights and titles to same, after three months' notice of warning."

Their members having expressed their concurrence with this resolution, as meeting the present state of affairs, it was formally moved by Mr. Breytenbach, and unanimously agreed to.

Resident Adviser's Office, Embekelweni, Swaziland,  
January 31, 1888.

SIR,

I AM directed by the Swazi King to acknowledge the receipt of your letter of the 20th January, concerning the publication of a proclamation by the King.

The King directs me to state in reply, that under the circumstances he will comply with his Honour's request, and will await the arrival of the Joint Commission you refer to, of which, however, the King has as yet received no notice from Her Majesty's Government.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi King.

To the Hon. the State Secretary,  
South African Republic.

No. 48.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received June 26, 1888.)

Government House, Cape Town,  
June 6, 1888.

MY LORD,

WITH reference to my Despatch of the 23rd ultimo,\* I have the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from the Governor of Natal, covering a copy of a further communication from Mr. T. Shepstone, Adviser to the Swazi King, relative to the proposed Joint Commission to inquire into mineral and grazing rights in Swaziland.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon.  
Lord Knutsford, G.C.M.G.  
&c.      &c.      &c.

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Enclosure in No. 48.

Sir A. HAVELOCK to Sir HERCULES ROBINSON.

SIR,

Durban, Natal, May 20, 1888.

I HAVE the honour to transmit to your Excellency, with reference to my Despatch of the 11th instant, and to previous correspondence relative to the proposed Joint Commission to inquire into mineral and grazing rights in Swaziland, a copy of a further communication on the subject from Mr. T. Shepstone, Adviser to the Swazi King.

2. Your Excellency will observe that the Swazi King says that although he has not asked for any such Commission as is contemplated by the Government of the South African Republic, he does not object to a joint Commission being sent into Swaziland; but that if such Commission is sent it can only be one to inquire and report to the Governments represented on such Commission, as the King will adjudicate in all matters appertaining to the government of his country.

3. I shall be ready to carry out any further instructions your Excellency may have to give in the matter of this Joint Commission.

I have, &c.  
(Signed) A. E. HAVELOCK.

His Excellency the Right Hon.  
Sir Hercules G. R. Robinson, G.C.M.G.,  
High Commissioner,  
&c.      &c.      &c.

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Mr. T. SHEPSTONE to SECRETARY, NATIVE AFFAIRS, Natal.

Resident Adviser's Office, Embekelweni, Swaziland,  
May 14, 1888.

SIR,

I HAVE the honour to enclose, for the information of his Excellency the Governor of Natal and Zululand, and of his Excellency the High Commissioner, a letter the King has received from the President of the South African Republic, dated April 27th, 1888, and a copy of the King's reply thereto, dated this day.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi King.

To the Hon.  
The Secretary for Native Affairs, Natal.

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\* No. 47.

(Translation.)

To Umbandeen,  
King of the Swazis, King's Kraal  
(Swaziland).

I.

KING!

Government Office, Pretoria,  
South African Republic, April 27, 1888.

ON the 31st March 1887 you wrote to me to decide about the question whether persons to whom you granted grazing rights had also acquired thereby the right to the minerals which are in the ground allotted as grazing land, and you added that you had put the same question to the English Government.

I thereupon immediately set to work to assist you in your difficulty, and corresponded about it with the English Government.

I then asked you to wait as regards taking steps until our Commission had come to you. In your letter of the 31st January 1888 you agreed to this, and said that you would wait for our Commission.

I then proceeded to bring the question in order in our interests. And now I ascertain to my astonishment that you have altered your intention, and will receive no Commission.

I have this information from a reliable source, but still I cannot believe that you have at once altered your intention, while you know that I am busy working in your interests.

I expect to receive an express reply to this, in writing, and that you will fix the day on which you desire that the Commission shall be with you.

I call myself your friend,

(Signed)

S. J. P. KRUGER,  
State President.

(Signed) W. EDUARD BOK,  
State Secretary.

II.

Resident Adviser's Office, Embekelweni, Swaziland,  
May 14, 1888.

SIR,

I AM directed by the Swazi King to acknowledge the receipt of his Honour the State President's letter to the King of 27th April 1888, which was delivered to the King personally by Mr. Commandant Joubert of the Ermelo District.

I am instructed by the King to reply to his Honour's letter, and to say that there appears to be some misunderstanding on the subject.

The King never asked for a Commission to inquire into matters in Swaziland, but only, as the King says, reported (bika'd) to his Honour's and the British Governments in March 1887, to let "his fathers" know what was going on in the country.

That upon that report his Honour sent down Messieurs C. and J. Joubert to inquire into the matter reported, and they inquired and reported for the information of his Honour's Government.

The King in so reporting did not mean to ask the two Governments to decide in a matter which was one of the internal government of the country.

The King further says that he has from time to time reported to his Honour various threats that have been made against him by South African Republic subjects, and asked his Honour to prevent (kalima) his people attempting to carry out such threats before it was too late to prevent bloodshed.

These things he felt bound to report because of the terms of the London Convention and of his continued friendly disposition to the British and South African Republic Governments.

In January 1888 the King received your letter of 20th January 1888, and enclosure. This was the first intimation the King had received of a Joint Commission to inquire into matters in Swaziland, and the King directed me to reply on the 31st January to say he would postpone publication of the Proclamation, and in that reply I pointed out that the King had as yet received no communication from the British Government on the subject.

No further communication was received until the receipt of the letter of 16th February from the Natal Government of which I enclose a copy. The letter is, as his Honour will perceive, different as to the object of the Joint Commission to what your letter of January 1888 appeared to me to mean.

L 2

I enclose a copy of my letter of the 16th April in reply to the Natal Government, as also copy of my letter to the same Government of 30th April.

I am, in addition, directed by the King to say that, whilst he does not object to a Joint Commission being sent into Swaziland, he has not applied for any such Commission; and that if any such Commission is sent it can only be one to inquire and report to their respective Governments; as in all matters appertaining to the government of Swaziland, the King respectfully points out that he, as King and Paramount Chief of the country, will adjudicate.

The King desires me, in conclusion, to convey the assurance of his continued friendship to his Honour and his Honour's Government.

I have, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi King.

To the Hon. the State Secretary,  
South African Republic.

No. 49.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received July 18, 1888.)

Government House, Cape Town,

June 27, 1888.

MY LORD,

WITH reference to my Despatch of the 29th February last,\* respecting the alleged action of Mr. J. Ferreira, an officer of the Government of the South African Republic, in regard to the native Chief Zambaan, I have the honour to enclose, for your Lordship's information, a translation of a Despatch which I have received from the Government of the South African Republic on the subject.

I have communicated a copy of this Despatch to the Governor of Natal.

I have, &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 49.

(TRANSLATION.)

STATE SECRETARY (South African Republic) to HIGH COMMISSIONER.

Government Office, Pretoria, S. A. R.,

June 15, 1888.

YOUR EXCELLENCY,

WITH reference to your Excellency's Despatch, dated 28th February 1888, and the thereto attached copy of a letter from the Governor of Natal, with extract from a report of Mr. Saunders, I have the honour to send your Excellency, for further information "re taxing of Kaffir Chief Zambaan," a copy, herein enclosed, of a sworn declaration of the Native Commissioner of the district, Piet Retief (formerly Wakkerstroom), made before the Landdrost of said district.

I have, &c.

Her Majesty's High Commissioner,  
Cape Town.

(Signed) W. EDUARD BOK,  
State Secretary.

DECLARATION.

I, the undersigned Joachim Johannes Ferreira, Native Commissioner of the district of Piet Retief (formerly Wakkerstroom), declare under oath that I have never received any tax from the Kaffir Chief Zambaan as emissary of the English Government; but that as a servant of the South African Republic I have received some taxes from him during the last three years. The first two years I collected from him about 8*l.* per annum, and the last year (1887) I received about 35*l.* from him for hut tax, because a large portion of the kraals of said Chief are situated in this territory, and probably the Chief himself also.

I am sure that there has not been paid for all the huts of said Chief situated in this territory. Of those which I was not sure were situated in this Republic I did not collect any tax.

At the collection of taxes Zambana requested me to ask the Government to take the whole tribe under the protection of this Republic, which I then also reported to the Superintendent of Natives.

Zambana also told me that he was afraid that the portion of his people who live outside the boundary of this Republic would become disloyal to him, because only a portion paid hut tax to the Government.

(Signed) J. J. FERREIRA.

Sworn before me on 23/3/88.

(Signed) L. D. P. VAN COLLER,  
Landdrost.

True copy.

(Signed) 15/6/88. W. EDUARD BOK,  
State Secretary.

No. 50.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received August 21, 1888.)

MY LORD,

Government House, Cape Town, August 1, 1888.

WITH reference to my Despatch of the 6th June last,\* I have the honour to enclose, for your Lordship's information, copies of telegraphic correspondence which I have had with the Governor of Natal respecting the affairs of Swaziland.

I have, &c.

(Signed) HERCULES ROBINSON,

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

High Commissioner.

Enclosure 1 in No. 50.

TELEGRAM.

From GOVERNOR, Natal, to His Excellency the HIGH COMMISSIONER, Cape Town.

27th July.—Mr. Meikle, member of Swaziland Committee, saw me to-day in company with two indunas, all three sent by Umbandeen, bringing me a letter under Umbandeen's hand and seal and a message. The message and letter refer to misunderstanding between Umbandeen and the Portuguese Boundary Commission. I will send them by post. Mr. Meikle informs me, confidentially, friendly relations between Shepstone and Swazi King are very much strained, that the latter has lost confidence in him, and that they will not again be able to work together, that Swazi King would be glad to receive a commission of inquiry into internal affairs. I learn from other sources that relations of Shepstone and Swazis are on unsatisfactory footing. Meikle returns to Swaziland about next Monday. Do you wish me to say anything to him or to send message to Swazi King by him?

Enclosure 2 in No. 50.

TELEGRAM.

From HIGH COMMISSIONER to His Excellency the GOVERNOR, Natal.

28th July.—Your Excellency's telegram of yesterday. Please inform Umbandeen, either through Mr. Meikle or the indunas, that if the King will write you a letter or send a message to you by indunas expressing a wish for a joint commission of inquiry into the internal affairs of Swaziland I will at once make arrangements with the President, South African Republic, to carry out the King's wishes. Whilst awaiting such a letter or message perhaps your Excellency would think over who would be the best man to send. The inquiry would now apparently extend beyond the mere claims of the holders of grazing and mineral licences, and would require on our side a strong and able man. The South African Republic would probably select a member of the Government.

\* No. 48.

No. 51.

SIR A. E. HAVELOCK to LORD KNUTSFORD.  
(Received August 27, 1888.)

Government House, Pietermaritzburg, Natal,  
July 26, 1888.

MY LORD,

I HAVE the honour to submit to your Lordship, a copy of a letter from Lieutenant-Colonel Martin, reporting the result of the inquiries made by him, during his recent mission to Tongaland, (1) with respect to the concessions alleged by Colonel Coope and Mr. McMurdo to have been obtained by them, (2) regarding the political relation of Tongaland with the Chiefs Sambana and Umbegesa, and (3) as to the best and most correct designation of the country and people, known respectively by the names Tongaland and Tongas.

2. It will be seen that Colonel Martin states, as the result of his inquiries with respect to the alleged concessions, that he does not believe that either Colonel Coope or Mr. Lamont Thompson, acting for Mr. McMurdo, ever obtained concessions from the Queen Zambili and her councillors.

3. The information obtained by Colonel Martin with respect to the political *status* of the Chiefs Sambana and Umbegesa appears to corroborate generally that which I conveyed to your Lordship in paragraph 4 of my Despatch of the 26th March last,\* and which I at the same time communicated to the High Commissioner. It seems clear that those Chiefs are not independent Chiefs, and it is doubtful, therefore, whether they have the right or the power to grant concessions, or to enter into treaties on their own behalf.

4. With respect to the use of the names Tongaland and Tongas or Amatongas, to designate the country and its people, Colonel Martin says the people do not object to the names. I would suggest, therefore, that for sake of convenience, the use of those appellations should be continued.

5. Colonel Martin was unable to visit Kosi Bay, but the information he obtained about that locality seems to have satisfied him that it will never be of any use as a harbour.

6. I will send to the High Commissioner a copy of the enclosed report from Colonel Martin.

I have, &c.  
(Signed) A. E. HAVELOCK.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 51.

SIR,

Pietermaritzburg, Natal, July 21, 1888

WITH reference to letters directing me to make inquiries as to the concessions granted, and Queen Zambili's right to the country east of the Lebombo Mountains, also as to what is the correct and best designation for the country known as Tongoland, I have the honour to report for your Excellency's information that Queen Zambili informed me that Mr. Ferreira came and asked for permission to make a road from the coast to the Transvaal; that Colonel Coope came and asked for leave to make a road to Kosi Bay; and Mr. Thompson asked for a farm but did not say where. These applications were all refused, and the Queen says she never granted or signed any of the concessions.

Tshigitsha said he saw the money offered by Colonel Coope; it was counted before him but he refused it and it was taken away again. At my last interview with the Queen and councillors, the Queen laid two concessions on my table, which she said she had granted. One was to her son-in-law, Mr. Brühheim, and was over the country claimed by Colonel Coope; and the other was to Dr. Somersields, on the east of the Lebombo Mountains. Enclosed is a letter from Dr. Somersields on the subject. Colonel Coope has been requested to leave the country. I do not believe that Colonel Coope or Mr. Lamont Thompson ever obtained concessions from the Queen Zambili and her councillors. Mr. Grantham has never been consulted by the Queen on any

subject, or sent on any mission by her, and he has never held any position of importance in the country.

I regret I was unable to meet the Chiefs Umbegiza and Sambana, as suggested by his Excellency the High Commissioner, but I found that the country occupied by the Chiefs Sambana and Umbegiza is claimed by the Amatongas, as being within their territory. The Chief Umbegiza pays tribute to the King Umbandini, and I believe the country occupied by Umbegiza has been given away in concessions by Umbandine. Sambana used to pay tribute to Cetywayo, and part of his tribe are in the Transvaal. I do not think they are considered independent Chiefs, and should doubt their right to grant concessions in the country they occupy. I put questions to the Queen and councillors as to the correct designation of themselves and their country, and they informed me that the name "Tonga" was given them by the Zulus because they were beaten, and that it implies contempt. Their proper name is "Umwayi," or Abagwa Mabutu. The Portuguese have given them the names Maputa and Maputaland. They do not object to the words, "Tongas" and Tongaland. Tembe and Tembeland would, I think, lead to much confusion, as there is the Tembe district in the Portuguese territory and the Tembe River runs into the Bay at Lourenço Marques. As requested by your Excellency, I obtained what information I could as to Zambili's rights on the east slope of the Lebombo Mountains. When I first asked the councillors, they said their boundary was to the foot of the mountains, but they afterwards said the whole country occupied by Umbegiza and Sambana was theirs, but the Chiefs do not acknowledge allegiance to Zambili. The Tongas are not on friendly terms with Sambana as they say he is still encroaching on their country. The concession granted to Dr. Somers Shields is on land which is on the eastern slope of the mountains and which Zambili says, by the law of the country, belongs to her daughter. Four years ago Zambili went to see her brother Umbandini, and he at that time did not dispute her right to the territory in question; Umbandini has, however, conceded mineral rights in that part of the country to the Royal Prospecting and Gold Mining Syndicate. Mr. A. Meikle's letter and sketch are attached.

I was unable to visit the Kosi River, but made inquiries as to the suitability of the mouth of that river for the purpose of a harbour. The Kosi River or lake is situated to the south-east of Imfihlweni, and from what I could gather from people who had been there, appears to be a series of small lakes. These lakes are in a line, almost parallel with the coast, and are at times nearly dry, and can be crossed on foot. The mouth is frequently closed in the dry season; the captain of the cutter "Nellie," trading to Delagoa Bay, says he anchored off the river in the month of June, but could discover no entrance; and Colonel Coope, in his steamer "Marguerite," drawing three feet six inches, was unable to effect an entrance, but small boats have at times been able to enter. It appeared to be the general opinion in Lourenço Marques and Tongaland that the place would never be any use as a harbour.

In order to reach the Imfihlweni Kraal I had to proceed by boat from Lourenço Marques, or mouth of the Tembe River, along western shore of Delagoa Bay to entrance of Maputa river is about 25 miles. Near the mouth of the river the banks are low and covered with dense bush, mangrove trees growing along the water's edge. The river is navigable for vessels of four feet six inches draught for a distance of about 50 miles, but the usual place of debarkation is Fernandez Drift, about 35 miles from the mouth, and situated in latitude  $26^{\circ} 28' 35''$ . Above this drift there is open, flat, swampy country for a distance of two miles from either bank, and this is again bordered by dense bush, where the country assumes a slight undulating aspect.

The rise and fall of tide in the river is about three feet six inches at neap tides, and there are numerous sandbanks above Fernandez Drift. The river abounds with crocodiles, and at several places hippopotami are found. The country through which I passed was very sandy, but from the quantity of mealies, kaffir corn, tapioca, and ground nuts produced, the soil must be rich. Tobacco also grows well; the country is well wooded, the most valuable trees being mahogany, Indian rubber, and African oak. In some parts there is plenty of water, but as a rule in the dry season the supply is scanty, and has to be drawn from pools apparently formed during the rainy season. I think, however, water is near the surface of the ground and could be obtained by sinking wells. I attach paper furnished by Colonel Serra on the occasion of my first visit, showing latitude and longitude of the Imfihlweni Kraal.

I have, &c.

His Excellency  
Sir A. E. Havelock, K.C.M.G.,  
Governor of Natal.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
Commissioner to Tongaland.

I.

DEAR SIR,

Lourenço Marques, June 10, 1888.

Two days after you left Makassan I called on Sambili and Gonass. Sambili desired me to speak to you about her willingness to accept an English Protectorate, and about what she wished done for her and her people. It was my intention to go and see you, but I have, unfortunately, been on the sick list again, so I must write to you instead.

She says :—“ The arbitration may divide my country, but it cannot divide my people. “ I give up the country, but I cannot part with my people, my children, my relations. “ It must be understood that I have the power to take away my people from the “ award part of the country, if they like to come, and that I still rule over my people “ who choose to reside in that part. I want the English Government to give me “ country beyond the Umkusi River in the south, which country really belongs to “ Amatongaland.”

The country she refers to is marked as belonging to Amatongaland in the accompanying map. The natives do not understand an arbitrary boundary line. There is a river, of the name Shibigan, falling into the upper third part of the St. Lucia Lake, which I have marked.

There are no taxes collected between that river and the Umkusi River. I have heard, and perhaps not in the rest of the country marked on this map as belonging to Amatongaland.

The people residing in that part of the country, I have heard, are Amatongas.

Sambili may be satisfied with the country between the Umkusi River and the Shibigan. She says she wants to move her people from the award part to this new part, those who wish to go.

I hope you will be able to arrange these points, and I do not think there will be any further trouble about the acceptance of an English Protectorate.

Colonel Coope is on the move, and may have arrived at Kosi Lake by this time. Sambili has been made aware of his coming, and is prepared to send him out of her country. Sambili lets me know that she is rather tired of this matter. She says she has made four statements about the affair. The first statement she made last year to Mr. Saunders, who was sent to get the treaty of amity signed. She told him she had never given any concession to anybody, and that she had never put her hand to a paper in her life.

The second statement is the letter she asked Mr. Brüheim to write to the Secretary for Native Affairs in Natal, November 1887. The third statement she made to Colonel Machado in the beginning of this year, who asked her about the concessions Colonel Coope and Mr. Th. Lamont Thomson pretended to have obtained from her. She told Colonel Machado that it was a fraud, that those concessions did not exist, as she had never signed a paper for them. Afterwards she says she signed a concession to Mr. Bruheim and the concession to Mr. Somersfield, that everybody might be satisfied in their mind, and to show that Colonel Coope and Mr. Th. Lamont Thomson are frauds.

If she has signed concessions to those two already she could not have signed the concessions to Mr. Bruheim and Mr. Somersfield, as these concessions are over the Kosi River and Kosi Lake and country claimed by Colonel Coope and Mr. Th. Lamont Thomson.

The fourth statement she made now to Colonel Martin, when she told him that she had never received any money from those people, and that she had never signed any papers for them. She says she is glad that Colonel Coope is coming, so that she can tell him that he is a fraud, and that he has nothing to do in the country. She says she sent some Indunas last year to Shikitshi, where Colonel Coope was staying, to clear him out of the country, and that she will do the same now when Colonel Coope comes.

This message I have received since I returned.

Since then she lets me know that she is anxious that you should return to Amatongaland as soon as possible and settle the Protectorate business.

Have you any idea when you are likely to return?

Hoping you are in good health,

To Lieut.-Colonel Martin,  
&c. &c. &c.

Believe me, &c.  
(Signed) OSCAR SOMERSFIELD.

The map referred to was returned to Dr. Somersfield.

(Signed) R. E. R. MARTIN,  
Lieut.-Colonel.

## II.

HONOURED SIR,

Swaziland, June 6, 1888.

PARDON the liberty we take in writing you on the subject relative to that portion of Swaziland south of Ngovuma River, and forming the south-east district of Swaziland. Annexed is a rough sketch.\*

King Umbandini has conceded to us the mineral rights of that part.

The Swaziland boundary extended to the Pongola River. Zambaan, a Zulu Chief, on his escape from the Zulu country settled on the Lebombo, north of the Pongola River, and has gradually extended his kraals in a north and easterly direction.

We pray that the delimitation of the boundary of this part may receive consideration.

We are, &c.

pro. Royal Prospecting and Gold Mining Syndicate,

(Signed) ALEX. MEIKLE.

Lieut.-Colonel R. E. R. Martin, C.M.G.,  
Of the Honourable Commission for the  
delimitation of Swaziland Boundary.

No. 52.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received September 4, 1888.)

Government House, Cape Town,

August 15, 1888.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from the Governor of Natal, communicating information respecting the status of the Chiefs Zambaan and Umbegesa, and suggesting that an inquiry be addressed to the Swazi King on the subject.

I enclose also a copy of the reply which I have addressed to Sir Arthur Havelock.

I have, &c.

The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

(Signed) HERCULES ROBINSON,  
High Commissioner.

Enclosure 1 in No. 52.†

SIR A. HAVELOCK to SIR H. ROBINSON.

Government House, Pietermaritzburg,

Natal, July 29, 1888.

SIR,

WITH reference to your Excellency's Despatch, Natal, of the 21st June last, and to previous correspondence on the subject of the political status of Chiefs Sambana and Umbegesa, I have the honour to acquaint your Excellency that Lieutenant-Colonel Martin, who was instructed to inquire into the matter during his visit to Tongaland, has made a report on the subject, which corroborates generally the information which I communicated to your Excellency in my Despatch of the 23rd March last. It seems clear that those Chiefs are not independent Chiefs, and it is doubtful, therefore, whether they have the right or the power to grant concessions or to enter into treaties on their own behalf.

2. I shall be glad to refer to the Swazi King himself for an expression of his views as to his relations with Chiefs Sambana and Umbegesa, should your Excellency wish me to do so.

\* Not received.

3. I hope to be able to send your Excellency, by next week's mail, a copy of the report I have received from Colonel Martin of his mission to Tongaland.

I have, &c.  
 (Signed) A. E. HAVELOCK.  
 His Excellency the Right Hon.  
 Sir Hercules Robinson, G.C.M.G.,  
 High Commissioner,  
 &c. &c. &c.

Enclosure 2 in No. 52.

Sir H. ROBINSON to Sir A. HAVELOCK.

Government House, Cape Town,  
 August 10, 1888.

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 29th ultimo, suggesting that you might refer to the Swazi King for an expression of his views as to his relations with the Chiefs Sambana and Umbegesa.

I concur with your Excellency's proposal to refer to Umbandeen for an expression of his views on this subject.

I am, &c.  
 (Signed) HERCULES ROBINSON,  
 Governor and High Commissioner.  
 His Excellency  
 Sir Arthur Havelock, K.C.M.G.,  
 &c. &c. &c.  
 Maritzburg, Natal.

No. 53.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
 (Received September 17, 1888.)

Government House, Cape Town,  
 August 29, 1888.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from the Governor of Natal, covering a copy of a letter from Mr. T. Shepstone, forwarding a fresh instrument of appointment issued to him by Umbandeen, the Swazi King.

I have, &c.  
 (Signed) HERCULES ROBINSON,  
 High Commissioner.  
 The Right Hon. Lord Knutsford, G.C.M.G.  
 &c. &c. &c.

Enclosure in No. 53.

Sir ARTHUR HAVELOCK to Sir HERCULES ROBINSON.

Government House, Pietermaritzburg, Natal,  
 August 21, 1888.

SIR,

I HAVE the honour to transmit, for your Excellency's information, a copy of a letter which has been received by the Secretary for Native Affairs from Mr. T. Shepstone, Resident Adviser, &c., to the Swazi King, Umbandine, forwarding a copy of a fresh instrument of appointment issued to him by Umbandine, in place of that granted to him in 1887.

I have, &c.  
 (Signed) A. E. HAVELOCK.  
 His Excellency the Right Hon.  
 Sir H. Robinson, G.C.M.G.  
 &c. &c. &c.  
 Governor and High Commissioner.

Mr. T. SHEPSTONE to the SECRETARY for NATIVE AFFAIRS, Natal.

Resident Adviser's Office, Embekelweni,  
Swaziland, August 13, 1888.

SIR,

I HAVE the honour to forward, for the information of his Excellency the High Commissioner, copy of a fresh appointment made by the King of Swaziland, with my consent, in lieu of the original appointment granted to me in February 1887.

I have, &c.

The Hon. the Secretary for  
Native Affairs, Pietermaritzburg.

(Signed) THEOPHILUS SHEPSTONE.

WE, Umbandeni, King and Paramount Chief of the Swazi Nation, with the advice and consent of our Councillors in Council assembled, do hereby select, nominate, and appoint Theophilus Shepstone, Esquire, C.M.G., to be our Resident Adviser, Secretary, and Agent in all matters in which white people or their interests are concerned in and concerning our territory of Swaziland, and to advise us in all matters concerning other States and countries.

And we further appoint the said Theophilus Shepstone to act as our secretary, to inspect all documents and accounts, and to inquire into all concessions or licenses granted by us from time to time.

In making this appointment We reserve to ourselves and our successors our sovereign rights, and especially declare that the said Theophilus Shepstone shall in no way interfere in matters in which our Native subjects only are concerned.

Given under our hand and seal, at our Royal Kraal, Embekelweni, Swaziland, this 4th day of August 1888, in the presence of the undersigned witnesses.

(Signed) UMBANDENI,  
King and Paramount Chief,  
his mark X and seal (L.S.)

(Signed)	SANDHLANA	X
	TECUBA	X
	UMCHIBECK	X
	MAKAHLALIKEI	X
	LEMBELELA	X
	INKONKONI	X
	IAPAN	X
	MAHOPI	X
	GALOTCHE	X
	JACKOFF	X
	MALOF	X
		marks.

Witness,

(Signed) E. KING.  
H. SLEIJN.

I certify that this document was truly and faithfully translated to the King and Council.

(Signed) T. R. RATHBONE.

Embekelweni, August 4, 1888.

I certify that I listened to this translation, and it was correctly rendered.

(Signed) C. GRENNIG.

No. 54.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received November 26, 1888.)

Government House, Cape Town,  
November 7, 1888.

MY LORD,

WITH reference to your Lordship's Despatch of the 14th March last,\* I have the honour to enclose, for your information, a translation of a Despatch which I have received from the Government of the South African Republic, urging that they may be permitted to acquire the territory of the Chiefs Zambaan and Umbegesa.

It is of course quite possible that the Chief Zambaan may have expressed himself to the officers of the South African Republic in a sense different to that conveyed to the British Officer, Mr. Saunders, but I do not consider that the position of the Chiefs Zambaan and Umbegesa, whether independent or not, or the bona fides of the Treaties obtained by Mr. Ferreira, are the main questions as affecting the consideration of the request made by the Government of the South African Republic. The point to be considered is, whether in the terms of the 4th article of the Convention of London, the request now made is or is not in conflict with the interests of Great Britain or Her Majesty's possessions in South Africa.

I do not consider that if the Government of the South African Republic were allowed access to a navigable river at a point distant from the sea coast, the interest of Her Majesty's possessions in South Africa would be prejudicially affected, as they would be by the acquisition of a port on the sea, and I can understand that the securing of communication with the sea is a legitimate and proper ambition for the attainment of which the Government of the South African Republic would probably be ready to make considerable concessions in other matters. But I do not think it would be to the interest of Great Britain to consider any proposals for this end until the question of the future of Swaziland is ripe for settlement. To concede the claim now made by the Government of the South African Republic would be to exclude Her Majesty's Government from any effective influence in the settlement of the Swaziland question when the progress of affairs in that country makes the establishment of some more settled form of government a necessity.

I would recommend, therefore, that the Government of the South African Republic be informed that Her Majesty's Government fully reciprocate the good feeling shown by the Government of the South African Republic, and have no feeling *per se* hostile to the legitimate desire of that Government to obtain a position which would enable them to communicate with the sea, but that British subjects having acquired important interests in Swaziland, Her Majesty's Government cannot sanction the acquisition of territory which would practically shut out Her Majesty's Government from exercising any effective control over the future settlement of the Swaziland question.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,

High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,

&amp;c.

&amp;c.

&amp;c.

Colonial Office.

Enclosure in No. 54.

STATE SECRETARY TO HIGH COMMISSIONER.

(Translation.)

Government Office, Pretoria,

South African Republic,

October 20, 1888.

YOUR EXCELLENCY,

I HAVE received instructions to request your Excellency to direct your attention to the contents of a Despatch from the British Agent here, dated 6th June last, in which his Honour informs this Government of the receipt of a Despatch from Lord Knutsford, Her Majesty's Secretary of State for the Colonies, by which the terms of your Excellency's reply of the 7th February last to his Honour the State President are approved.

\* No. 28.

This reply of your Excellency had reference to the conclusion of agreements by Mr. J. Ferreira, the Commissioner of Natives of Wakkerstroom, with the Chief Umbegeza and also with the Chief Zambaan, of which circumstance I informed your Excellency by my Despatch of the 30th January 1888.

In that reply your Excellency says, *inter alia*, that the territory described in the Treaty with Zambili is regarded by Her Majesty's Government to be exclusively under British influence, and that by reason thereof your Excellency had no expectation that the consent of Her Majesty's Government would be given in the matter of the said agreements.

This Government feels itself now compelled again to refer to the matter, because after my letter of the 30th January last circumstances have arisen which have strengthened it in the conviction already communicated to your Excellency, that both the said Chiefs are independent and unsupported (*zelptandig*), and that they, therefore, also had the right to enter into the agreements in question.

Irrespective of this, there are, however, other reasons also which have moved this Government again to approach your Excellency. In the first half of this year this Government instructed a Commission consisting of Messrs. J. Kemp, N. J. M. Vermaak, and surveyor Helm, to inspect the open lands between the Pongola, the Swazi boundary, and the Lebombo. This Commission having arrived on the borders to inspect the lands on this side of the line, Zambaan sent a messenger to it, requesting the Commission to grant him an interview. The Commission having complied with his wish, he desired to know the nature of its business. So soon, however, as this was communicated to him he objected in an unmistakable way to the erection of beacons between his territory and the South African Republic, and expressed himself in plain terms with regard to it making reference to what had taken place between him and J. Ferreira in this matter. In order to show that he persisted in his former repeatedly expressed desire to come in under this Republic and to transfer his territory to this Republic, he brought the Commission two elephants' teeth, saying: "These two teeth I give as a gift to your Government; they must be regarded as my mouth, and you must take care that your Government gets my message, that I do not wish to be separated from it; but that it must continue regarding me as a subject."

I need not draw your Excellency's attention to the fact that this urgent request, addressed as it was to a Commission which had nothing to do with the matter of the agreements, which indeed knew nothing whatever about them, and also without the least reason for it being given from this side, must be noticed as a strong protest against his separation from this Republic.

It will also appear to your Excellency that these facts and declarations are directly in conflict with the assertions relative thereto, contained in an extract of a report of Mr. Saunders attached to a letter to your Excellency from Sir A. Havelock, dated 17th February 1888, transmitted to me by your Excellency's Despatch of the 28th February last, making it appear that Zambaan regarded himself as a British subject.

This Government, therefore, comes forward and protests, as it hereby does, against the acknowledgment of these assertions as facts, and can by reason thereof, and in view of what I have above explained, not admit that the territory described in the Treaty with Zambili is exclusively under British influence.

This Government trusts consequently that what is related above may favourably incline the British Government to the removal of any difficulties which may still exist on its side against the acknowledgment of the said agreements. But it is of opinion that it can in all fairness also adduce other reasons why these hindrances ought to be removed if the British Government wishes to promote the interests of this Republic. The territory of these Chiefs is certainly of great importance to this Republic, of more importance to it than to the British Empire. This Republic would, by reason of the existence of a large river in that territory, obtain a closer connexion with the sea, and such a connexion is naturally considered very desirable by this Republic.

If the British Government, by the acknowledgment of the concluded agreements, will promote such a connexion, this will, according to the firm opinion of this Government, also carry with it this advantage that the public opinion of the people of this Republic will be thereby favourably influenced, for they will acquire by it the tangible proof that the British Empire, far from the wish to oppress this young State, is ready to grant its support and help to it and more and more to promote the friendly relations. Such an impression amongst the people could not but bring forth blessed fruit in the future, also for the promotion of the good understanding between and the harmonious co-operation of the Colonies and States of South Africa mutually, and it would therefore not be to the disadvantage of the British Empire if the strip of ground in question came to this

Republic, or, and it is not indeed possible for this Republic to entertain such an opinion, it must be that the British Government has for its object to separate this Republic as far as possible from the sea, and thus to retard its development and finally to annihilate it.

This Government will be glad to learn from your Excellency that the British Government, after mature and favourable consideration of the matter, and also regarded from this point of view, declares its consent to the agreements.

To His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) W. EDUARD BOE,  
State Secretary.

No. 55.

LORD KNUTSFORD to SIR HERCULES ROBINSON.

SIR,

Downing Street, December 3, 1888.

I HAVE the honour to acknowledge the receipt of your Despatch of the 7th ultimo,\* enclosing a translation of a Despatch from the South African Republic, urging that they may be permitted to acquire the territory of the Chiefs Zambaan and Umbegeza, and to inform you that I approve of the reply which you propose to send to that Despatch as suggested in the last paragraph of your Despatch under acknowledgment.

Sir H. Robinson.

I have, &c.  
(Signed) KNUTSFORD.

No. 56.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received December 12, 1888.)

MY LORD,

Government House, Cape Town,  
November 21, 1888.

I HAVE the honour to enclose, for your Lordship's information, a copy of a letter from Mr. Welby, Secretary to the British Agent in the South African Republic, covering a cutting from the "Komatie Observer," reporting an alleged offer of the Little Free State in Swaziland to the Government of the South African Republic.

2. The territory called the Little Free State is a tract of about 50,000, acres in the western part of Swaziland, alleged to have been granted to Ferreira and Maritz in freehold, about 15 years ago, by the Swazi King. The Boers settled on this strip of territory have proved a disturbing element in the government which the Swazi King has endeavoured to organise for the purpose of maintaining order amongst the Europeans who have acquired rights in his country, and I consider it quite possible that he would wish to simplify the problem with which he has to deal by ceding the small piece of territory occupied by them to the South African Republic. The cession cannot, however, take effect without the consent of Her Majesty's Government, for the 4th Article of the London Convention provides that the South African Republic shall conclude no treaty or engagement . . . . with any native tribe to the eastward or westward of the Republic until the same has been approved by Her Majesty.

3. It is also provided that such approval shall be considered to have been granted if Her Majesty's Government shall not, within six months after receiving a copy of such treaty (which shall be delivered to them immediately upon its completion), have notified that the conclusion of such treaty is in conflict with the interests of Great Britain or of any of Her Majesty's possessions in South Africa.

4. The treaty referred to in the cutting from the "Komatie Observer," if it exists, has not yet been communicated to me by the Government of the South African Republic; and I propose to postpone any remarks I may have to make in regard to its

\* No. 54.

bearing on British or Colonial interests until the matter has been brought forward officially in the manner provided by the Convention.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 56.

Mr. WELBY to Captain BOWER.

British Agency,  
Pretoria, South African Republic,  
November 12, 1888.

SIR,

I AM directed by his Honour the British Agent to request you to call his Excellency the High Commissioner's attention to the enclosed extract from the "Komati Observer," wherein it is stated that Umbandeen has authorised Mr. Ger Ferreira to offer to the Transvaal Government the territory known as the Little Free State.

On Mr. Williams' return he will himself communicate with his Excellency on the subject.

I have, &c.  
(Signed) E. E. WELBY,  
Secretary.

Captain Graham Bower, R.N., C.M.G.,  
&c. &c. &c.  
Imperial Secretary.

"KOMATI OBSERVER."

OFFER of the LITTLE FREE STATE to TRANSVAAL GOVERNMENT.

SWAZIELAND NEWS.

THOSE who are watching the various phases of Swazieland affairs will learn with considerable surprise that King Umbandine has signed a document by which Mr. Gert Ferreira is authorised to offer the border strip of territory known as the Little Free State to the Transvaal Government. In the event of the Transvaal Government not accepting the offer the Boers of the Little Free State are to acknowledge Umbandine as Paramount Chief, and the King is to govern the territory without the aid of the Swazieland Committee. That is to say, the Committee would not have the power to interfere with anyone inside the Little Free State, the inhabitants of which would have the right to settle all petty disputes and tax themselves for the up-keep of petty tribunals, more serious matters being reserved for the *fat* of the King himself. Truly, "the cards are being shuffled for a new deal in this remarkable country." It seems that the Ferreriras have been pushing this matter with the King for some time back, and there is no doubt that the recent attempt of the Committee to induce the King to enforce taxes in the semi-independent "State" has had the effect of hurrying Umbandine to a decision, and that Mr. Gert Ferreira, having naturally taken every advantage of this crisis, has succeeded in getting the King and his Council of Indunas to settle the matter in a peremptory way. England will, of course, have something to say about this extraordinary cession, although it is obvious, in view of Sir Hercules Robinson's old woman's advice to his Government at the time, last year, that the Boers used this same Little Free State as the place of assembly for their alleged filibustering movements, that Her Majesty's Government may not care to go out of their way to maintain their position under the London Convention of 1884. The strip of territory known as the Little Free State comprises, we believe, about 10 farms of 5,000 acres each, and was granted, some 15 years ago, to Auchim Ferreira and Ignas Maritz, in freehold, for the sum of 500*l.*, or its equivalent.

## ANOTHER "SELL."

We hear that another piece of ground, the extent of which we have not been able to ascertain, and contiguous to the Little Free State, has been signed away by the King to Mr. Gert Ferreira.

## No. 57.

LORD KNUTSFORD to SIR HERCULES ROBINSON.

SIR,

Downing Street, December 17, 1888.

I HAVE the honour to acknowledge the receipt of your Despatch of 21st ultimo,\* on the subject of an alleged offer by the King of Swaziland to the Government of the South African Republic of the territory known as the "Little Free State."

I shall be glad to receive Mr. Williams's report upon this matter, with your observations upon it, as soon as it has been received.

I have, &amp;c.

(Signed) KNUTSFORD.

Sir H. Robinson.

## No. 58.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received December 19, 1888.)

Government House, Cape Town,  
November 27, 1888.

MY LORD,

HAVING communicated to the Governor of Natal a copy of the Despatch from the Government of the South African Republic which was enclosed in my Despatch to your Lordship of the 7th instant,† I have received from him a Despatch commenting on the request made by the Government of the South African Republic to be allowed to acquire the territory of the Chiefs Zambaan and Umbegesa; and I have the honour to forward a copy of this Despatch for your information.

I have, &amp;c.

The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.(Signed) HERCULES ROBINSON,  
High Commissioner.

## Enclosure in No. 58.

Sir A. E. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
November 19, 1888.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, Natal, of the 9th instant, enclosing for my information, and for any observations I may wish to address to the Secretary of State, a translation of a Despatch received by your Excellency from the President of the South African Republic, urging Her Majesty's Government to permit the annexation of the territories of the Chiefs Zambaan (Sambana) and Umbegesa to the South African Republic.

2. I observe that it is stated by the President that circumstances have arisen lately which have strengthened the conviction of his Government that both these Chiefs "are independent and unsupported," and that they therefore had the right to make the agreements said to have been entered into between them and Mr. J. Ferreira, on behalf of the Government of the South African Republic.

\* No. 56.

† No. 54.

I cannot find, in the President's Despatch, evidence which can be held to controvert the information and conclusions with respect to the political status of those Chiefs which I have made known to your Excellency in the Despatches noted in the margin.

\* Governor, Natal, to High Commissioner, 23rd March 1888.

† Governor, Natal, to High Commissioner, 29th July 1888.

‡ Governor, Natal, to High Commissioner, 6th August 1888 (see enclosure).

3. In compliance with the wish expressed in your Excellency's Despatch, Natal, of the 10th August, I caused a communication to be addressed to the Swazi King, on the 17th August, asking for an expression of his views as to his relations with Chief Zambaan (Sambana) and Umbegesa. I have not yet received a reply. I will urge the Swazi King to send one.

4. The President states that the territory of the two Chiefs would be of great value to the Republic for the reason that by means of the large river (the Pongolo), which either flows through or borders it, better communication would be obtained between the Republic and the sea. I have sympathy with the natural desire of the President for access to the sea. But I fail to see that the possession of one, or possibly of both banks of the upper portion of the Pongolo river, which would be obtained by the annexation of the territory in question, would go far towards the attainment of that desire. I am not aware that the upper portion of the Pongolo is navigable; and even if it be so, the possession of it, so long as the lower portion of the course of the same river is Portuguese, would not serve to bring the South African Republic much nearer to the sea than it is at this moment. But the acquisition by the South African Republic of the strip of territory which I understand constitutes the dominions of Zambaan and Umbegesa, if looked at from another point of view, might be of value to the Government of the Republic. It would have the effect of enclosing Swaziland, except along the short line along which it borders on the Portuguese province, by the territory of the Republic; and would, in this way, deprive Great Britain of the only uncontrolled means of access to Swaziland which is still left to her in virtue of her exclusive political influence over the adjacent country of Tongaland.

Assuming that the Government of the South African Republic desires the incorporation of Swaziland in the Republic, the annexation of the territory in question would powerfully further the accomplishment of such a desire.

5. If Her Majesty's Government does not view with disfavour the prospect of the loss of influence in Swaziland, and of the ultimate absorption of that country into the South African Republic, I do not see that there would be sufficient ground for declining to assent to the agreements alleged to have been made between the Chiefs Zambaan and Umbegesa and Mr. J. Ferreira; provided that those Chiefs "are independent and unsupported" as they are said to be by the President, and not subordinate to the Swazi King, the Tonga Queen, or Her Majesty's Government as successors to the rights and powers of the late Zulu King Cetewayo.

6. I leave it to your Excellency to decide whether the observations I have made should or should not be communicated to the Secretary of State.

I have, &c.

His Excellency the Right Honourable  
Sir Hercules Robinson, G.C.M.G.,  
Her Majesty's High Commissioner,  
&c. &c. &c.  
Capetown.

(Signed) A. E. HAVELOCK.

No. 59.

SIR A. E. HAVELOCK to LORD KNUTSFORD.  
(Received January 8, 1889.)

Government House, Pietermaritzburg, Natal,  
December 11, 1888.

MY LORD,

I RECEIVED on the 7th instant your Lordship's telegraphic Despatch of the same date§, informing me, that it was alleged that a very good landing-place exists near Sordwana Point, that your Lordship had requested the Admiralty to send a ship of war there for the purpose of hoisting the British Flag, after stopping at Durban on the way, in order that the officer in command might consult with me; and instructing me that if I had an earlier opportunity, I should take steps to assert Sordwana to be British

\* See Enclosure in No. 42.

† See Enclosure in No. 52.

‡ Not printed (formal covering Despatch only), but its Enclosure will be found as an Enclosure to No. 51.

§ Not printed.

territory. Your Lordship's telegram concluded with the words, "early definition of desirable."

2. The information already in my possession led me to believe that Sordwana Point is situated within the territory known as Chief Sibonda's territory, or within that described as Uncamana's (Dcamana's) territory. With the purpose of obtaining more definite information as to the position of Sordwana Point, I telegraphed at once to the Resident Commissioner in the following words:—"Can you inform me, by reference to the map, of the northern limit on the coast of Dcamana's and Sibonda's territory? Please answer by telegraph, to-day if possible. Is place marked Sordwana Point in either of these territories?"

I received the following reply:—"8th December. I am informed that Sibonda's territory is on north side of Umkuzi River, and extends about 45 miles along coast from St. Lucia Lake, including Sordwana Point, to where it joins Tongaland. Dcamana's territory adjoins Sibonda's on the north-western side, and extends about ten miles in northerly direction beyond Umkuzi River. I cannot ascertain the names of natural boundaries, if any, of the two territories, but part of Sibonda's western boundary appears to be the Umkuzi River from where it enters St. Lucia Lake."

3. It appears that these Chiefs Sibonda and Uncamana and the tribes under them have been for many years subordinate to the Zulu Kings and Chiefs, and that they are consequently, in virtue of the Queen's sovereignty over Zululand, now under the sovereignty of Her Majesty. In view of these circumstances, and in view also of the absence of certainty as to whether Sordwana Point and the adjacent lands and waters are in Dcamana's or Sibonda's territory, it seemed to me that the best way of carrying out your Lordship's instructions, to take early steps to assert that Sordwana is within British territory, would be, to notify publicly that both those territories are included in Her Majesty's territory of Zululand. I have accordingly done so by a public notice in the Natal Government Gazette, a copy of which I enclose.

4. I have, in a Despatch to Mr. Osborn, a copy of which I submit, directed that Dcamana (Uncamana) and Sibonda should be informed of the step that has been taken. Your Lordship will see also that I have, in the same Despatch, instructed Mr. Osborn to send to the Queen Regent Zambili, of Tongaland, a letter from myself, calling upon her to give an explanation of the complaint made by Chief Uncamana, that a force sent by her son, Ungwanase, had attacked him and robbed him of 62 head of cattle and of other property.

I have, &c.

The Right Hon. Lord Knutsford, G.C.M.G., (Signed) A. E. HAVELOCK.  
&c. &c. &c.

Enclosure 1 in No. 59.

[Zululand, No. 32. 1888.]

GOVERNMENT NOTICE.

It is hereby notified, for general information, that whereas in the Proclamation issued on the 14th May 1887, under the hand and seal of the Governor of Natal, then Her Majesty's Special Commissioner for Zulu Affairs, and now Governor of Zululand, it is declared and made known that Zululand shall be, and shall be taken to be, a British Possession from and after the 19th of May 1887; and whereas the territory of Zululand is in that Proclamation described as being bounded on the north by Amatongaland; and whereas the tribes now under the Chiefs Dcamana (Umcamana) and Sibonda, and the lands occupied by them, have for many years been under the Zulu Kings and Chiefs, and therefore formed part of the Zulu Sovereignty now under Her Majesty's Sovereignty.

The territories occupied by those Chiefs and by their people are included within the boundaries of Her Majesty's territory of Zululand.

Sibonda's territory thus included in Zululand lies on the north side of the Umkuzi River, extends 45 miles, more or less, in a northerly direction along the coast from St.

Lucia Bay or Lake towards the southern limit of Tongaland, and comprises the locality known as Sordwana Point, together with the lands and waters adjacent thereto.

Dcamana's (Uncamana's) territory thus included in Her Majesty's territory of Zululand, adjoins Sibonda's territory on the south-west, and extends 10 miles, more or less in a northerly direction beyond the Umkuzi River towards the southern limit of Tongaland.

Government House,  
Pietermaritzburg, Natal,  
9th December 1888.

By his Excellency's Command,  
GERALD BROWNE,  
Secretary for Zululand.

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Enclosure 2 in No. 59.

Sir A. E. HAVELOCK to Mr. OSBORN, Resident Commissioner.

Government House, Pietermaritzburg, Natal,  
December 10, 1888.

SIR,

I HAVE the honour to forward to you copies of a Government Notice which I have caused to be published in the Natal Government Gazette, notifying, for general information, that the territories of Chiefs Dcamana (Uncamana) and Sibonda, comprising the locality known as Sordwana Point, together with the lands and waters adjacent thereto, are included in the territory of Zululand.

2. I have to request that you will send copies of this notice to Chiefs Dcamana (Uncamana) and Sibonda, with a message explaining it to them, and giving them directions respectively as to the Assistant Commissioner and Resident Magistrate, under whose authority they should consider themselves to be placed. Each of the two Chiefs should be particularly directed to report to the Assistant Commissioner in charge of his territory all proceedings of white men; and both Chiefs should be instructed not to sign documents without first consulting the Government. The opportunity should be taken of repeating to them that Colonel Coope's presence and proceedings in their country have not been countenanced in any way by Her Majesty's Government.

3. With regard to the report made to you by Upaliji, on behalf of Uncamana, that he, Uncamana, and his people had been attacked by an armed force sent by Ungwanase, son of Zambili, Queen Regent of Tongaland, and had been robbed of 62 head of cattle and other property, Uncamana should be informed that I intend to ask Zambili for an explanation.

4. I enclose a letter addressed to Zambili relative to her alleged attack upon  
Uncamana and his people.

Governor, Natal, to Queen Regent,  
Tongaland, 10th December 1888.

I request you to send this letter to Zambili, having first read and explained its contents to the messenger to whom you entrust it.

I have, &c.

His Honour the Resident Commissioner,  
&c. &c. &c.

(Signed) A. E. HAVELOCK.

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From the GOVERNOR of NATAL and ZULULAND to ZAMBILI, Queen Regent of  
Tongaland.

THE Governor regrets to say that a complaint has been made by Chief Dcamana (Uncamana), that a force said to have been sent by Zambili's son, Ungwanase, attacked Uncamana and his people.

This force is stated to have carried off 62 head of cattle and other property belonging to Uncamana and his tribe.

Uncamana told the leaders of the force that he and his tribe now belonged to the Queen's Government, and that he would report to the Government the injuries done to him by Ungwanase. As Queen Regent of Tongaland you, Zambili, are responsible for the acts of Ungwanase, your son. The Governor, therefore, calls upon you to explain this act of violence said to have been committed upon Uncamana and his people. The Governor reminds you of the promise made in the agreement signed by your messengers on the 6th July, and afterwards ratified by you in the presence of Mr. Saunders, on the 13th October 1887. You promised that peace and friendship should last for ever between the Tonga people and the Queen's subjects, and that you would do your utmost to

prevent any breach of the peace. The Governor takes this opportunity of telling you that Uncamana and his people, and Sibonda and his people, having been subject to the Zulu King and Chiefs, and the Queen being now Sovereign of Zululand, those Chiefs, Uncamana and Sibonda, with their country and people, are under the sovereignty of the Queen.

If Zambili wishes to send messengers to the Governor to explain, the Governor will receive them.

(Signed) A. E. HAVELOCK,  
Governor.

Government House, Pietermaritzburg, Natal,  
10th December 1888.

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No. 60.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received January 16, 1889.)

Government House, Cape Town,  
December 26, 1888.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a telegram which I have received from the Governor of Natal, communicating a message which he had received from the Swazi King.

I enclose also a copy of the reply which I have addressed to Sir Arthur Havelock.

I have, &c.

(Signed) HERCULES ROBINSON,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure 1 in No. 60.

TELEGRAM.

From GOVERNOR, Natal, to His Excellency the HIGH COMMISSIONER, Cape Town.

(22/12/88.)—Member of Swaziland Committee, Kannemeyer by name, accredited by Umbandine, has seen me to-day. He brings a written report of the recently discovered conspiracy, which I transmit by post. He states that Umbandine told him to report that Tosen and the two Ferreiras had asked the King, on behalf of the Transvaal Government, to meet the President, to talk about the affairs of the country. The King had declined on ground of illness. The above-mentioned persons, on behalf of the Transvaal Government, spoke to the King about handing over his country to the Republic. They said a liberal money allowance would be made to the King and his successors, and that the King would retain his hunting and grazing grounds. All concessions given by the King would be recognised. The King replied he could not entertain the proposals, but that he would send two principal Indunas to meet the President, whose instructions would be simply to hear what the President had to say. The meeting with the President was to take place on the 19th instant, at Gert Ferreira's farm. I have desired Kannemeyer to call again on Monday, when I will give him any reply your Excellency may wish to convey.

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Enclosure 2 in No. 60.

TELEGRAM.

From HIGH COMMISSIONER to His Excellency the GOVERNOR, Maritzburg.

24th.—Your Excellency's telegram of 22nd *re* Swaziland. As the meeting with President Kruger was to have taken place on the 19th instant, it is too late to send any message to Umbandeen respecting the Transvaal proposals; but Umbandeen's instructions appear to have been prudently conceived, and I shall be glad to learn from him an account of what was said at the meeting.

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No. 61.

LORD KNUTSFORD to SIR A. E. HAVELOCK.

SIR,

Downing Street, January 22, 1889.

I HAVE the honour to acknowledge the receipt of your Despatch of the 11th December,\* and to convey to you my approval of the Proclamation forwarded therein with reference to the territories occupied by the Chiefs Dcamana and Sibonda.

I have, &amp;c.

Sir A. Havelock.

(Signed) KNUTSFORD.

No. 62.

SIR A. E. HAVELOCK to LORD KNUTSFORD.

(Received January 29, 1889.)

Government House, Pietermaritzburg, Natal,

December 27, 1888.

MY LORD,

I HAVE the honour to transmit to you, with reference to my Despatch of the 11th instant, \* copy of Despatch from the Resident Commissioner, reporting action taken on instructions regarding territories of Chiefs Uncamana and Sibonda.

I have, &amp;c.

The Right Hon. the Secretary of State,  
&c. &c. &c.

(Signed) A. E. HAVELOCK,  
Governor.

Enclosure in No. 62.

Mr. OSBORN to Sir A. HAVELOCK.

Eshowe, Zululand,

December 21, 1888.

SIR,

I HAVE the honour to report that, in terms of the instructions contained in your Excellency's Despatch of the 10th instant,† I yesterday despatched the communications to the Chiefs Uncamana and Sibonda, and to Zambili, by the messengers Bikwayo, Uveli, and Magaja. I sent to Uncamana and Sibonda each a copy of the Government Notice of the 9th December instant and directed Uncamana that he and his people are to consider themselves under the authority of the Assistant Commissioner and Resident Magistrate, Ndwandwe District. Sibonda is informed that he and his people are placed under the authority of the Assistant Commissioner and Resident Magistrate, Lower Umfolosi District.

They were also particularly instructed to report to the Assistant Commissioners in charge of their respective territories all proceedings there of white men, and I cautioned them against signing any documents without authority of the Government.

I repeated to the Chiefs that Colonel Coope's presence and proceedings in their country have not been countenanced in any way by Her Majesty's Government. The messengers were directed to inform Uncamana that your Excellency is sending to ask Zambili for an explanation of the proceedings against the former by her son Ungwanase, as reported by the Induna Paliji.

I forwarded by the messengers named your Excellency's letter to Zambili, having first read and explained to them the contents thereof. I also read and explained to them the Government Notice, No. 32, a copy of which they were to deliver to Uncamana and Sibonda respectively.

I could not forward these communications at an earlier date, owing to the difficulty of procuring suitable messengers willing to go to Tongaland and adjacent territories at this season of the year.

I instruct this day the Assistant Commissioners and Resident Magistrates of Ndwandwe and Lower Umfolosi, in reference to the extension of their authority to and over the Chiefs Uncamana and Sibonda, their people and territories.

I have, &amp;c.

His Excellency Sir A. E. Havelock, K.C.M.G.,  
&c. &c. &c.

(Signed) M. OSBORN,  
Resident Commissioner.

\* No. 59.

† See Enclosure 2 in No. 59.

No. 63.

**SIR HERCULES ROBINSON to LORD KNUTSFORD.**  
(Received January 29, 1889.)

Government House, Capetown,  
January 8, 1889.

MY LORD,

WITH reference to my Despatch of the 27th November last,\* I have the honour to enclose for your Lordship's information, a copy of a despatch which I have received from the Governor of Natal, covering a copy of a letter received from the Adviser to the Swazi King, explaining the views of the King Umbandeen as to his relations with the Chiefs Zambaan and Umbegesa.

I have communicated a copy of this Despatch to the Government of the South African Republic.

I have, &amp;c.

(Signed)

**HERCULES ROBINSON,**  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 63.

Sir A. E. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
December 25, 1888.

SIR,

WITH reference to paragraph 3 of my Despatch of the 19th November last, I have now the honour to enclose, for your Excellency's information, a copy of a letter from Mr. Theophilus Shepstone, giving an expression of the Swazi King's views as to his relations with Chiefs Zambaan (Sambana) and Umbegesa.

I have, &amp;c.

(Signed)

A. E. HAVELOCK.

His Excellency  
The Right Hon. Sir Hercules Robinson, G.C.M.G.,  
&c. &c. &c.

Mr. THEOPHILUS SHEPSTONE to the SECRETARY FOR NATIVE AFFAIRS.

Resident Adviser's Office, Embekelweni, Swaziland,  
December 4, 1889.

SIR,

I HAVE the honour to acknowledge receipt of your letter of 22nd November, enclosing copy of one addressed to me on the 17th August last, and which, owing to the King's illness, had remained unanswered.

I am directed by the King to state, for his Excellency's information, that both Umbikisa (Umbegesa) and Zambana are Swazie subjects and both acknowledge the Swazie King.

Some of Zambana's people pay taxes to the Transvaal, being, under the Convention lines, in Transvaal territory.

Zambana also, for many years, paid tribute to the Zulu King, but this was done for diplomatic reasons, as he was on the border of Swazieland, adjoining the Zulu country.

I have, &amp;c.

(Signed)

**THEOPHILUS SHEPSTONE,**  
Resident Adviser and Agent, Swazie King.

The Hon. the Secretary for Native Affairs,  
Natal.

\* No. 58.

No. 64.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received January 29, 1889.)

Government House, Cape Town,  
January 9, 1889.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from the Governor of Natal, covering copies of letters from the Swazi King, introducing Mr. Kannemeyer, who had been sent with a message respecting a proposed meeting with the President of the South African Republic, and reporting the circumstances of the recently discovered conspiracy in Swaziland.

I have informed Sir Arthur Havelock that I concur in the reply which he has addressed to the Swazi King.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 64.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
December 25, 1888.

SIR,

WITH reference to my telegraphic despatch of the 22nd instant, and to your Excellency's reply of the 24th instant, I have the honour to enclose a copy of a letter from the Swazi King, asking me to receive Mr. Gideon Kannemeyer as his accredited messenger and mouthpiece, also a copy of a letter from Mr. Miller, Secretary of the Swaziland Committee, covering a copy of a letter addressed to me by the Swazi King, acquainting me, for the information of Her Majesty's Government, with the circumstances of the recently discovered conspiracy and of the measures taken to suppress it.

I also submit to your Excellency a copy of a letter, addressed by me, on your Excellency's behalf, to the Swazi King and entrusted by me to Mr. Kannemeyer. The last paragraph of my letter contains matter which has not been especially authorised by your Excellency. But, I trust that you will be able to approve of it. I learn from sources that are, I believe, trustworthy that there is a tendency to excess in the use of measures for suppressing and checking the alleged conspiracy against the Swazi King.

I have, &amp;c.

(Signed) A. E. HAVELOCK.

His Excellency  
The Right Hon. Sir H. Robinson, G.C.M.G.,  
&c. &c. &c.  
Governor and High Commissioner.

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The KING OF SWAZILAND to GOVERNOR SIR A. E. HAVELOCK, K.C.M.G.

Office of the Swaziland Committee, Embekelweni,  
December 11, 1888.

YOUR EXCELLENCY,

I, UMBANDENI, King of Swaziland and Paramount Chief of the Swazi Nation, acting with the advice of my councillors, do hereby appoint and empower Mr. Gideon Kannemeyer of Indimba, Swaziland, to represent myself and my indunas, and to speak on our behalf in any interview or interviews your Excellency may see fit to grant him; and we further respectfully request your Excellency always to bear in mind that Mr. Gideon Kannemeyer is our authorised and accredited mouthpiece, and we humbly

pray your Excellency to receive him, and consider his utterances on all subjects bearing on the recent rebellion in this our kingdom, as official.

(Signed) UMBANDENI, his × cross, King.

And seal

Seal.

IXABA, his (signed) × cross.

UMJUBEE, his (signed) × cross.

HELM, his (signed) × cross.

As witnesses—

(Signed) J. THORBURN.  
 „ T. B. RATHBONE.  
 „ ALLISTER M. MILLER.  
 Secretary Swazie Government Committee.

To his Excellency  
 Sir Arthur Elibank Havelock, K.C.M.G.,  
 Governor of Natal.

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The SECRETARY, Swaziland Government Committee, to Governor  
 Sir A. E. HAVELOCK, K.C.M.G.

Office of the Swaziland Committee, Embekelweni,  
 December 14, 1888.

YOUR EXCELLENCY,

I HAVE the honour to forward you a “true copy” of a letter addressed to your Excellency by the King of Swaziland on the subject of a recently discovered conspiracy amongst his people to overthrow his power and place his half-brother, Umkapolo, on the throne.

The original letter was despatched on the 12th instant to your Excellency, three Swazie soldiers being appointed by Umbandine to bear the communication to you.

I now take the opportunity of sending a copy to your Excellency through Mr. G. Kannemeyer, member of the Swaziland Government Committee and of the Executive Council of that Committee, who was nominated by Umbandine to wait upon your Excellency, and lay the facts of the recent treasonable disclosures before you. Mr. Kannemeyer, I may state, was appointed by the King after the despatch of the original letter.

The enclosed copy of the original document is sent in case mishap may delay the messengers.

I have, &c.

(Signed) ALLISTER M. MILLER,  
 Secretary, Swazi Government Committee.

To his Excellency  
 Sir Arthur Elibank Havelock, K.C.M.G.,  
 Governor of Natal.

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The KING OF SWAZILAND to Governor Sir A. E. HAVELOCK, K.C.M.G.

Office of the Swaziland Committee, Embekelweni,  
 December 11, 1888.

YOUR EXCELLENCY,

I, UMBANDINE, King and Paramount Chief of the Swazie Nation, send greetings to your Excellency and through you to his Excellency the High Commissioner, and to Her Britannic Majesty Queen Victoria. I regret to have to inform your Excellency that I have discovered a dangerously treasonable conspiracy in this my country, which, had it not been brought to light, would have plunged the nation into civil war, and caused endless bloodshed amongst my people. For the protection of my people, my country, my children, and my throne, I was compelled to take severe and decisive action. The indisputable testimony of reliable witnesses convicted Sandhlana, my prime minister, Qwababa, a head induna, Polini, and others, of the crime of high treason and intent to assassinate, their aim being proved to be the placing of my half-brother, Umkapolo, on my throne.

Umkapolo was clearly proved to have been a party to the plot, and he is now a death-sentenced fugitive, pursued by my soldiers.

As a proof of the desperate intentions of the rebel, Umkapolo, I may state that he has endeavoured to secure the person of my eldest son, Bono, with what object I leave your Excellency to judge.

From the time of my forefathers to the present, the law of the country has allowed and allows but one punishment for convicted rebels and traitors, and that punishment is death.

And so, unprejudiced by any strictly personal motives, and acting, as I sincerely believed, for the safety and welfare of my people, the security of the many interests vested in my country by white people, and for the prevention of eternal war, sentence of death was passed upon the ringleaders of the rebellion, the majority of whom were executed on the 10th of the present month.

Sandhlana, Quababa, Polini, and lesser indunas, all proved, beyond a doubt, to be conspirators and rebels were executed according to the customs of my people, no innocent blood being shed; and I am confident that the examples thus made will arrest more terrible complications, and tend to the greater security of my white and native subjects.

The kindly interest taken in the welfare of this my country by Her most gracious Majesty Queen Victoria, the belief that that interest is still alive, and a desire to assure Her Majesty that it is my firm resolve to protect, to the best of my ability, the lives and property of Briton and Swazie, white and black alike, resident within my kingdom, prompts me to address this despatch to you, and I trust that your Excellency will convey this explanation and these sincere professions to Her Britannic Majesty, and to the Imperial Parliament of the British Empire.

I may state that I also address his Honour the President of the South African Republic on this subject.

In conclusion I pray your Excellency to accept the good wishes of myself and my people towards Her Majesty Queen Victoria and all her subjects.

UMBANDINE, his (signed) × cross.

And seal

Seal.

IMBA, his (signed) × cross.

UMJUBEE, his (signed) × cross.

HELM, his (signed) × cross.

As witnesses—

(Signed) J. THORBURN.  
 „ T. B. RATHBONE.  
 „ ALLISTER M. MILLER.  
 Secretary, Swazie Government Committee.

To his Excellency

Sir Arthur Elibank Havelock, K.C.M.G.,  
 Governor and Commander-in-Chief,  
 Natal Colony, Pietermaritzburg.

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Governor Sir A. E. HAVELOCK, K.C.M.G., to the KING of SWAZILAND.

Government House, Pietermaritzburg, Natal,  
 December 25, 1888.

MY GOOD FRIEND,

I HAVE received your letter dated the 11th instant, brought to me by Mr. Gideon Kannemeyer of Indimba. I have also received from Mr. Kannemeyer the letter addressed to me by Mr. Miller, Secretary of the Swazieland Committee, covering a copy of a letter from yourself, acquainting me, for the information of Her Majesty's Government, with the circumstances of the recently discovered conspiracy, and of the measures taken to suppress it. I will forward a copy of these documents to Her Majesty's High Commissioner.

2. Mr. Kannemeyer, whom I received as your accredited messenger, desired to convey to me a verbal message from yourself to the following effect:—

That Touseu and the two Ferreras had asked you, on behalf of the Transvaal Government, to meet his Honour President Kruger to talk about the affairs of your country.

Mr. Kannemeyer stated that you had declined this invitation on the ground of ill-health. Mr. Kannemeyer then said that the above-mentioned persons, on behalf of the Transvaal Government, spoke to you about handing over your country to the Republic. Mr. Kannemeyer further stated that they said that a liberal money allowance would be made to you and your successor, that you would retain your hunting and grazing grounds, and that all concessions given by you would be recognised.

Mr. Kannemeyer informed me that you replied that you could not entertain the proposal, but that you would send two of your principal indunas to meet his Honour President Kruger, with instructions simply to hear what the President had to say.

Mr. Kannemeyer added that the meeting between President Kruger and your Indunas was to have taken place on the 19th instant.

3. I communicated the above, by telegraph, to Her Majesty's High Commissioner at Cape Town.

His Excellency observes that your instructions to your Indunas seem to have been prudent ones, and his Excellency informs me that he will be glad to learn from you an account of what was said at the meeting, between President Kruger and your Indunas.

I shall be glad to receive from you, for the High Commissioner's information, a statement of what was said, and of what took place, at that meeting.

4. In conclusion, I may say that Her Majesty's Government continue to take a deep interest in your welfare and in that of your country, and that they will be grieved if unnecessarily severe measures are used for checking or punishing the conspiracy which you believe to have been planned.

To Umbandine,  
King and Paramount Chief of Swaziland,  
&c. &c. &c.

I remain, &c.  
(Signed) A. E. HAVELOCK.

No. 65.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received February 14, 1889.)

MY LORD,

Government House, Cape Town,  
January 23, 1889.

WITH reference to my Despatch of the 9th instant,\* I have the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from the Governor of Natal, covering a report of an interview between the President of the South African Republic and Indunas sent by Umbandine, the Swazi King.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 65.

Sir ARTHUR HAVELOCK to Sir HERCULES ROBINSON.

Government House, Pietermaritzburg, Natal,  
January 14, 1889.

SIR,

WITH reference to my despatch of the 25th ultimo, relative to affairs of Swaziland, I have the honour to transmit to your Excellency a copy of a letter which I have received from the Swazi King, giving an account of the interviews which took place between the President of the South African Republic and the Indunas sent by Umbandine to meet his Honour.

I have, &c.  
(Signed) A. E. HAVELOCK.

\* No. 64.

UMBANDINE, King of Swaziland, to Governor Sir A. E. HAVELOCK, K.C.M.G.

Royal Kraal, Embekelweni, Swaziland,  
January 5, 1889.

YOUR EXCELLENCY,

I, UMBANDINI, King of Swaziland, and Paramount Chief of the Swazi Nation, send greetings to your Excellency.

I have also to acknowledge the receipt of your letter dated December 25, 1888, conveyed to me by Mr. Gideon Kannemeyer.

I have to thank your Excellency for your reception of my credited representative, whose utterances as summarised in your communication, are in accordance with my instructions to him.

I do not hesitate to accede to the request of his Excellency the High Commissioner, that I should forward to your Excellency, for his information, a statement of what transpired during the interview that took place between his Honour the President of the South African Republic and my Indunas.

On the 19th ultimo, three of my Indunas, Umjubeka, Umbusiaso, and Skumialo, waited upon his Honour the President of the South African Republic, his Honour at that time being on the Piet Retief, Swaziland Border.

The circumstances leading to this interview, I have already communicated to your Excellency.

My Indunas were personally received by his Honour, who conferred with them in the Swazi language.

The following version of the interview was conveyed to me by my Indunas on their return to Embekelweni:—

Umjubeka: Paul, We are sent by the Swazi King to thank you, on his behalf, for your kind inquiries regarding him. He regrets that owing to ill-health, he is unable to visit you in accordance with your invitation.

His Honour: I grieve that the King is ill. Tell me what has taken place of late in your country?

Umjubeka detailed the particulars of the recently discovered plot to overthrow me; adding, we "want" Kapolo, but he has managed to escape our justice.

His Honour: I am pleased that the King has sent Indunas to me who are in a position to give me the true version of the conspiracy. We heard that an impi was sent out, this impi killing every native they met on the road; and that over 100 Swazies have been killed. You people of the country, you must not injure the King of Swaziland, or harm him in any way; for was he not placed on his throne by us? You must tell the King that the old document that was signed by the King when we put him on the throne is old and faded, and we wish the King, and you Indunas, to sign another document of that description.

The Indunas then withdrew.

On the following morning his Honour had another and final interview with my Indunas.

His Honour at parting said:—

I am glad your King was successful in subduing the rebellion, as the Dutch would have upheld him on the throne.

This concluded the interviews.

I thank your Excellency for your kind expressions, his Excellency the High Commissioner for his approval of my recent actions, and Her Majesty's Government for that deep interest in my welfare, and that of my country, which is conveyed to me in your letter.

I trust that that interest, which I appreciate, will be still further deepened and that malice and perversion will fail to shake it.

(Signed) UMBANDINE <sup>His</sup> × King.  
cross.

As witnesses:

(Signed)

G. KANNEMEYER.

"

J. THORBURN.

"

ALLISTER M. MILLER,

Secretary, Swaziland Government Committee.

No. 66.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received February 19, 1889.)

MY LORD,

Government House, Cape Town,  
January 30, 1889.

I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from Her Majesty's Agent in the South African Republic, reporting information which had reached him respecting the position of affairs in Swaziland.

I consider the time has arrived when Her Majesty's Government should decide as to the policy to be adopted in Swaziland when the present extemporised government can no longer be maintained. The country must before very long be annexed by England or by the South African Republic; and it is desirable that I should be informed whether, when a change becomes inevitable, Her Majesty's Government desire to take the country themselves, or would prefer to allow the Government of the South African Republic to do so.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 66.

HER MAJESTY'S AGENT to His Excellency the GOVERNOR, Cape Town.

British Agency, Pretoria, South African Republic,  
January 21, 1889.

SIR,

I HAVE the honour to inform your Excellency that I have received a visit from a Mr. Max. Stone, a resident in Swaziland.

Mr. Stone informs me that he has received a concession from Umbandeen for the sole erection of townships, and the erection of stores, from the Portuguese boundary, on the Umbelosi River, up to the Transvaal boundary, as well as the sole right of constructing canals from the Umbelosi to the Komati.

He states that the district over which he has thus acquired a sole right of trading reaches completely across Swaziland, that it is, broadly speaking, 150 miles long by 30 to 40 miles broad. He showed me the draft of the concession, which bore a seal, a greyhound, which he states to be the seal of Umbandeen, as well as the signatures of several of Umbandeen's councillors, and of Captain Andrew Ewing, lately Chairman of the Swaziland Committee.

In addition to this, I have, within the last few days, received a visit from Mr. Clifford Hallé (a son of Sir Charles Hallé), accompanied by Mr. W. H. Furlonge, a mining engineer of repute.

Both of these gentlemen have been resident from time to time in Swaziland.

Their object in coming was to urge upon me the unsatisfactory condition of "titles" in Swaziland.

They pointed out that, while Umbandeen had conceded a large portion of the grazing rights of his territory to Boers, he had subsequently conceded the mining rights over the same lands to mining speculators; and not content with that, he had frequently conceded mining rights over the same ground to different persons. They pointed out that companies were now being floated and refloated in England on the frail tenure of these grants of Umbandeen, and that money, "almost amounting to millions," would shortly be invested by the English public in Swaziland on mining properties of doubtful security.

They urged that what was wanted was a good title, and that it was imperative upon some Government to step in very shortly and appoint a Commission, whose decision should settle these questions of title. They pointed out that every day saw confusion worse confounded, and they asked me to convey to Her Majesty's Government the condition of affairs.

Thus your Excellency will see that concessions are crowding on concessions, and that Umbandeen, urged on by unscrupulous persons, is granting away rights in a reckless way.

I have mentioned the case of Mr. Stone to your Excellency only as one of the many endeavours to sell rights to the Government of the South African Republic, and I have mentioned the statements of Mr. Hallé and Mr. Furlonge as the comments of intelligent (though possibly interested) men on the condition of things.

In addition, it is reported to me that the so-called Little Free State is absolutely in the hands of a Boer section, that taxes are collected by them, and the country is confidently declared by many in Swaziland to be absolutely under a Dutch régime, and indirectly under the control of the Government of the South African Republic.

As I have no opportunity of visiting Swaziland, I am unable to test the accuracy of the various statements which are constantly made to me, but all statements tend to say that Swaziland has drifted into comparative anarchy, and that the Government of the South African Republic are, through their unaccredited agents, making a good footing in the country.

I am asked to bring these facts under your Excellency's notice.

Your Excellency's information on these matters is doubtless more complete than my own, but I do not imagine I should be justified on that account in withholding what comes to my knowledge.

I have, &c.  
(Signed) RALPH CH. WILLIAMS,  
Her Majesty's Agent.

His Excellency  
The Right Hon. Sir Hercules Robinson, G.C.M.G.,  
&c. &c. &c.

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No. 67.

LORD KNUTSFORD to SIR A. E. HAVELOCK.

SIR,

Downing Street, February 21, 1889.

I HAVE the honour to inform you that some doubt has been expressed here by persons interested in the Mapootaland Syndicate, as to the exact position of the northern boundary of Zululand.

The proclamation of the 14th May 1887, declaring Her Majesty's sovereignty over the protected territory describes Zululand as bounded on the north by Amatongaland, and it is asserted that this name is given by geographers to the country lying north of the Umkusi river, and including Sordwana lake and bay. It has been represented that Cetewayo did not regard Usibondi and the other neighbouring Chiefs as being in Zululand, and that they paid tribute to him just the same as Zambile did.

It is, moreover, pointed out that the magisterial district on the Zululand border is defined as extending up to the Umkusi, and that the Chiefs north of that river were not given the impression that they were under the British flag.

The argument appears to assert that "Amatongaland" is an expression covering the whole territory north of the Umkusi and east of the Lebombos, as far as the Umbelousi river and Delagoa bay; whereas Zambile's people (who are said to be Mapootas) do not claim more than about half of it. It is urged that there is some danger of the other Chiefs, such as Usibondi, Begesi, Zambane, M'Tsilogwan, Ungwaman, Fagoot, and Umghenti, offering to place themselves under the Portuguese flag, at the instigation of Zambile. In that case it is suggested that Sordwana bay might be lost to this country.

I do not attach importance to these statements, especially as Portugal has undertaken not to interfere south of the boundary fixed by Marshal MacMahon, but it may be convenient for you to be acquainted with them, and to give to them such consideration as they deserve when you deal with the question of the northern boundary of Zululand.

Your proclamation of the 9th December 1888, declares the territories of Sibonda and Uncamana to be part of Zululand, and so far practically answers part, at all events, of these statements; but whenever you are able to go fully into the question of the northern boundary, I shall be glad to learn your views upon the subject mentioned in this despatch, in order that I may be in a position to reply authoritatively, should the matter be further questioned.

Sir A. E. Havelock.

I have, &c.  
(Signed) KNUTSFORD.

No. 68.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received March 19, 1889.)

MY LORD,

Government House, Cape Town, February 25, 1889.

WITH reference to your Lordship's Despatch of the 3rd December last,\* I have the honour to enclose for your information a copy of a despatch which I addressed to the Government of the South African Republic conveying your Lordship's reply to the proposal for the annexation of the territories of the Chiefs Zambaan and Umbegesa to the South African Republic.

I enclose also a copy of a despatch which I have received in reply, covering copies of concessions which have been granted by the Swazi King and purchased by the Government of the South African Republic, and suggesting that the best solution of the Swaziland question, when it comes up for settlement, would be found in annexation by the South African Republic.

I have forwarded a copy of this despatch for the consideration of the Governor of Natal and Zululand; and I propose to delay offering any remarks on the solution suggested until I am in possession of his views on the subject.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,

High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,

&amp;c.

&amp;c.

&amp;c.

Enclosure 1 in No. 68.

Sir H. ROBINSON to STATE PRESIDENT, Pretoria.

SIR,

Government House, Cape Town, January 3, 1889.

HAVING communicated to the Secretary of State your Honour's despatch of the 20th October last, urging that Her Majesty's Government should consent to the South African Republic acquiring the territory of the Chiefs Zambaan and Umbegesa, I have been instructed to reply as follows:—

2. "Her Majesty's Government fully reciprocate the good feeling shown by the Government of the South African Republic, and have no feeling *per se* hostile to the legitimate desire of that Government to obtain a position which would enable them to communicate with the sea; but British subjects having acquired important interests in Swaziland, Her Majesty's Government cannot sanction the acquisition of territory which would practically shut out Her Majesty's Government from exercising any effective control over the future settlement of the Swaziland question."

I have, &amp;c.

His Honour the State President,

Pretoria,

South African Republic.

(Signed)

HERCULES ROBINSON,

High Commissioner.

Enclosure 2 in No. 68.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

Government Office, Pretoria,

February 13, 1889.

YOUR EXCELLENCY,

I AM instructed to acknowledge the receipt of your Excellency's despatch to His Honour the State President (South African Republic dated 3rd January last, regarding the territory of the Chiefs Zambaan and Umbegesa.

This Government learnt with pleasure from that despatch that Her Majesty's Government have *per se* no objection to the addition of the territory of the said Chiefs to the Republic.

At the same time, however, it caused this Government regret to have to learn that Her Majesty's Government would not be able to sanction this addition because Her Majesty's Government would thereby be excluded from effective control over the future settlement of the Swaziland question.

The Government does not deny that British subjects have acquired interests in Swaziland; but they are at the same time of opinion that satisfactory guarantees for

those interests could be obtained, though the territory of Zambaan and Umbegesa be added to the Republic. Those interests ought not to suffer any loss by that addition and will also not experience any loss thereby.

As regards Swaziland this Government observes that Her Majesty's Government acknowledges the existence of a Swaziland question, and finds a solution of it sooner or later necessary.

This Government is of opinion that the best the most just and the only practical solution will be the addition of Swaziland to this Republic, a solution which this Republic is prepared and willing to enter upon and carry out with observance of all lawfully obtained interests. That addition would be just on account of the relations which have always existed between the emigrant Boers and the burghers of the South African Republic on the one side and the Swazies on the other.

That the Swazies still exist as a nation is to be thanked to the protection which this Republic has for years granted to them.

It is this Republic which, by the crowning of Umbandeen (for which this Republic has made great sacrifices), put an end to the internal disturbances by which the Swazies would have exterminated themselves. The Swazies then placed themselves by treaty under the protection of the Republic. No other solution than the addition of the territory to the Republic appears to this Government to be practicably possible.

The geographical position of Swaziland requires that solution. Of the approximate 320 miles which constitute the boundary of Swaziland there are no less than 220 common to this Republic. I need not draw your Excellency's attention to the fact that your Excellency has yourself frequently remarked that Swaziland is entirely enclosed on three sides by the Republic, whilst the fourth boundary line is formed by the Lebombo mountains, through which there is only one pass, on the way from the Portuguese possessions.

In the settlement of the Swaziland question this Republic is principally concerned. Many subjects of the Republic have bought ground in Swaziland, still more have hired ground; others, again, have obtained mining and other rights there, especially in view of the circumstance that Swaziland is almost entirely enclosed in the Republic, it could not be otherwise than that the attention of this Government should moreover be drawn by the fact that the Swazi King constantly granted during the last years concessions and monopolies to private persons of such a nature that it for a great part lay in the power of those persons to make the state of affairs in Swaziland impossible, to impede and entirely keep back its development, and to create difficulties there which would in the first place and in the greatest measure affect the South African Republic.

In view thereof the Government has considered it desirable and necessary to make large pecuniary sacrifices to acquire for itself the control over some of those concessions in order, in the first place, to take care that no misuse is made of them, and, in the second place, to execute, or cause them to be executed in a manner most in the interest as well of the South African Republic as of the white and coloured population of Swaziland.

The Government has been successful in securing that controlling power in the following concessions granted by the Swazi King:—

1. Railway concession.
2. Postal concession.
3. Telegraph concession.
4. Concession of railway and canal navigation.
5. Surveying concession.

I enclose herein a copy of all these concessions.\*

The press of circumstances has already required that a beginning of performance be made with the establishment of post and telegraph communication.

The object of this letter is therefore to demonstrate—

That a future settlement of the Swaziland question, whenever required, is only practically possible by annexation to the Republic:

That that annexation then can and will take place with consideration of all rights of British subjects as well as of the natives of that country: and, finally,

That thereby the objection of Her Majesty's Government to the annexation to this Republic of the territory of the Chiefs Zambaan and Umbegisa ceases.

This Government will be glad to learn that Her Majesty's Government approves in principle this future settlement of the Swaziland question by annexation of Swaziland to this Republic, and that therefore in view thereof Her Majesty's Government has no more objection to the annexation of the territory of the Chiefs Zambaan and Umbegisa to this Republic.

\* Not printed.

The Government wishes, in conclusion, to let it clearly appear that for the present this Government adheres to the stipulations of Art. XII. of the London Convention, by which the independence of the Swazies is acknowledged as well by Her Majesty's Government as by the Republic.

His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) W. EDUARD BOK,  
State Secretary.

No. 69.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received March 19, 1889.)

Government House, Cape Town,  
February 26, 1889.

MY LORD,

WITH reference to my Despatch of the 21st November last,\* I have the honour to enclose for your Lordship's information, a translation of a despatch which I have received from the Government of the South African Republic, covering copies of documents relating to the proposed annexation of a piece of territory situated within the Swaziland frontier and known as the "Little Free State."

I have communicated a copy of this despatch to the Governor of Natal and Zululand, and I propose to delay any remarks I may have to make until I receive an expression of Sir Arthur Havelock's views in regard to the subject of it.

I have, &c.  
(Signed) HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 69.

STATE SECRETARY TO HIGH COMMISSIONER.

(Translation.)

Government Office, Pretoria,  
February 14, 1889.

YOUR EXCELLENCY,

WITH regard to the accompanying copies and extracts of documents, all having reference to the making over to this Republic of a certain strip of ground, now known under the name of Little Free State, I have received instructions from this Government to draw your Excellency's attention to the circumstance that an annexation of that strip of ground appears to this Republic not only desirable but necessary.

It will become clear to your Excellency from the documents that King Umbandeen with his council has resolved no longer to rule over the white inhabitants of this district; that he, renouncing the land himself, desires the annexation; that no Swazi subjects live in that district; and that the burghers resident there urge that the Government (Bestuur) temporarily established there by them shall be succeeded by that of this Republic, by which all matters can be settled on a more certain and firmer basis.

This Government trusts your Excellency will agree with it that the good order and the interests of the said territory and those of this Republic also, urgently demand the taking of the proposed measure.

In another letter to your Excellency of this same date, the necessity is demonstrated by this Government of a future addition of Swaziland to this Republic, and in connexion with that question I can only add here that the reasons disclosed in that letter also hold good in general for the addition of the so-called Little Free State.

This Government will be glad to learn that Her Majesty's Government shares the views of this Government and that therefore there exists no objection to the proposed settlement.

I have, &c.  
(Signed) W. EDUARD BOK,  
State Secretary.

\* No. 56.

N.B.—The copies and extracts of documents attached hereto are:—

- (a.) Letter from J. J. Ferreira to this Government dated 9th November 1888.
- (b.) Deed of renunciation of King Umbandeen to J. J. Ferreira of Little Free State, dated 25th September 1888.
- (c.) Deed of renunciation of Umbandeen and his council and request for annexation, dated 27th October 1888.
- (d.) Memorial from the burghers of Little Free State to be annexed by the South African Republic, dated 1st November 1888.

To His Excellency the High Commissioner,  
Cape Town.

Piet Retief, November 9, 1888.

His Honour the STATE PRESIDENT and Honourable Members of the EXECUTIVE COUNCIL  
of the SOUTH AFRICAN REPUBLIC, Pretoria.

HONOURABLE SIR and GENTLEMEN,

I HAVE the honour to send the Honourable Government accompanying documents, namely, deed of King Umbandeen and his Great Council, in which he renounces his sovereign rights to a certain piece of land, previously bought or bartered from him in the year 1876 by me and my brother-in-law, the late F. J. Maritz; further, a piece of land, which is likewise included in said deed of renunciation and described, as will more clearly appear from comparison with the accompanying copy of purchase-contract, dated 25th September 1888. The latter piece of land is known under the name Apsley, and was formerly inhabited by Charles Bolt, of which the King had formerly given no deed of ownership, and has now given direct to me the purchase contract of it because I have partly bought this piece of ground from the executors of the estate of the late Charles Bolt, and have already again sold it to other persons. It was clearly spoken of by my brother G. F. Ferreira in the presence of many witnesses, with King Umbandeen and his Council, that he and they also renounce the sovereign rights of this piece of ground. The said two pieces of ground are now known under the name Little Free State. I further send a memorial and a letter from the committee of the inhabitants of the said Little Free State, in which they apply to the Honourable Government to be taken over and united to the South African Republic, under the conditions mentioned in said memorial. It was on the proposition of my brother, G. F. Ferreira, and by him made clear to King Umbandeen and his Council, that the inhabitants of this strip of ground could not exist with and be controlled by their own administration or government, therefore he and his Council must take over the government of it, otherwise they had better renounce it, so that the Government of the South African Republic might take over the control of it. So doing, King Umbandeen and his Council renounced it, as will more clearly appear from accompanying act of renunciation. As this document is made out in my name, I send it with the other documents to the Honourable Government, with the friendly request to take practical steps in this matter to bring about the union. Should it be that these documents are not complete or sufficient, I shall be glad if the Honourable Government will inform me of it as speedily as possible, and in that case will also send me the form as to how it must be altered or added to.

I have, &c.

(Signed) J. J. FERREIRA.

To all whom it may concern.

Be it hereby made known, that I, Umbandeen, King and paramount Chief of the Swazie nation in council assembled, with the consent and advice of my Headmen and Chiefs, do hereby grant, order, and assign unto and on behalf of J. J. Ferreira, his heirs, executors, administrators, and assigns, the sole and exclusive right to all that portion of my kingdom of Swaziland, the beacons and boundaries whereof are as follows, to wit: From Magwasietele's beacon on the Transvaal line to Viljoen's beacon, along from thence to the Buch beacon, from thence along Botha's line to Magwasietele's beacon aforesaid.

The said J. J. Ferreira and his aforesaid, shall have in perpetuity the sole and exclusive right to all the foregoing tract of land, with the right to graze cattle and other stock thereon, build houses, cultivate and enclose lands, use wood and water, and generally to do all things that he and they may think fit and necessary for the purposes of this grant.

And further, the said J. J. Ferreira and his aforesaid shall have the full, sole, and exclusive right to all minerals and precious stones which may be in or upon the said tract of land, with leave to erect machinery and other appliances for the working thereof.

And in consideration of this grant the said J. J. Ferreira, or his aforesaid, shall make to me or my successors a payment of 2*l.* (two pounds sterling) annually in way of rental.

And further, should machinery be erected for working any minerals or precious stones on the said tract of land, then a further payment of 100*l.* (one hundred pounds sterling) shall be made to me annually by way of rental, together with a sum of 500*l.* (five hundred pounds sterling) in a lump sum.

It is further understood, that in making this grant I have not parted with any of my sovereign rights over the aforesaid tract of land.

Given under my hand at my head kraal, Embekelweni, this twenty-fifth day of September 1888, in the presence of the undersigned witnesses.

(Signed)	UMBANDINE	his X mark.
"	UMJIBEKU	his X mark.
"	UMKONKONI	his X mark.
"	SIKUBA	his X mark.

Witnesses.

(Signed)	W. LONGUEVILLE.
"	J. THORBURN.

Umbekelweni, October 27, 1888.

I, KING UMBANDEEN, hereby declare in presence and with concurrence of my council, that we fully renounce certain portions of Amaswaziland to the south and to the east, as described in purchase contract of 10th June 1876, granted to J. J. Ferreira and F. J. Maritz, and to the north with the line described in said purchase contract, to where the waggon road crosses the Inhlosana at the house of J. Steenkamp, from there with the Inhlosana Spruit up to the *nek* near Makwaziedeeb's beacon on the South African Republic line. We further declare in our capacity as above, that we hereby charge above-mentioned J. J. Ferreira to apply to the Government of the South African Republic to annex the above described land as a portion of the South African Republic for the following reasons:—

(a.) Because not a single Swazi subject lives on it;

(b.) Because there are already so many white subjects of the Republic resident there, and I, with my Council, have resolved no longer to rule over them.

Thus done and signed at the place and date as above, in presence of the undersigned.

(Signed)	UMBANDINE	his X mark.
"	TIEKOCHA	his X mark.
"	UMJIEBEKA	his X mark.
"	SANDLANA	his X mark.

Witnesses :

(Signed)	P. R. HERBST.
"	L. B. DE VILLIERS.
"	W. F. FOURIE.

To His Honour the STATE PRESIDENT and the Honourable MEMBERS of the EXECUTIVE COUNCIL, holding session at Pretoria.

Rooi Poort, Little Free State,  
November 1, 1888.

THE undersigned, chairman and members of the Bestuur of a portion of Amaswaziland, known under the name of Little Free State, as well as the inhabitants of the same, hereby notify with due respect:—

That the said piece of ground was sold in the year 1876 by the Amaswazi King Umbandeen to Messrs. J. J. Ferreira and Jan Maritz, and since that time several burghers of the South African Republic have established their habitation there. That during the war of freedom they were commandeered and voluntarily performed the said service like any other burgher of the South African Republic.

That they were, however, debarred from sharing in rights with the burghers of the South African Republic, for example:—(a.) In the bringing of their cases and disputes before Landdrost and Field-Cornet; (b.) In the confirmation of marriages.

That they were, therefore, obliged to elect a Bestuur amongst themselves in their small territory, with a view of establishing rule and order.

That they now further desire to remind the honourable members of the Executive Council that they were all formerly burghers of the South African Republic, and though cut off from their mother country by their own action they are always still loyal burghers of the South African Republic.

That Umbandeen, King of the Amaswazies, has always refused to have anything to do with the undersigned, and indeed it has been declared to us by him, that he, Umbandeen, does not wish to rule over any white people. The King will not even permit that any of his people should make incursions upon said territory, and would not allow anyone to live on it.

That Umbandeen has in writing renounced said territory under date 27th October of this year.

By reason of which they respectfully but urgently request that the Honourable Executive Council may be pleased to take steps to take over the said territory herein described, and to annex it to the South African Republic, especially as King Umbandeen has renounced said territory, and, indeed, in his written renunciation requests that this may take place (*see* renunciation herewith).

And if it may please the Honourable Executive Council to comply with their request mentioned herein that then the inhabitants of said territory shall keep their lands, which they have bought or obtained, as their lawful property, and that they will obtain from the Government of the South African Republic transfer of their property free of charge (*see* annexure a).

Members of Bestuur—

J. J. BEZUIDENHOUT, Chairman.

W. A. DU PLESSIS, Member.

J. A. MEY, Member.

J. P. POTGIETER, Field-Cornet.

J. H. STEENKAMP, Assistant-Cornet.

(54 signatures).

&c.

&c.

&c.

a. That we, inhabitants of above-mentioned Little Free State, shall be free from taxation up to the date of annexation, and further that we shall share there all privileges of burghers when annexed.

No. 70.

LORD KNUTSFORD to SIR HERCULES ROBINSON.

TELEGRAPHIC.

March 27, 1889.—Referring to your Despatch of 26th February,\* if Swazi King admits renunciation of sovereignty it would be difficult to reject claim of Government of the South African Republic to "Little Free State." Would you consider it desirable to take advantage of opportunity to have Joint Commission in South Africa for reconsideration of London Convention of 1884 with respect to Swaziland and other points?

No. 71.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received March 28, 1889.)

TELEGRAPHIC.

Referring to your telegram of 27th March and my Despatches of the 25th and 26th ultimo,† I have now received Havelock's views as to Swaziland question, which I will send you by next mail, with my opinion on subject. I think joint commission to inquire on the spot into the present condition of Swaziland and wishes of King and people, as well as of white residents and concessionnaires, a necessary preliminary before determining to reconsider London Convention of 1884.

\* No. 69.

† Nos. 70, 68, and 69.

No. 72.

LORD KNUTSFORD to SIR A. E. HAVELOCK.

(Extract.)

Downing Street, April 5, 1889.

It appears to me necessary definitely to ascertain and settle the precise boundary between Zululand and Amatongaland, and I request you to consider whether you should not at once take steps to define this boundary, and, with that object, invite Queen Zambile to send a representative to be present at the demarcation.

I conclude that one of the officers of the Zululand administration can be spared for this purpose, the expenses being provided out of Zululand funds.

The demarcation of this boundary will necessarily involve some reference to the position of Zambaan and Umbegesa, as regards the recent request of the South African Republic, and on this point I shall shortly address you further. In the meantime, it would be desirable if the wishes of Zambaan and Umbegesa could be ascertained, without any promise being made, or indication as to the policy of Her Majesty's Government being given to them.

No. 73.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received April 10, 1889.)

Government House, Cape Town,  
March 20, 1889.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a letter which I have received from Mr. A. M. Miller covering copies of documents signed by the Swazi King, dismissing Mr. T. Shepstone from the post of adviser and agent, and appointing Mr. Miller in his place.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,  
High Commissioner.The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 73.

Mr. MILLER to His Excellency the GOVERNOR.

Swazieland Government Committee, Embekelweni,  
March 1, 1889.

YOUR EXCELLENCY,

I AM instructed by Umbandine, King and Paramount Chief of Swazieland, to forward to you the enclosed documents, and to request that you will officially note the dismissal of Mr. Shepstone as king's adviser and secretary, and the appointment of his successor.

I have, &amp;c.

(Signed)

ALLISTER M. MILLER,  
Secretary, Swazieland Government Committee, and  
Acting Secretary and Agent, Swazie King.

His Excellency the Right Hon.

Sir Hercules G. R. Robinson, P.C., G.C.M.G.

TO THEOPHILUS SHEPSTONE, Esq., C.M.G.

I, Umbandine, King and Paramount Chief of the Swazie nation, acting with the advice and consent of my councillors, do hereby require you the said Theophilus Shepstone, until the signing of these presents my resident adviser, agent, or secretary, to resign your position as such, to hand over to my white committee all books and documents relating to or dealing with my affairs, and from the date hereof to cease from taking any part in the control of my political or financial concerns, or in the business of my country.

Given under my hand this 15th day of February, in the year 1889, at my head kraal of Embekelweni.

	(Signed)	UMBANDINE	his × mark
Witness— (Signed)	R. W. WRIGHT.	J. KUBA	his × mark
	ALLISTER M. MILLER.	HELEME	his × mark
	G. KANNEMEYER.	JOBBE	his × mark
	ANDREW EWING.	MAKESHALAGA	his × mark

We hereby certify that we have read over and correctly translated this document to the King, in the presence of his councillors.

(Signed) J. B. RATHBONE (Jobbe present.)  
DAVID FORBES (Jobbe not present  
when I interpreted.)

Be it hereby made known that I, Umbandine, King of Swaziland, acting with the advice and consent of my Indunas, do hereby make and appoint Allister M. Miller, better known to us as "Umbalincwadi," our secretary for the time being, that is, until a permanent appointment be made; the said Allister M. Miller to exercise full rights and powers to register documents, transfer grants, and otherwise to fulfil the duties of a secretary and agent.

Given under my hand and seal at our royal kraal of Embekelweni, the 20th day of February, in the year 1889.

	(Signed)	UMBANDINE	his cross × and seal
Witness— (Signed)	J. B. RATHBONE.	J. KUBA	his × cross
	ANDREW EWING.	HELEME	his × cross
		JOBBE	his × cross.

Appointment confirmed by the Swaziland Government Committee.

Seal

(Signed) WALTER CARTER, J.P.,  
Acting Chairman,  
Swaziland Government Committee,  
Embekelweni, February 28, 1889.

No. 74.

## ADMIRALTY to COLONIAL OFFICE.

SIR,

Admiralty, April 10, 1889.

WITH reference to your letters of the 7th and 13th December,\* requesting that the surveying vessel "Stork" might be ordered to call at Sordwana Bay, on the East Coast of South Africa, for the purpose of surveying the place, I am commanded by my Lords Commissioners of the Admiralty to transmit, for the perusal of Lord Knutsford, copies of the report made by Commander Pullen, of H.M.S. "Stork," dated the 20th and 21st February, with copy of its enclosures, giving the results of his examination.

The Under Secretary of State,  
Colonial Office.

I am, &c.  
(Signed) EVAN MACGREGOR.

## Enclosure 1 in No. 74.

## PROCEEDINGS.—SORDWANA BAY (all bearings are magnetic).

H.M.S. "Stork," Sordwana Bay, East Coast Africa,  
February 20, 1889.

SIR,

I HAVE the honour to report that I arrived and anchored here at 6 o'clock this morning, being off the bay an hour earlier.

Shortly afterwards a zinc hut and a flagstaff were made out on the rise of the point under the bluff hill, and the ship was eventually brought to in 7 fathoms, sand and rock, with the flagstaff bearing S.W. (mag.) on with the hut, and just open to the westward of the summit of the hill.

At the time of entering the bay the wind was coming off the land, force 1 to 2, water smooth, with a good swell rolling in from the eastward,

A surf boat came out from the river mouth to the westward of the flagstaff, on which the red ensign had been hoisted. The coxswain, Mr. T. R. Bangay, master mariner, who (he told me) had been for some time Harbour-master of St. John's River, recommended the spot I was in for anchorage, and gave me the following information:—

He and another white man had been brought here with the boat, hut, and flagstaff, and landed a fortnight ago by Colonel Coope, who represents out here the Mapoota Syndicate, and who returned the same day to Natal in the cutter in which they had come up. That he, Mr. Bangay, considered from a long experience of the coast that the worst winds here would be the southerly gales, which always bring a big sea. On Saturday last they had a stiff breeze from the eastward, but landing was quite practicable; during the other portion of their, at present, short experience here the wind had been light from the eastward;

That the local Chief was down here on Sunday, having a letter for me from the Government, who apparently do not recognise Colonel Coope. The Chief, S'Bonda, son of M'Gongobaan (now dead), has since gone away hunting, and it is improbable that he will be back during my stay here; he thus retains the letter;

Mr. Bangay does not think there are many Natives in the neighbourhood, and that within 15 miles of the place there are, perhaps, not a dozen kraals;

That the coal seam is in the Lombombo mountains, some 100 miles from here (according to chart No. 2,089 these mountains are 30 to 50 miles in a direct line);

That the nearest trading station is at St. Lucia Bay, and that there was none here until a fortnight ago when they came, and that there is no trade whatever to be done; the Natives are well aware of the Durban value of things, and that the few articles of trade he is supplied with for procuring themselves provisions he finds it difficult to barter with them;

\* Not printed.

And that, whilst fish were plentiful both in sea and river, game is not.

At 8 a.m. Lieut. Howard, Dr. Trevor-Roper, and myself went on shore with him in the surf boat to observe the sun, and to see the portion of the country in the vicinity of the river mouth. At the same time the sounding and the coast lining, &c. of the bay was taken in hand.

The landing at one hour after high water was easily effected through the rollers, which were not breaking at the time, and which were infested with sharks out of number.

It is possible that later in the day one of "Stork's" whale boats might have landed to the westward in the bay, but surf boats will always be necessary to prevent a wetting to passengers or cargo even in such good weather as to-day.

The indent made by the bay is very slight, a matter of two cables only to L.W.O.S., the fringing at that point being rock, of which a specimen broken from the reef under Flagstaff Point will be sent home by parcels post.

All round the bay (except at Flagstaff Point) at other times of the tide, sand only is exposed, which above high-water mark recedes very slightly before being blown up into the sand hills so prevalent all along the coast. The so-called bluff, a convenient term to use, is merely a higher hill than the surrounding ones, and being densely covered with dark bush is given a blackish appearance.

In the portion of the bay where the river discharges itself close under this bluff there is, however, a cessation for a third of a mile of these sandhills, the sand being banked up only some 30 feet between the lagoon and the sea.

The hut, 35 feet above sea level, and flagstaff 30 feet, are erected on a sandy ridge to the southward of the river mouth and under the bluff hill. They are both conspicuous objects from seaward, the flagstaff being some 50 feet high.

After a.m. examinations I went with Dr. Trevor Roper, who will give me a copy of his notes on the place generally, and guided by the two white men, to see the lakes.

We twice crossed the river near its mouth—width, 20 feet, depth there, 1 to 2 feet, bottom rocky, sides sandy—thence the track was along loose sand, the first lake or lagoon, close to, being entirely overgrown with rushes, from which I conclude that the output of water through it is never great. It ran up westerly (mag.) about a mile, and (Mr. Bangay told me) then turned southerly, round a hill I could see, into what he termed the big lake.

Ascending the low hills on the south side of the first lake and going some three-quarters of a mile to a kraal on their summit, I was able to look over into the big lake which was quite clear, and the water in which the Zulus describe as being over the height of a man.

Questioning them, they said they had no canoes, that the name of both the lakes and the district was M'Kovuka, and that they were very glad the white men had come (this latter they volunteered), as now they would be protected from Usibepu, who had only lately raided them.

Returning to Flagstaff Point, I was able to see the reef at low water; there is good holding ground for the foundation of a breakwater on the reef, but it would naturally be an expensive undertaking.

It showed up also the rocky nature of the river bed at its mouth, simply one slab of rock from side to side, and which is probably the foundation of the whole of the sandy coast and hills. Outside, the approach to the river was also a very rocky bottom interspersed with sand, and the break was nearly right across, some water being shipped in the surf boat as we returned to the ship after equal altitudes (time, about half-flood).

Not deeming it prudent to land at night, or absolutely necessary to observe stars for latitude (accurate), they (3) were observed at twilight for cross cuts; angle 91, &c.

The rocky nature of the bottom at the anchorage was shown on weighing the kedge which had been laid out to keep the ship in position as a mark, only a portion of the hawser coming home and showing the severe chafe there was on the bottom.

Thursday, 21st February.

Having completed the sketch survey of the bay, I weighed at two p.m. and proceeded for Natal.

The wind which yesterday was S.E. 1 to 2, towards evening drew round to east and thence to the northwards at night, force 1 to 2, the swell setting in keeping the ship in constant motion.

During our stay a sweep of the current, almost a knot in strength, was found to make E.S.E. out of the bay.

In the forenoon the coast line and topography were completed, and a couple of shoals sounded out. On plotting the position of the ship again it was found that she had dragged almost a cable to the southward, although she had over three shackles of cable out in 7 furlongs water.

As the wind was comparatively light this must have been caused by her heavy pitching, &c., as above.

Natural marks not being good, Mr. Bangay had beacons erected in three different positions; on the northern of these he will at once place a triangle, and on the middle one a square board, the southern one will remain two single posts, like the other two, but without a mark.

He then, 1 p.m., came off in the surf boat, the wind being at E. by N., force 3, having backed at noon from north and N.E., force 2, swell at the time moderate, time of the tide, 4 hours ebb. There was some difficulty experienced in coming through the rollers, principally from want of power, and some seas were shipped; once I thought she was capsized.

On her return, after we had weighed, the boat was capsized in the rollers, all hands fortunately getting on her bottom.

For some time the river ebb and sweep of the current seemed to prevent the rollers washing them ashore, and I turned back fearing they might be set out, but they eventually recovered two oars, and, striking bottom, poled themselves in.

In the present state of the bay, I am unable to recommend any spot for building a wharf. It is collectively proved on pages 5 and 6 (letter of the Syndicate's Secretary, dated October 25th, and of Messrs. Ferrar, Fenton, & Co., of 28th November), of the extracts forwarded to me, protection in Sordwana Bay from every wind; page 5 claiming protection from all winds but N.E., and page 6 stating a high bluff to protect from north and N.E. I have, therefore, thought it advisable after my visit to submit for your consideration a discussion of the whole of those extracts, which latter are returned herewith.

I also append a letter written me by Colonel Coope, the agent in South Africa, together with a photograph which he sent me.

With these details I forward my report and trust to meet your approval.

I have, &c.  
(Signed) T. F. PULLEN,  
Commander.

Captain W. J. L. Wharton, R.N., F.R.S.,  
Hydrographer, Admiralty.

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Enclosure 2 in No. 74.

H.M.S. "Stork," Natal to Simon's Bay,  
March 4, 1889.

SIR,

I HAVE the honour to forward herewith the notes taken by Dr. Trevor-Roper referred to in my report on Sordwana, dated 20th-21st February last. They were not quite completed when I forwarded my report from Natal, and accordingly could not accompany it.

I have, &c.  
(Signed) T. F. PULLEN,  
Commander.

To Capt. W. J. L. Wharton, R.N., F.R.S.,  
Hydrographer, Admiralty, London.

## SORDWANA BAY.

There is seen on landing a sandy beach of some length and breadth, with, at the outermost or seaward edge, bare rocks of a hard and glistening sandstone, consisting mostly of small crystals of quartz.

The coast itself presents one long chain of sandhills, thrown up in past time by the tempestuous seas and winds that beat upon the coast. On the summit and sides of these hills thick and almost impassable bush, with many *Iranas*, exists. Behind these again is another chain of hills of like proportion to the first, with deep valleys of loose sand between them, as though the outermost chain had been thrown up after a period of considerable repose.

Winding its way between and around these hills, and taking a very tortuous course, is a river, or rather a stream, both narrow and shallow, fed from a lake of considerable size, some two miles inland. In passing seawards the stream thrusts its way through a large swamp of rank grass, which terminates shortly before reaching the sea in a grove of exceedingly tall mangrove trees. Its winding course through the marsh can be seen from an elevation by the dark green colour of the grass in its immediate vicinity. It is possible that the swamp, which is very level, is more or less filled during the heavy rains.

The water of the river is of a reddish brown colour, the analysis of which is here given.

	Sensation.	Quality.		Substance.	Indication.
Physical Examination.	Colour	Reddish brown.	Qualitative Examination.	Reaction	Neutral.
	Clearness	Moderate.		Lime	Nil.
	Sediment	V. slight.		Chlorine	Over Gs. × ad 3.
	Lustre	Moderate.		Ammonia	Considerable.
	Taste	Peaty.		H. No. 2	Nil.
	Smell	Vegetable.		H. No. 3	Nil.
			Organic matter	—	

This is a presumably healthy water, though showing some probable contamination with sea water. This is not unlikely due to the fact that the sample examined was taken low down with a rising tide and sluggish stream.

The analysis of another sample of water taken from a well extemporised out of a couple of barrels is given below. This water is clear and good, and filtered through sand. The well, unfortunately, has been made a little too close to the shore, and also shows an excess of chlorides.

	Sensation.	Quality.		Substance.	Indication.
Physical Examination.	Colour	Faint yellow.	Qualitative Examination.	Reaction	Neutral.
	Clearness	Moderate.		Lime	Gs. V.T. and
	Sediment	Nil.		Chlorine	Gs. ×.
	Lustre	Brilliant.		Ammonia	Considerable.
	Taste	Good.		H. No. 2	Very faint.
	Smell	Nil.		H. No. 3	Nil.
			Organic matter	—	

The land itself is covered with a coarse and scant vegetation, and apparently of little use as regards agriculture.

"Wild cotton," "Kaffir broom," numerous *acaciæ*, and a few beautiful members of the *cycadaciæ* are the only plants showing out above the rank grass and scrub which are so universal. So bad is the soil here that the Zulu natives (Matonga tribe) are in a state of starvation, and can only grow a small quantity of maize and Mahogo *Manihob utilisissima*, and expect to be obliged to go inland during the year. This is not the natural habitat of these people; they have only come down to the coast to escape the persecutions of "Usebepo."

Birds are particularly scarce; beyond a few guinea fowl, and the reputed existence of "duck" in the great lake, there are no edible birds worth shooting. One species of *Halcyon* and a few white-throated warblers were the only birds seen during the day of landing.

Hippopotami are said to exist in the lake. A few red, and one or two grey, buck are occasionally seen, but the natives, in their efforts to support life, have killed and trapped such a large number that they have become very scarce.

Turtle in some number are found on the shore, as also a few edible oysters; fish are plentiful. The rock-cod and red *Holocentrum ruber* (Swainson) are the most common.

Coal exists some hundred miles inland, and is reported to be surface coal, whether false or true coal-measure is uncertain. Evidences of iron (oxide) exist along the coast as they do right down to Durban.

No cattle can be obtained at present, fowls, and not many, being the only articles of diet that can be purchased from the natives. These they sell at 6*d.* a piece.

The portion of coast down by the sea should be healthy, as it is well open to sea breezes, and protected by the hills from the land breezes rising from the super-heated valleys. Half a mile inland, however, the district, which is of considerable extent, surrounding the swampy land, has every appearance of being a typical place for the propagation of malarious fevers.

G. D. TREVOR-ROPER,  
Surgeon.

Rouw Koop, Rondebosch,

December 27, 1888.

DEAR SIR,

I MUST first introduce myself as the agent of the Mapootaland Syndicate, Limited, a London company, having for its object the formation of a port for Swaziland between Durban and Delagoa Bay.

The chairman of the Company has been for some time in communication with Her Majesty's Government, and by the last mail I am informed that one of Her Majesty's ships would be ordered to report on the feasibility, or otherwise, of our scheme.

I learn from Simon's Town that the "Stork" is now on her way down from Zanzibar, and that you have most likely received orders from the Admiralty on this subject. As, therefore, it is a matter of considerable importance to British trade and influence in South Africa, that a rival route to Delagoa Bay should, if possible, be opened, I write to give you the benefit of my experience.

In October, accompanied by a civil engineer, I made a hurried visit from the land side to the country north of San Lucia Lake, notably Sordwan Bay. Time and the want of proper instruments would not allow of a proper survey being made then, but this gentleman gave it as his professional opinion, that by the expenditure of capital an excellent harbour might be made of what is marked on the map as the Sordwan Lake. We took photographs of the surrounding country, and forwarded them to the chairman of the company, which I presume has resulted in the despatch of your ship to the spot.

We found that the bluff south of what is marked on the map as Sordwan Point gives shelter from the S.E. and S.W. winds, the coast line from the W. and N.. but Sordwan Bay is open to the N.E. and E. winds. From the landhead or bluff above mentioned, however, a coral reef runs out parallel with the coast line, behind this coral reef, or natural breakwater, the Sordwan Lake empties itself into the sea by a small stream, up which the tide penetrates at high water. The mouth of this river is always in smooth water.

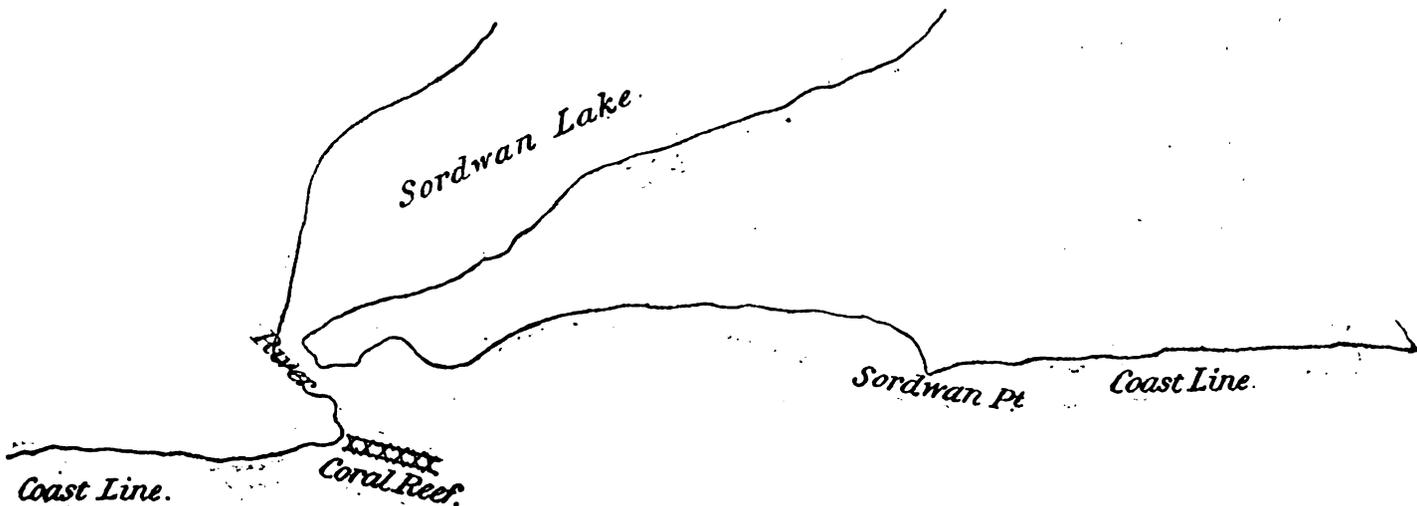
In the report of the civil engineer, he gives it as his opinion, that this river can be sufficiently widened and deepened to form a passage into the lake, the lower part of which is swamp.

By means of the suction dredger, similar to the one doing such wonderful work at East London, this swamp can be cleared out and an excellent harbour constructed.

The lake is supplied by a stream which takes its rise in the reeds forming the north end of the San Lucia Lake. This stream can also be widened sufficiently to drain the San Lucia Lake into Sordwan Bay, the San Lucia being on a higher level than the Sordwan Lake.

In making your report to the Admiralty I have no objection to your stating that I have taken the liberty of addressing you on the subject.

The better to illustrate what I have tried to explain, I give below a rough sketch, drawn from memory, of this part of the coast.



I am, &c.  
(Signed) Wm. JESSER COOPER.

EXTRACT from LETTER from MESSRS. FERRAR, FENTON, and Co., of Batley,  
dated October 1, 1888.

(Report by Mr. Ridley Henderson, C.E., F.G.S., Hydrographic Engineer  
of the Trent and Humber Ship Canal Co.).

SORDWANA.—The mouth of the Sordwana River is situate  $27^{\circ} 33'$  South latitude, and  $32^{\circ} 42' 30''$  East longitude. As was the case at Kosi, the mouth of the river was barred, but to a much less extent.

I am informed that the summer floods clear away the bar every season. It appeared to me to be formed in a rocky gorge, about 100 feet wide, with trees growing along the banks. When open the river runs into a bay of considerable size, looking N.E., which is bounded on the East by a reef or promontory of rock running from the headland, whereby the entrance to the river or bay is completely protected from every wind except the N.E., while hills of considerable heights protect the river and its approaches in the bay from winds off the land.

When I passed a stiff breeze was blowing from the south-west, and surf was breaking heavily on the reef, but the water in the bay inside was smooth \* \* \* So far as I could learn, the anchorage is good, and the approaches free from sunken rocks or dangerous reefs, and coasting vessels sometimes anchor here for shelter during heavy weather.

After this inspection, the Mapoota Company instructed their agent on the spot to open a trading post at Sordwana Bay, and provided merchandise for the purpose.

The Board of the Mapoota Company consider their surveyor's report of his inspection of sufficient importance to justify a further examination, and the obtaining of soundings of Sordwana Bay, as a verification, and with the object of erecting wharves and warehouses for the extension of their business.

They also venture to suggest that should the report be verified, the construction of a harbour and docks for the approach of ships, the import of merchandise, and the export of coal, such as the Mapoota Company intend constructing, might be of advantage to Her Majesty's Navy, on a coast which possesses no other harbour for 300 miles.

EXTRACT from LETTER from MESSRS. FERRAR, FENTON, and Co., of Batley,  
dated October 2, 1888.

AN explorer employed by our corporation to examine into the products and capabilities of Amatonaland in South-east Africa, discovered the existence of *coal*, amongst other products, near the shore, and obtained on our behalf, for a substantial sum of money paid down, and a covenant to pay sufficient royalties in the future, a grant of the coal beds, along with other minerals upon certain specified lands, as our property.

The company have decided to dig this coal, as it is a good quality and close to the sea, and have also purchased land and authority upon which to construct railways and canals to facilitate the shipment for export, or the use of vessels who may call to replenish their supplies.

With this object, also purchased the right to construct a harbour upon any portion of the coast of Amatonaland they might select as most suitable, from one of the native powers of that coast, and supplemented this purchase by a second operation of buying the grant of another harbour from a Chief who claimed independent sovereignty upon another portion of the coast, so as to secure duplicate shipping places, if needed.

The Mapoota Company in due course sent out an eminent Civil Hydrographic Engineer to select the spot best fitted for a harbour, and after examining the coast from Durban to Delagoa Bay, in two trips along it, he has decided that Sordwana Bay, just north of Zululand, as possessing facilities for a first-class harbour, it being sheltered from all winds except the north-east, and he ascertained the fact that it is now used as a harbour of refuge by coasting vessels in stormy weather.

The directors of the Mapootaland Company at once opened a trading station at that bay, and contemplate the erection of a wharf and properly-constructed harbour and docks, to meet a future trade.

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EXTRACT from LETTER from SECRETARY of the MAPOOTALAND SYNDICATE, Limited,  
dated Warnford Court, E.C., October 25, 1888.

THE Sordwana Bay is protected by high bluffs from every wind except the N.E. The captain of a coasting vessel has taken refuge in the basin during rough weather.

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EXTRACT from LETTER from MESSRS. FERRAR, FENTON, and Co., of Batley, dated  
28th November 1888.

DESCRIPTION OF SORDWANA.

THERE is a high bluff which protects the bay from the north and north-east winds. A coral reef protects the mouth of the river from the east winds, and upon it we intend to construct a breakwater as a shelter from tempests. A headland which runs up from the south-west shelters the bay from southern winds. This bay will form an outer anchorage or port of refuge in storms from every quarter.

On the Admiralty map you will perceive a lake is marked, connected with the bay, and noted "reeds with water." This lake or channel we propose to clear by means of suction dredgers, such as now commonly employed in harbour works; from this deepened channel we propose to form a passage through locks into Lake Johnstone which will really form an inner harbour or large dock; it has a natural depth of water equal to floating vessels of the largest size, and would be adapted for repairing or refitting ships of the Royal Navy. Around this harbour we have secured land upon which to construct wharves and a town of the first magnitude.

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EXTRACT from LETTER from COLONIAL OFFICE, dated 7th December 1888.

I AM directed by Lord Knutsford to request that you will inform the Lords Commissioners of the Admiralty that his Lordship has been informed that a "peculiarly good" harbour exists at Sordwana Bay, on or near the northern frontier of Zululand.

The gentleman who furnished this information on apparently very reliable authority, stated that the harbour is accessible from the sea, being protected by a coral bank, but, having a very narrow entrance, is not easily recognisable from the sea, and that its full value can be ascertained only on approaching it from the land.

DISCUSSING the EXTRACTS forwarded to me with HYDROGRAPHER'S LETTER of 19th December 1888, from the point of view of opinions formed on the spot.

THERE is no bar proper or constant to this river, whose bed is 4 feet above L.W.O.S., and thus only 2 ft. below the high water.

The "bay of considerable size" is not shown by a triangulated survey, and this is more apparent when the indent as shown by the low-water line is compared with that at high water.

If the actual size of the bay in the estimation of Mr. Ridley Henderson is in question it is easily gauged by its boundary to the east, "a reef or promontory of rock running from the headland," &c.

It is stated that the surf breaks heavily on the reef in a stiff S.W.n. (or wind from along the land to the southward. It would naturally be heavier with a southerly wind.

The examination shows patches outcropping along a continuation of the line of direction of the reef.

Speaking generally, the soundings along the whole coast would give equal shelter to the heavy weather here indicated, viz., westerly, which, being a soldiers wind, must be very strong indeed.

Mr. Ridley Henderson's inspection would appear to have been made from the deck of a Durban to Delagoa mail steamer and return.

The trading post has not been opened, nor are there apparently any encouragements for the smallest trade or extension of business.

Read very vaguely, nor is the duplicate shipping spot mentioned; in the latter page it seems to have been lost sight of that the eminent civil hydrographic engineer, &c. had already called attention to the heavy surf during a S.W. wind. It is manifestly incorrect to write "opened" with reference to a trading station at Sordwana Bay; see Mr. Bangay's information, nor were there the slightest traces of one, either to the eye or from the natives. Pages 3 & 4.

Summarises the shelter on the 25th October as being from every wind except N.E., whilst page 6 states on November 28th, that a high bluff protects the bay from N. and N.E. winds. The breakwater will have to be of extreme length in order that this bay will form an outer anchorage or port of refuge, &c., &c." Page 5.

The "deepened channel" would require to be some two miles in length, and involve locks, &c., unless the present level of lakes was lowered to sea level.

(Signed) T. F. PULLEN,  
Commander.

H.M.S. "Stork,"  
21st February 1889.

Enclosure 3 in No. 74.

REPORT ON SORDWANA (all bearings magnetic).

H.M.S. "Stork," Sordwana to Natal,  
February 21, 1889.

SIR,

IN accordance with your letters of 6th October and 17th and 19th December, I have the honour to report on Sordwana as follows:—

*Anchorage* is to be obtained in 9 fathoms, sand and rock, with the flagstaff near Sordwana river bearing S.W.  $\frac{3}{4}$  W., distant 8 cables, and the North Beacon carrying a triangle bearing N.W. by N.  $\frac{1}{2}$  N., but the holding ground is not good. It is unprotected from S.W., through S. and E., to N.E., from which quarters also the ocean swell and set must be taken into consideration; this swell may be diminished at times during the winter months by the strong westerly winds that are then experienced. The prevailing southerly current along the coast is here set out, assisting a disturbance of the waters.

The water shoals gradually as the shore is approached, but becomes more foul, especially on the line of the reef off the point, viz., north-easterly from the flagstaff.

Vessels anchoring here in this roadstead should be prepared to go to sea at once if necessary. Landing in surf boats can be effected in fine weather near the river mouth, and is to a certain extent assisted by (1) the reef running off the point; and (2) the slight indentation of the coast here.

On one of the days "Stork" was at anchor here landing might have been effected from an ordinary whale boat under the beacon (II.) with a square board; but on the other day of her stay a surf boat was capsized in making a landing.

*Breakwater.*—There should be no greater difficulty here in building a breakwater than that already experienced at Natal. It is possible that it would be found necessary to run a second one out to assist the river in keeping the channel clear of the deposit that would otherwise be made in turning out, by the swirl of the southerly current.

*River* connects with the sea a reed-covered lake at the back of the sand hills in the western part of the bay. It runs slowly, the output at this present time, even at low-water springs, being very small.

At its mouth the river bed is 4 feet above L.W.O.S., and is composed of flat rock with a few heads here and there.

*Lake* is slightly above the level of H.W.O.S., and, as above, is entirely covered with reeds. It is shallow, and the motion of the water at this time of the year is slight. Soil apparently peaty from the colour of the water. Area about half a square mile. It is connected with a deeper water lake on the other side of some hills to its south-westward; differences of level would necessitate locks; while it is possible that the rock bed at river's mouth extends some way into the lake.

Tracing is forwarded showing the result of "Stork's" examinations.\*

The Hydrographer, Admiralty,  
London.

I have, &c.  
(Signed) T. F. PULLEN,  
Commander.

No. 75.

LORD KNUTSFORD to SIR HERCULES ROBINSON.

TELEGRAPHIC.

15th April 1889.—Referring to your telegram of 28th March,† having carefully considered Swaziland question, Her Majesty's Government think that President of South African Republic should be informed that, before replying to proposal, further information required as to state of affairs there. Inquiry should be made by British Commission as to what are wishes of King, natives, and settlers, and as to general position of affairs.

No. 76.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received April 16, 1889.)

TELEGRAPHIC.

16th April. Referring to your telegram of 15th April,‡ my proposal was for a Joint Commission, and not a British Commission; but I do not think that immediate action necessary; and I suggest President of South African Republic be informed Her Majesty's Government will delay reply to his representation till I have been able to confer personally with you on the subject.

\* Not printed.

† No. 71.

‡ No. 75.

No. 77.

SIR A. E. HAVELOCK to LORD KNUTSFORD.  
(Received April 16, 1889.)

Government House, Pietermaritzburg, Natal,  
March 15, 1889.

MY LORD,

REFERRING to paragraph 4 of my Despatch of the 11th December last,\* in which I mentioned that I had instructed Mr. Osborn to forward a letter from myself to the Queen Regent, Zambili, of Tongaland, calling upon her to give an explanation of her alleged action in having seized 62 head of cattle belonging to Chief Uncamana, I have the honour to report that messengers have been here, sent by Zambili with a message on the subject of my letter. I submit a copy of a message delivered by the messengers, a copy of my message in reply, a copy of a letter addressed to me by Mr. Brüheim and brought by Zambili's messengers, and a copy of the answer which I have caused to be sent to Mr. Brüheim. I enclose also a copy of a despatch I have sent to Mr. Osborn, communicating to him Zambili's message and my reply, and instructing him to inform Chief Uncamana of my decision in respect of the complaint made by him.

I have, &amp;c.

(Signed) A. E. HAVELOCK.

The Right Hon. the Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure 1 in No. 77.

MESSAGE to His Excellency the GOVERNOR OF ZULULAND from ZAMBILI, Regent of  
Tongaland.

Delivered by Masololo, Kwezi, Unkonka, and Ludaka.

WE are sent with a letter written by "Madevu" (Mr. Brüheim) for Zambili. The letter contains what we have to say.

We are sent to acknowledge the receipt of a message by three messengers and a boy from Mr. Osborn, in Zululand, to Zambili, regarding the seizure by her of a number of cattle belonging to Uncamana, a petty Chief living in the country to the north of the Umkuze River. Uncamana and two other petty Chiefs, Sibonda and Tokuti, living near the mouth of the Umkuze River, have, for many years now, neglected to pay any tribute, though they formerly did so and live in Zambili's country. During the Zulu war these Chiefs sent their cattle from the borders right into the Tonga country for safety, and they did the same on the disturbances after Cetywayo's restoration. On both occasions they were allowed to take them back.

Uncamana sent his cattle again into the country when the last disturbances took place on Sibebu's return. On this last occasion Zambili ordered them to be seized and detained, and 62 head were therefore seized and kept.

Zambili states these cattle have not yet been appropriated or used by her; they are being kept at the place where they were seized; that she was expecting the arrival of Uncamana to explain his conduct, and that if he had gone and satisfactorily explained it, the cattle would all have been returned.

Zambili is surprised now to hear that these petty Chiefs, who live in her country, are claimed as British subjects, which country has always been recognised as hers: and she says that in the late Panda's and Cetywayo's time the Umkuze River was regarded as the boundary between the Zulu and Tonga countries; and that this river has always been recognised as the boundary, in her communications to and from this Government. Zambili states that Uncamana is living to the north of the Umkuze River, and therefore within the country which she has always claimed, and which has always been recognised as hers by the Zulus and this Government, and that therefore she does not understand Mr. Osborn's claiming these people as belonging to him. She says that if they do belong to the British Government they should be moved out of her country into Zululand. She has never given up this country, and claims it now.

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\* No. 59.

These messengers state that two of the messengers sent by Mr. Osborn have died, and they state the reason is that they came by the road along the coast which, at this season of the year, is unsafe to travel; that they themselves never use it in summer.

They say that in addition to the danger of fever there is danger to human life from a species of small insect which, on looking at it cursorily, one would take to be a tick, which lives in the sand, and that persons sitting down or sleeping in the sand are liable to be bitten by these ticks, and that their bodies swell up and eventually they die. Both the men who died were suffering from these bites on their arrival at Zambili's kraal; the one died there from the effects, and the other was reported to Zambili as having died two or three days after they had left on their return.

The messengers say that these men left to return to Mr. Osborn eight days before they did; this would be about the 13th instant, and that as they were going inland it was uncertain, owing to the chances of fever and the delays by swollen rivers, when they would get back.

Secretary for Native Affairs Office,  
1st March 1889.

Made to me,  
(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

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Enclosure 2 in No. 77.

MESSAGE from His Excellency the GOVERNOR OF NATAL AND ZULULAND to ZAMBILI, Regent of Tongaland, in reply to the message brought by the messengers, Masololo, Kwezi, Unkonka, and Ludaka, and delivered by them on 1st March 1889.

The Governor has heard the words of Zambili by her messengers, stating, with reference to a complaint made by Uncamana, a petty Chief living to the north of the Umkuze River, that she had sent an armed force and seized 62 head of cattle from him, he being a British subject and living in British territory; that she had done this, and that the cattle were still awaiting explanation by Uncamana of his conduct. The messengers state that her reasons for doing this were that she considered Uncamana her subject and living in her territory; that during the Zulu war, and during the recent troubles in Zululand, he had on three occasions sent his cattle further into Tongaland for safety; that he had not paid any tribute for many years, and that it was on this ground that she had seized the cattle. Zambili states that she was unaware at the time that Uncamana considered himself and the country he lived in as belonging to the British, and that it was so considered by the British Government. She states she had no notification of this.

The messengers state that in Makasana's lifetime the grandfather of the present young Chief, Uncamana, paid tribute and was a Tonga subject, but that after Makasana's death, he ceased to pay tribute, and did so to the Zulu Chief, which transference of allegiance has not been questioned till now. Under these circumstances the Governor cannot see upon what grounds Zambili claims Uncamana and the country he occupies as hers, seeing that he transferred his allegiance to the Zulu power unchallenged, and was treated by the Zulu power as its subject. The Zulu power was conquered by the Queen, and all its subjects and country became the Queen's.

Uncamana was wrong in sending his cattle for safety into Tongaland without Zambili's permission, and had Zambili taken possession of them while in her country the Governor might not have considered it right to interfere, but Zambili allowed the cattle to be sheltered and to be taken away again, and then sent an armed force after them into British territory. This was wrong, and contrary to the Treaty of Amity signed by her when Mr. Saunders went to see her. She should have represented the violation of her territory to the Governor, and asked for redress.

The Governor admits her excuse, that she was not aware Uncamana and his country belonged to the British Government, and as Uncamana's wrongful act led to her attack, his Excellency has fined Uncamana 10 head of cattle, and directs that this fine shall be paid to Zambili for Uncamana's violation of her boundary. This 10 head of cattle is to be taken by Zambili out of the 62 head of cattle belonging to Uncamana now in her possession, and the Governor relies upon Zambili returning the balance, 52 head, with as little delay as possible to Uncamana.

The Governor wishes Zambili to know that the petty Chiefs, Fokoti, Uncamana, and Sibonda, living to the north of the Umkuzi River, with the territory occupied by them, belong to Her Majesty the Queen, and that if she has at any time any complaints against the conduct or acts of any of these Chiefs she should send and represent her complaints to the Governor.

Secretary for Native Affairs Office, Natal,  
11th March 1889.

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Enclosure 3 in No. 77.

To His Excellency Sir A. E. HAVELOCK, Governor of Natal and Zululand.

I HAVE the honour to inform your Excellency, at the request of Zambili, Regent and Paramount Chief in and over Amatongaland, that she received your Excellency's message of the 10th of December last only on the 4th of this month. She wishes me to let your Excellency know that she never give orders for a force to raid cattles and other properties in Uncamana's place; the cattles wish she has of this Chief was brought in farther in the country for safety during the late disturbances in Zululand (as he had done before during the Zulu war and after the return of Cetwayo). When this last disturbances were over Zambili kept the cattles for Ungwanase, as Uncamana had for many years not paid tribut to this country, as was done in the time of Ungwanase's father and grandfather, Meamana's country having been always part of Amatongaland.

Zambili wishes me also to inform your Excellency that Sibonda's territory laying also to the north of the Umkusi River has always been part of this country, and in all verbal communications and interviews with the Natal Government and their officials the Umkusi River was always mentioned and understood to be the boundry between this country and Zululand. The same understanding existed with all the Zulu Kings and Chiefs, and even the late King Cetwayo tollt this people here there country was as far as Shibigan River.

Zambili cannot understand how she is accused of having violated the Treaty of Amisty when she has not done the act of wish she is accused in your Excellency's message, nor can she understand that the territory of Uncamana and Sibonda have been taken away as belonging to Zululand, and Zambili strongly protests against this annexation, as she wants to hand over to her son, Ungwonase, the whole country of his fathers.

Emfihlweni Kraal,  
15th of February 1889.

I have, &c.  
(Signed) G. H. BRÜHEIM.

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Enclosure 4 in No. 77.

SIR,

March 11, 1889.

WITH reference to your letter of the 15th of February last, addressed, on behalf of Zambili, to his Excellency the Governor of Natal and Zululand, and conveyed by Masololo, Kwezi, Unkonka, and Ludaka, I have the honour to inform you that the same has been duly presented to the Governor, who has directed me to forward the enclosed answer for Zambili's information.

The substance of this answer I have verbally communicated to the messengers.

G. H. Brüheim, Esq.,  
Emfihlweni Kraal.

I have, &c.  
(Signed) H. C. SHEPSTONE,  
S. N. A.

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Enclosure 5 in No. 77.

Sir A. E. HAVELOCK to Mr. OSBORN.

Government House, Pietermaritzburg, Natal,  
March 15, 1889.

SIR,

WITH reference to paragraph 4 of my Despatch of the 10th December last, I have the honour to inform you that messengers have arrived here from Zambili,

Queen-Regent of Tongaland, bringing me a message in reply to the letter which I sent you, for transmission to Zambili. The messengers brought also a letter from Mr. Brüheim addressed to me. I enclose, for your information and guidance, a copy of the message delivered by Zambili's messengers, a copy of my message in reply, and copies of Mr. Brüheim's letter and of the answer I have caused to be made to it.

2. It would be well that you should inform Umcamana of my decision in the case, as set forth in my message to Zambili. I leave it to you to consider whether Umcamana should send to Zambili for the 52 head of cattle which are to be restored to him, or whether he should await their restitution. You should direct Umcamana to take the course which you think proper. You might, at the same time, remind Umcamana that his lands form a portion of the Queen's Dominions, and that he is one of Her Majesty's subjects. Your communication should, I think, be made in writing, the purport of it being, at the same time, conveyed by the mouth of the messengers.

His Honour the Resident-Commissioner,  
&c., &c., &c.,  
Zululand.

I have, &c.  
(Signed) A. E. HAVELOCK.

No. 78.

LORD KNUTSFORD to SIR HERCULES ROBINSON.

TELEGRAPHIC.

17th April, 1889.—Approve proposal contained in your telegram of 16th April.\*

No. 79.

LORD KNUTSFORD to SIR A. E. HAVELOCK.

SIR,

Downing Street, April 23, 1889.

I HAVE the honour to acknowledge the receipt of your Despatch of the 15th ultimo,† enclosing further papers on the subject of the seizure of Umcamane's cattle by the Queen-Regent of Tongaland.

I approve of your action in the matter.

Sir A. Havelock.

I have, &c.  
(Signed) KNUTSFORD.

No. 80.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received April 24, 1889.)

Government House, Cape Town,

April 2, 1889.

MY LORD,

WITH reference to my Despatches of the 25th and 26th February last,‡ I have the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from the Governor of Natal, communicating his views on the Swaziland question.

2. I think that it is no longer possible to adopt in Swaziland the measures contemplated in the 2nd Article of the London Convention. The country is practically overrun with Europeans, and it is too late to prevent encroachments, whilst the appointment of a Border Commissioner would impose on Her Majesty's Government responsibilities without conferring the legislative authority or legal jurisdiction necessary for their fulfilment. It must, I think, be accepted that the makeshift government

\* No. 76.

† No. 77.

‡ Nos. 68 and 69.

organised by Umbandeen has broken down, and the time is fast approaching when it will be necessary to decide whether the country is to be annexed to Her Majesty's Dominions, or whether the Government of the South African Republic is to be allowed to annex it.

3. In either case a revision of the London Convention would be necessary, but before any decision is come to on that point it would appear desirable to obtain more reliable information than is at present accessible to Her Majesty's Government.

4. I would recommend, therefore, that a Joint Commission to enquire on the spot into the present condition of Swaziland and the wishes of the King and people, as well as of the white residents and concessionaires, be appointed. The English Commissioner might also be instructed to report on the means of access, sanitary conditions, and general resources of the territory.

I have, &c.

(Signed)

HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 80.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
March 17, 1889.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 25th ultimo, asking me to favour you with my views regarding the suggestion for the solution of the Swaziland question made in a despatch addressed to you by the Government of the South African Republic a copy of which you enclose for my information.

2. The solution of the Swaziland question suggested by the Government of the South African Republic is a simple one. It is the annexation of Swaziland to the South African Republic.

3. The independence of the Swazis is jointly and "fully recognised" as between Her Majesty and the South African Republic by Article XII. of the Convention signed in London on the 27th February 1884. I assume that it would be competent to the contracting parties, by agreement between themselves, to abrogate that recognition of independence. But I cannot feel sure that such an abrogation without the assent of the Swazis, would not be a breach of obligation to the Swazis.

4. Swaziland is enclosed on three sides by the territory of the South African Republic and there is no defined natural boundary line between the two countries. I believe that burghers of the South African Republic have acquired rights in Swaziland and possess considerable interests in that country. The concessions which appear to have been bought up by the Government of the South African Republic augment the importance of those rights and the value of those interests.

5. On the other hand, British subjects have, I believe, also acquired rights in Swaziland and also possess considerable interests in the country. I am not aware, however, that Her Majesty's Government has, like the Government of the South African Republic, bought up concessions. It is true, as the State Secretary remarks in his despatch to your Excellency, that the eastern frontier of Swaziland, the only portion of its borders which does not abut on the South African Republic, is bounded by the Lebombo mountains, but I believe his statement that through those mountains there is only one pass, and that one pass on the way from the Portuguese Possessions, to be incorrect. I believe the Lebombo mountains do not form a difficult barrier and that access into Swaziland can be obtained from Tongaland, through the territories of the Chiefs Sambana and Umbegeza. And, as your Excellency knows, Tongaland is included within the sphere of British influence; and Her Majesty's Government has hitherto declined to assent to the annexation of the territories of the Chiefs Sambana and Umbegeza to the South African Republic.

6. It must, I think, be admitted that from a topographical point of view, the incorporation of Swaziland with the South African Republic would be a convenient and natural arrangement, a more convenient and a more natural arrangement than its annexation to Her Majesty's Dominions. It is probable that a larger number of burghers of the Dutch Republics than subjects of Her Majesty are possessed of vested interests in Swaziland though it is likely that the actual money value of the vested

interests of British subjects is greater than that of the Dutch burghers. But this difference in the value of the respective private vested interests is perhaps counterbalanced, or more than counterbalanced, by the value of the concessions acquired by the Government of the South African Republic. Thus, assuming the absence of conditions bearing on the question other than those based on topographical considerations and on considerations of vested interests; or if other conditions exist, assuming that they are of equal importance to either side; and the purely political aspect of the question being excluded, it would seem that there are stronger and better reasons for the annexation of Swaziland to the South African Republic than for its annexation to Great Britain.

7. But I understand that in asking me to give my views on the proposal suggested by the Government of the South African Republic, that Swaziland should be annexed to the South African Republic, your Excellency wishes that the political aspect of the question should have perhaps even greater consideration than any other aspect of the question. Examining the question from the political point of view, I should say that if it be the policy of Her Majesty's Government to permit the Dutch Republics to develop into a sound and healthy power in South Africa, the movements and aspirations of the South African Republic as regards Swaziland and as regards the acquisition of a means of access to the sea should be left to take their natural course.

8. In considering this question, I have hitherto only incidentally referred to the wishes of the Swazi people in the matter. It is not unreasonable to infer that the Swazis hold that Her Majesty and the South African Republic having entered into an agreement to "recognise fully" their independence, have bound themselves, by implication, not to set aside that agreement without the consent of the Swazis unless some grave cause for doing so were to arise. It would seem, therefore, that the solution of the Swazi question in the manner suggested by the Government of the South African Republic could not properly receive the countenance of Her Majesty's Government without the consent of the Swazi King and people.

9. A complete failure of the existing institutions of Swaziland to preserve peace and order in the country would be the only sufficient cause for the assumption of authority, without the consent of the Swazis themselves, by one of the two parties who have agreed to fully recognise the independence of the Swazis. It seems that such a failure is not unlikely soon to declare itself. It would doubtless be used by the Government of the South African Republic as a ground for pressing the adoption of the suggestion now under consideration. If Her Majesty's Government should then resolve not to accept the suggestion of the Government of the South African Republic, Her Majesty's Government could hardly avoid taking upon itself the responsibility of action. It would be possible to assume a protectorate or a full sovereignty over Swaziland, or, I apprehend, it would be competent to Her Majesty's Government to appoint, under the provisions of Article II. of the Convention of 1884, Commissioners "*to maintain order and prevent encroachments.*" The former course would be considered by the South African Republic to be a breach of Article XII. of the Convention, and would be much resented. The latter course would be distasteful to the South African Republic, but it does not appear that any valid objection could be made to it, as it is permitted by the terms of the Convention. It would doubtless lead to the establishment of British authority in the country. It would cost money. It would make highly expedient, if not necessary, the extension of British control over Tongaland. Moreover, its effectual working might be much hampered by the concessions in Swaziland which have been acquired by the Government of the South African Republic. I cannot say that I think the arrangement would be a satisfactory one; but assuming the policy of Her Majesty's Government to be the prevention of the annexation of Swaziland to the South African Republic, it is the only course which, having regard to the obligation imposed by Article XII. of the Convention, can be followed. If it is intended to adopt such a course, the sooner it is entered upon the better. It is already late to take it up, and further delay will only increase the difficulties and complications that are inseparable from it, and from any other course of action, having for its object the establishment of British ascendancy in Swaziland.

His Excellency  
The Right Hon. Sir H. Robinson, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

No. 81.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received April 24, 1889.)

Government House, Cape Town,  
April 3, 1889.

MY LORD,

WITH reference to my Despatch of the 26th February last,\* I have the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from the Governor of Natal giving his views on the request made by the Government of the South African Republic to be allowed to annex the piece of Swazi territory known as the "Little Free State."

I think that the wishes of the residents in the Little Free State might be ascertained by the Joint Commission suggested in my Despatch of the 2nd instant.†

I have, &amp;c.

(Signed) HERCULES ROBINSON,  
High Commissioner.The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 81.

SIR A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
March 22, 1889.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 26th ultimo, asking me to favour you with an expression of my views in regard to a proposal made by the Government of the South African Republic for the annexation to the South African Republic of a piece of territory situated within the Swaziland territory, and known as the Little Free State.

2. Knowing that Mr. G. M. Rudolph, Resident Magistrate in this Colony, is intimately acquainted with the history of the movements and operations of the Boers in Swaziland, I asked him to give me any information he may have with regard to the position, area, political history, and present political status of that portion of Swaziland known as the Little Free State. I enclose a copy of a report I have received from Mr. Rudolph, which contains useful and interesting information. I would especially call your Excellency's attention to Mr. Rudolph's expression of opinion, based upon what he has heard, that half of the population of the Little Free State, if not more, would prefer to remain under the Swazi King rather than come under the Law (of the South African Republic).

3. I apprehend that before an engagement for the annexation of the Little Free State to the South African Republic can be concluded, the approval of Her Majesty's Government of such an engagement must, in pursuance of the conditions of Article IV. of the Convention of 1884 be expressed, or tacitly accorded.

4. If Her Majesty's Government are resolved that it is inexpedient to permit the incorporation of Swaziland with the South African Republic, I am of opinion that the proposed annexation of the Little Free State should not be approved. If, on the other hand Her Majesty's Government are prepared to countenance the ultimate absorption of Swaziland into the South African Republic, I do not consider that any useful object would be attained by opposing the proposed annexation of the Little Free State.

I have, &amp;c.

(Signed) A. E. HAVELOCK.

His Excellency the Right Honourable  
Sir H. Robinson, G.C.M.G.,  
&c. &c. &c.

\* No. 69.

† No. 80.

Mr. G. M. RUDOLPH, C.M.G., to the SECRETARY FOR ZULULAND.

SIR,

Eshowe, March 16, 1889.

I HAVE the honour to acknowledge the receipt of your letter of the 12th instant.

In the absence with me here of some memoranda kept by me during my residence in the Transvaal I shall have to give the information required by his Excellency from memory.

In 1875, when the late Mr. J. Burgers was President of the Transvaal, I was Swazi Border Commissioner, and in that year I was delegated by the Transvaal Government to proceed to Swaziland with 400 burghers, and crown Umbandine, King of the Amaswazi nation. I did so in July 1875 at the tribal kraal, Ludidi, in the presence of about 5,000 Swazi warriors.

On this occasion, and after the ceremonies connected with the crowning were over, the Swazi King and Elders pointed out to me that South-West Swaziland was subject to repeated raids by Mbilini, 'Mbandine's half-brother (who was a fugitive in Zululand), and his followers, and he asked me to place some reliable whiteman as a guard at a point on the boundary line, a little north of the Mahamba range, the way by which the raiders had to pass. I told the Chief that I could find such a whiteman and that I considered the plan to be a good one, but that the Government had ceded all the land in that locality to McCorkindale; the King said that he would give the land (about a farm) if I could find the man. I found a man, Ignautius Maritz, and it was arranged that he, Maritz, should settle there with his wife and family. Maritz told his brothers-in-law (the three Ferreiras) of this arrangement, and these men, without consulting me, and secretly, loaded a waggon with such merchandize and articles as they knew the young and vain Chief would be glad to possess, and, with some horses, proceeded to Swaziland and succeeded in obtaining about 12,000 or 15,000 acres of land from the King in the locality where the King had agreed to locate Maritz. As soon as I heard this, I sent a trustworthy messenger (Nyokana, deceased) to warn the King against parting with any land to these people, but the King could not persuade himself to let the pretty things and the horses go back, and held to his arrangement with the Ferreiras.

I reported the matter at once to the President who directed me to officially inform the parties that they would not be allowed to possess the land, and that they would, by persisting in keeping the land, render themselves subject to severe punishment under an ordinance of the State. The men quietly occupied the land, and the Government was too powerless to punish them or annul the purchase of the land.

The Commission appointed by Sir Garnet Wolseley in 1880, of which Major Alleyne, R.A., was president and Lieutenant Littledale, R.E., and myself were members, when surveying the Swazi-Transvaal boundary line and fixing the beacons in January, February, and March 1880, gave notice to the Ferreiras and Maritz to abandon the land as they had no legal possession of it, but the Swazi King, when the question was brought before him, said that as he had received goods from the white men he could not drive them off the land. These facts were reported to the Government by the Commission.

The Little Free State consists of this land and about 2,000 acres of land adjoining it which the late Swazi King had given to McCorkindale years before 1875. This piece of land was purchased in pieces from the estate of Bolt, McCorkindale's heir, by small farmers, and the Ferreira Maritz lands have been sold in the same way to poor farmers, so that the Little Free State is formed out of these two pieces of land. The Government consist of a President and six or more elders, and they carry on a semi-independent State. The male population is about 70, from 16 to 70 years of age. About October last they sent a deputation to Umbandine (who claims them as his subjects) to obtain his sanction for the little State to be annexed to the Transvaal. I do not know what the result has been. It was also stated that the Government of this little Republic was about to ask the Transvaal Government to obtain England's consent for their annexation to the Transvaal.

The people are mostly poor. They cannot afford to have their own minister of religion, and therefore join their countrymen of Piet Retief in religious services.

I believe that they had received intimation from the Swazi Government that they would soon have to pay taxes and licenses, and I understood that this was their chief reason for attempting to become annexed to the Transvaal. I think, from what I heard,

that the half of the population, if not more, would prefer to remain under the Swazi King rather than come under the Law.

Gerald Brown, Esq., J.P.,  
Secretary for Zululand,  
Pietermaritzburg.

I have, &c.  
(Signed) G. M. RUDOLPH,  
Resident Magistrate.

None of the Ferreiras reside on the lands, having sold out. The widow Maritz and her children still reside there.

No. 82.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received May 4, 1889.)

TELEGRAPHIC.

President of South African Republic telegraphs proposing friendly settlement regarding Matabeleland and Swaziland—Transvaal Republic to withdraw all claims to the north, and use influence to support British expansion in Bechuanaland and Matabeleland if Her Majesty's Government withdraw from Swaziland, the territory of Zambane and Umbelesa, and Tongaland, including Kosi Bay. Text by post.

No. 83.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

8th May 1889.—In answer to your telegram of 4th May,\* inform President of South African Republic Her Majesty's Government will fully consider his communication, although they cannot, of course, say at present whether they will be able to entertain it.

No. 84.

SIR A. E. HAVELOCK to LORD KNUTSFORD.  
(Received May 14, 1889.)

Government House, Pietermaritzburg, Natal,  
April 12, 1889.

MY LORD,

I HAVE the honour, with reference to my despatches† of the dates noted on the margin, relative to the territories of the Chiefs Ncamana (Uncamana) and Sibonda, to submit to your Lordship a copy of a despatch from Mr. Osborn, reporting the return of messengers sent by him, in compliance with

instructions, to the Chiefs Uncamana and Sibonda, and to the Queen Regent Zambili. Mr. Osborn's messengers were accompanied by Uncamana's uncle Dwatshuza, and by his Induna, Paliji. A record of the message brought by these men is attached to Mr. Osborn's Despatch. I submit a copy of a Despatch which I have addressed to Mr. Osborn, instructing him on the matters brought to his notice by Uncamana's messengers.

I have, &c.  
(Signed) A. E. HAVELOCK.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

\* No. 82.

† Nos. 59, 62 and 77.

## Enclosure 1 in No. 84.

Mr. OSBORN to Sir A. HAVELOCK.

SIR,

Eshowe, Zululand, April 5, 1889.

WITH reference to my Despatch of the 21st December last, reporting that, in terms of the instructions contained in your Excellency's Despatch of the 10th December, I had sent messengers with the communications to the Chiefs Ncamana and Sibonda and to Zambili, I have the honour to state that, out of the three messengers sent together by me on that duty, two have now returned. The third messenger, Magaja, is reported to have died of fever at Zambili's, and one of the two men (Uweli) who have returned is too ill to attend before me. I have, therefore, taken down the statement of Bukwayo, being a report of what these messengers have done in carrying out their instructions; a copy of his statement is annexed hereto for your Excellency's information.

2. The Chief Uncamana has sent his uncle Dwatshuza, and his Induna, Paliji, on a formal visit to me; they arrived here with my messengers, and are likely to remain at Eshowe for about a week longer. I annex hereto a copy of a statement they made to me on the 3rd instant.

3. I would recommend, for your Excellency's favourable consideration, Uncamana's application that he and his people be included in the Lower Umfolosi District instead of Ndwandwe, according to the present arrangement. I consider the reasons upon which he bases his application sound.

I have, &amp;c.

(Signed)

M. OSBORN,

Resident Commissioner.

His Excellency Sir A. E. Havelock, K.C.M.G.,

&amp;c.

&amp;c.

&amp;c.

## STATEMENT by BUKWAYO.

Bukwayo states:—

Eshowe, April 3, 1889.

I was sent in company with "Uweli" and "Magaja" about three months ago by the Resident Commissioner to the Chiefs Sibonda and Ncamana and also to the Regent Zambili.

We carried a letter to be delivered with the verbal communication to each of those Chiefs.

We first went to Sibonda and saw him at his kraal "Ingwenyeni," and, in the presence of his indunas and several others of his people, we handed to him the letter (Government Notice, No. 32, 1888), the contents of which we explained to him, and we also delivered to him the further words sent by the Resident Commissioner, together with an invitation for Sibonda to come and visit the Resident Commissioner at Eshowe.

Sibonda replied that he understood that he and his people are under John Dunn as ordered by his father the late "Ungongobali," and he pointed out two messengers from John Dunn to him, present there. He asked "From whom then have these two messengers come?" I replied, "I know the two messengers; they are John Dunn's men, but John Dunn and his men belong to the Government."

Sibonda answered that he too belongs to the Government, and, by being under John Dunn, he would still belong to the Government and pay his hut tax to the Government, as John Dunn also has to do. The indunas and people of Sibonda present then suggested we should discuss the matter with John Dunn's messengers. We declined to do this, stating we had merely come to deliver the Governor's orders and not to discuss them with his own people. John Dunn's messengers then told Sibonda, the indunas and people, that as we had come there to seek the decision of the Chief and people as to whom they wish to belong to, they should say whether they elect to belong to "Malimati" (Mr. Osborn), or to John Dunn, and remember that if they do elect to be under the latter, the hut-tax would still have to be paid to "Malimati" for the Government.

The indunas requested us to answer the proposal of John Dunn's messengers, but we refused to do so, saying the messengers had no right to make such a proposal.

Sibonda then said, "he wanted it to be finally decided whether he is to be under the authority of Captain Tye, Assistant Commissioner and Resident Magistrate, Lower Umfolosi District or under that of John Dunn." We replied, "The message we have just given you is an answer to what you say."

We then placed in his hand the letter (document), viz.: [Government Notice, No. 32, 1888], which we asked him to preserve for his reference and guidance, and took our leave. We then went on to Ncamana and reported our arrival to his induna "Paliji," who notified our arrival to the Chief, and obtained for us an interview with him.

Ncamana was attended by his indunas and a number of his other men when he saw us. We delivered to Ncamana on that occasion in the presence of his indunas and the others, the words given to us by the Resident Commissioner to be conveyed to the Chief, and we handed him the letter (*i.e.*, document, viz., Government Notice, No. 32, 1888), the contents of which we explained.

Ncamana and his people expressed their great satisfaction in being thus brought under the Government, and their joy at being at last free from the Zulu Chiefs, who always caused trouble and killing of the people. They said their tribe would have been a much larger one now but for the work of the assegai of the Zulu Chiefs amongst them. There was only one thing they now desired, and that was to be included in the Lower Umfolosi District, for as they are Coast people they like to belong to the Magistrate on the Coast. They would dance with joy if this could be done. They do not wish to be included in the same magistracy with the Usutu under Mpandi's family, and Usibebu. Ncamana himself was living in the forest. He came out and saw us outside of it. Some of his people are staying with him. He said he would remain there until things were safe, as he feared attack by "Zambili."

The river "Umsele" runs through his district, and his people occupy land on both sides of it. Zambili claims the land on the other side, up to that river, and demands hut-tax from Ncamana's people living there, which they pay. I myself saw them pay the tax, which was received in a vessel and carried to "Zambili." The tax, it was said, was for the Portuguese. Ncamana also said he would be glad if an assurance could be given him of safety from attack by "Zambili," and also by Usibebu, and that he may be directed to leave the forests now that he belongs to the Government. He expressed his willingness and thanks for the word that he was to pay hut-tax to the Government, but he complains that a portion of his people has been made to pay to "Zambili," and it is attempted to cut them off his tribe.

Ncamana added that, as his district is so remote from his present Magistrate (Ndwandwe) he wishes the Governor to place an officer there in authority, who would prevent such aggressions. He laid much stress on this request, saying that unless this is done "Zambili" would attack them and their land be taken for herself and whitemen not belonging to the English.

We then proceeded on our journey to Zambili, and after much detention on our way we reached her residence. We were detained on our way for 10 days by a female Chief named "Mababana"; she would not let us go on until she had reported our arrival at her kraal to Zambili, whose subject she is. On arriving at Zambili's we were assigned a hut and kept until the fourth day after our arrival, when we had an interview with Zambili.

Besides her Indunas there was present a whiteman named "Madvu." I spoke and told the Chiefess our errand, and handed her the letter from the Governor. "Madvu," the whiteman, took the letter, opened it, and read it. He then explained to Zambili and the others present the contents of the letter, which he told them came from the Governor.

He said the Governor expressed his dissatisfaction at certain hostile proceedings that had been taken by the tribe against Ncamana and his people, whose cattle, 62 head, had been seized, and also other loose property taken. "Madvu" expressed himself in strong terms against those who had done this, and who had thus interfered with Ncamana and his people, who belong to the English, and live on land belonging to the Government.

Zambili asked if I had anything to add to what was contained in the letter, and, on my replying that I had not, she said she was glad to get the Governor's letter, although Ncamana had not notified his intention to complain to the Governor.

It was true that 62 head of cattle were seized from Ncamana, but this was because he had spoken of her son "Gwanaza" as being a "Manyamfokwe," which is a most opprobrious term to apply to him. She said she was so much offended at this,

that but for fear of the displeasure of the English, she would have sent a force to exterminate Ncamana and his people.

The 62 head of cattle seized were being kept together in one kraal.

She added that as she was invited to send indunas to Eshowe, she would send them at once to the Governor to explain everything. She said the cattle were seized because Ncamana would not come on her summons to explain his conduct in calling Gwanaza a "Manyamfokwe." He had no reason to fear that she would kill him. She would continue to keep the 62 head of cattle separate and safely together. We were then told to return to our hut and wait. After waiting for about nine days we were sent for by Zambili; we went at once, but did not see her again; her indunas handed us a pot of honey from her, and said she desired us to return to Zululand, and that we should start early the next morning on our journey. They said, too, that she would send four men after us to take her answer to the Governor. We were very ill at the time from fever and represented that it was almost impossible for us to start the next morning, but they insisted upon our going then, and we left accordingly, ill as we were.

I omitted to say that, during our detention at Zambili's kraal, she gave us a cow to kill for food, which we accepted and tendered our thanks for it; we were also supplied with native beer, and twice the Chiefess sent us a bottle of spirits.

We were obliged to leave our fellow messenger Magaja behind at the kraal we had been staying at, near Zambili's own kraal, as he was too ill with fever to travel. Zambili's indunas had procured a native doctor to attend him. Shortly after we left Zambili's, a messenger came to us from the indunas to report the death of Magaja. Uveli, the other messenger, is still suffering from the fever at his kraal in Eshowe District, and is unable to come here to join in making this statement.

I omitted to say that I told Ncamana the Resident Commissioner invited him to visit him at Eshowe. Ncamana expressed his pleasure and regretted that he was unable to come now, owing to a severe attack of sore eyes, from which, as we saw, he was suffering. He said he would send his uncle Dwatshuza and his induna Paliji in his stead.

On our journey we saw the Chiefs "Hlaukana," "Mayiwana," "Silimela," and "Fokoot," all of whom and their tribes reside in the neighbourhood of Sibonda and Ncamana.

They all asked us whether we had no words for them from the Governor, and on our replying in the negative, they asked when they too would be brought under authority of the Government. We answered that we had received no instructions on the subject, but would report what they had said.

There are four other Chiefs living in the same locality, viz., "Hogoza," "Masuku," "Umjindi," and "Mavusu," but these we did not see.

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STATEMENT by "DWATSHUZA," uncle of the Chief NCAMANA, and "PALIJI,"  
Induna of NCAMANA.

Eshowe, April 3, 1889.

DWATSHUZA, uncle of the Chief Uncamama, and Paliji, Induna of Uncamama, state:—

We are sent by Ncamana to say that he was anxious to come personally on a visit to the Resident Commissioner at Eshowe, but was prevented by illness.

He therefore directed us to come in his stead. He instructed us to tender his thanks for the words and the document [Government Notice, No. 32, 1888] brought to him by the messengers "Bukwayo," "Uveli," and "Magaja." He says he is now assured that he belongs to the Government with his people, and the land they live upon, and he knows no one may molest him since he and his people belong to the Queen.

Ncamana complains that Zambili has latterly been sending a number of kraals to occupy Ncamana's land on the other side of the Umsele river, where some of Ncamana's people are living; land which has been occupied by his people for generations past. Zambili has also collected taxes from his people. We do not know to whom she hands the money she so collects, but we have heard that the money was for the Portuguese.

Ncamana begs the Governor to do what he thinks right to prevent Zambili from appropriating his people and the land on the other side of the Umsele river.

Ncamana thanks the Governor for taking him and his people, and that they now belong to the English. He is very sorry that he is placed under the authority of the Magistrate at Ndwandwe, as he would like to be under the magistrate living on the Coast, the same as Somkeli and Sibonda.

He and they are neighbours. He does not wish to belong to the Ndwandwe Magistrate, as the latter is living near the family of the late Zulu King, and he does not wish to come in contact with them or with Usibebu.

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Enclosure 2 in No. 84.

Sir A. E. HAVELOCK to Mr. OSBORN.

Government House, Pietermaritzburg, Natal,

April 12, 1889.

SIR,

I HAVE the honour to authorise you, in pursuance of the recommendation made by you in paragraph 3 of your Despatch of the 5th instant, to include Chief Ncamana's (Uncamana's) territory and people in the Lower Umfolosi District instead of in the Nwandwe District, in accordance with the arrangement previously made, and reported in your Despatch of the 21st December last.

2. You should inform Uncamana that the wish expressed by him in this matter has been complied with.

3. You should also assure Uncamana that his people are not liable to the payment of taxes to Zambili, and that Zambili is not permitted to send people to occupy his lands.

4. I should be obliged by your obtaining and giving me information as to the position of the Umsele river, mention of which is made by Uncamana's messenger.

I have, &c.

His Honour the Resident Commissioner,  
&c. &c. &c.

(Signed) A. E. HAVELOCK.

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No. 85.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received May 20, 1889.)

Government House, Cape Town,

April 26, 1889.

MY LORD,

WITH reference to my Despatch of the 25th February last, and to your Lordship's telegram of the 17th instant,\* I have the honour to enclose, for your information, copies of a correspondence which I have had with the Government of the South African Republic, respecting the cession of the territories of the Chiefs Zambaan and Umbegesa.

I have, &c.

(Signed)

HERCULES ROBINSON,

High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure 1 in No. 85.

STATE SECRETARY, Pretoria, to HIGH COMMISSIONER.

(Translation.)

Government Office, Pretoria,

April 13, 1889.

YOUR EXCELLENCY,

WITH reference to my Despatch, dated 13th February 1889, I have the honour to forward to your Excellency enclosed herein two copies of declarations of the independent Chiefs Zambaan and Umbegisa.

Declarations  
of Zambaan  
and Umbegisa.

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\* Nos. 68 and 78.

From the documents mentioned, your Excellency will anew perceive what is the wish of the said Chiefs.

This Government trusts that Her Majesty's Government will have no further objection to causing the said Chiefs to come in under this Republic, and that your Excellency will support this matter.

His Excellency the High Commissioner,  
Cape Town.

I have, &c.,  
(Signed) W. EDUARD BOK,  
State Secretary.

I, the undersigned Zambaan, Chief, living to the east of Swaziland and to the west of Amamongaland, supported by my Council and Captains, hereby repeat the request several times before made to the Government of the South African Republic, to take me with all my people and all my territory under the protection of the South African Republic, and I hereby place myself with all my people and all my territory as a dependent (onderhoorige) under the protection of the South African Republic.

I hereby declare that I am an independent Chief, do not belong under Amamongaland, nor under Zululand, nor under Swaziland; that I have asked protection from no other Government, and also that I shall not do so.

Done on this the twenty-third day of the month of February, of the year eighteen hundred and eighty-nine, at Zambaan's kraal on the Lebombo.

	CAPTAINS—		CHIEF.
(Signed)	mark × UMZIANA.	(Signed)	mark × ZAMBAAN.
„	mark × UTSHEMME.		
„	mark × NJATIE.		
„	mark × TINTJE.		
„	mark × UMTABANKULU.		
	Witnesses—		
(Signed)	F. A. LAMMERDING.		
„	T. W. FERREIRA.		
„	mark × of ROOILAND OF ZIMBINIE.		
„	mark × of PISELLAGO.		

I, the undersigned Umbegisa, Chief, living to the east of Swaziland, and to the west of Amamongaland &c., &c., &c. (Vide declaration of Zambaan.)

Done on this the twenty-fifth day of the month of February of the year eighteen hundred and eighty-nine at Umbegisa's kraal on the Lebombo.

	CAPTAINS.		CHIEF.
(Signed)	mark × UMZELA.		mark × UMBEGISA.
„	mark × MATJIKIZIKA.		
„	mark × MAKONJELA.		
	Witnesses—		
(Signed)	F. A. LAMMERDING.		
„	T. W. FERREIRA.		
„	mark × ZIMBINIE called ROOILAND.		
„	mark × MEMEZA.		

Enclosure 2 in No. 85.

TELEGRAM.

From HIGH COMMISSIONER to His Honour the STATE PRESIDENT, Pretoria.

18th.—With reference to your Honour's Despatches of the 13th and 14th February re Swaziland and the Little Free State, I am instructed to inform you that Her Majesty's Government will delay replying to your representations till they have been able to confer personally with me on the subject.

Enclosure 3 in No. 85.

TELEGRAM.

(Translation.)

From STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER, Cape Town.

Immediate, 20/4/89. In friendly reply to your telegram of 18th instant, I answer that this Government has just again received from those Native Chiefs two petitions to come under the Republic, copies of which have been sent to your Excellency. This Government has full confidence that your Excellency will support that urgent (?) request.

No. 86.

SIR HERCULES ROBINSON to LORD KNUTSFORD.

(Received May 20, 1889.)

Government House, Cape Town,  
April 27, 1889.

MY LORD,

I HAVE the honour to enclose for your Lordship's information a copy of a despatch which I have received from the Governor of Natal, covering a petition from the Swazi King praying for a British Protectorate, and certain other documents.

I enclose also a copy of a telegram from the Governor of Natal on the subject.

I have, &amp;c.

(Signed)

HERCULES ROBINSON,

High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,

&amp;c.

&amp;c.

&amp;c.

Enclosure 1 in No. 86.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
April 17, 1889.

SIR,

WITH reference to my telegraphic despatch of this day's date to your Excellency to the following effect:—"I have received from Umbandine a petition addressed to your Excellency praying that a British Protectorate be declared over Swaziland, and that your Excellency would recommend to the Queen and to the Imperial Parliament the immediate appointment of a representative of the British Empire. Will forward petition by post leaving to-day. Have also received letter from Umbandine requesting dismissal of Shepstone and appointment of Acting Secretary to be officially noted," I have the honour to transmit to your Excellency herewith, the petition referred to. I forward also a copy of the letter which I have received from Umbandine, relating to the dismissal of Mr. T. Shepstone from his service. The enclosures to this letter are forwarded in original.

I have, &amp;c.

(Signed) A. E. HAVELOCK.

His Excellency the Right Hon.

Sir H. Robinson, G.C.M.G.,

&amp;c.

&amp;c.

&amp;c.

UMBANDINE to Sir A. E. HAVELOCK, K.C.M.G.

Swazieland Government Committee,  
Embekelweni, February 28, 1889.

YOUR EXCELLENCY,

I AM instructed by Umbandine, King of Swaziland, to forward to your Excellency the enclosed documents:—

1. Petition from the King and nation.
2. Copy of Mr. Shepstone's dismissal.\*
3. Copy of appointment of Acting Secretary and Agent to the King.\*

\* See Enclosure in No. 73.

4. Minutes of meeting re Mr. Shepstone's dismissal.

The King prays that your Excellency will forward to the High Commissioner the petition above referred to, and he further begs of your Excellency to use all your influence to obtain for him a speedy and satisfactory reply.

The King is willing to contribute towards the pecuniary remuneration of a resident, but this detail can be arranged should the appointment be agreed upon.

The King desires the dismissal of Mr. Shepstone and the appointment of an Acting Secretary to be officially noted.

As the petition and the communications generally are of the greatest importance and supreme emergency, they are forwarded to your Excellency by the hands of Mr. Thomas B. Rathbone, a friend of the King's, Umbandine having authorised the adoption of such a course.

I have, &c.

(Signed) ALLISTER M. MILLER,  
Secretary, Swazi Government Committee,  
Acting Secretary and Agent  
Swazi King.

His Excellency  
Sir Arthur E. Havelock, G.C.M.G.,  
Governor and Commander-in-Chief,  
Natal and Zululand.

To His Excellency Sir HERCULES G. R. ROBINSON, P.C., G.C.M.G., Her Majesty's  
High Commissioner for South Africa.

YOUR EXCELLENCY,

WE, Umbandine, King of Swaziland, and the Indunas of the Swazi nation, send greetings to your Excellency, and, through your Excellency, to Her most Gracious Majesty Queen Victoria and the Council of Her Empire.

Your Excellency: Many difficulties have beset me in the past, and the nation dread the complications which, should the protection of Great Britain be refused us, threaten our future. The sincere prayer of myself and my Indunas is that that protection will be accorded us, and so through your Excellency we again approach Her Majesty Queen Victoria and Her councillors, and pray that she and they will grant this our humble petition.

And our petition is, that a British Protectorate be declared over this our kingdom of Swaziland, and further that your Excellency do recommend to Her Majesty the Queen, and to Her Imperial Parliament, the immediate appointment in this country of a representative of the British Empire.

Your Excellency: We pray you consider our necessities, and the political difficulties and dangers which surround and threaten to overwhelm us. We consider that a British Protectorate would be our shield, and guard the nation from a real danger that already exists, and grows more threatening from day to day. And we feel that the appointment in Swaziland of a British Representative would help us in the governing of our native and white subjects, and would materially tend towards the security of their lives, and the many vested interests they possess in this country.

Your Excellency:—We cannot believe that this petition will be addressed in vain, and we look forward to the not long distant day when we shall welcome to Embekelweni a representative of the British Queen and Government, who will himself assure us of a British Protectorate having been declared over this our country. We have not forgotten, nor shall we ever forget, the promise made us by General Wood, when our soldiers, having fought and bled by the side of the soldiers of Great Britain, returned with honours to their country and their homes. We cannot believe that promise to have been an empty one, for we have thought of it in the hour of our greatest need, and so we feel assured that this our humble petition and prayer will not be rejected.

Given under our hand and seal at our Royal Kraal of Embekelweni, with the advice and consent of our Indunas, this 28th day of February in the year 1889.

(Signed) UMBANDINE, his × cross and seal.  
(Greyhound seal.)  
" T'KUBA, his × cross.  
" HELEME, his × cross.  
" JOBBE, his × cross.  
" UMKUNKUNI, his × cross.  
" JOSILEBOMOU, his × cross.

As witnesses:—

(Signed) ALLISTER M. MILLER,

Secretary Swazi Government Committee, Acting  
Secretary and Agent Swazi King.

„ ANDREW EWING.

„ J. THORBURN.

We hereby certify that the contents of this document have been well and truly translated and interpreted by us to the King and his councillors, and that we also witnessed the above signatures.

(Signed) T. B. RATHBONE,

Member Swazi Government Committee.

„ JOEL JACKSON.

Copy of Interview between UMBANDINE and JOHN GAMA, Shepstone's messenger, the day after Mr. SHEPSTONE's dismissal.

On Sunday morning the King sent up for the Secretary and Mr. Rathbone to go down to the kraal, as John Gama was there with a message from Mr. Shepstone. We went down, taking with us two Kafir linguists, Mr. Joseph Royston and Mr. H. Middleton.

The King was in the presence of his councillors. John Gama and another dressed Kafir were also present.

The King, on our arrival, invited John Gama to deliver his message and asked his secretary to take notes.

*John Gama* said: "Shepstone sends me. He says 'Tell the King I am astonished to see two Chiefs being sent, two whitemen also with a letter, that letter telling me my duty is done here in the country, to give up books and papers every one. I to do no more work in the country.' Shepstone said this: John, go, I send you to the King. Go and see if this is true or not. I believe it is because there is the King's handwriting on the paper. The letter would not come otherwise.' Shepstone says this: 'This letter is not only driving me out of the country but it is killing me. Tell him in front of all his indunas, I don't think he knows or understands this letter thoroughly. John, go and find out if the King has done it or not. Ever since I have been here I have done my best. Tell him I have not had a chance to report anything that has taken place about myself. This letter has come, it is driving me out of the country. If the King has done this now is my turn to have a say in the matter. I have been killed in Swaziland.' Shepstone wished you good-bye, but he did not say he was going to leave. There is bound to be some talk before he goes. All the nation must be called up for the Committee have set you against him. They want the power, and he is being turned out like a witch by them."

*The King*: "John, we were informed that you were killed. We were sorry when we heard that you were killed. You come from Mr. Shepstone. I am not turning him out of the country but I am taking the documents from him. I am giving the power to my Committee. Ever since those papers were put in the safe it has been locked up. There is money due to me, and I can't see who owes it. We wish the documents and papers to be given to the Committee, and Mr. Shepstone will be here as one of my subjects. When that document was written Mr. Shepstone had given notice to go. It is not done to-day. I am not turning him out of the land, but I wish the work to be done by my Committee. Why should he be against the letter. I am sorry to have to speak to you for I am ill. When the Committee sits here Mr. Shepstone never goes near. Who then is to let me know how my interests are looked to? Shepstone never goes near the Committee. Joselebumou (one of the chiefs who handed the notice of dismissal to Mr. Shepstone) came back and said to me 'Shepstone says he won't come here, but he is going to bring an

“ ‘army in the winter.’ What have I done that Shepstone should bring an army into Swaziland in the winter? Yesterday he was here. I sent for him but he would not come, but when the Boers send for him he comes. I wish to know why he left me without saying ‘good-bye’ when he left. I have sent several times for him, but he would not come near the King, and the King asked, ‘Why is this?’ He says he is going to bring an army here in the winter. I am not driving him out of the country simply because I am sick. If I was not ill, I would have sent him that letter (the dismissal) long ago when it was first made out.”

*Gama* : “ I have just spoken, but these words which you, King, are talking I know nothing of. When Mishana (an induna) was sent, Mr. Shepstone said, ‘I will not say anything about the Committee, for they know what they are about. The white people and the Kafirs won’t interfere. I have nothing to do with the Committee. The Committee has separate work.’ He also said, ‘I have nothing to complain of the Committee.’ I will tell him you are not driving him out of the country, but this letter he says is driving him out.”

*The King* : “ My work is not going on the same as it did at first. We have been talking a long time and I am determined the Committee shall work for me now. You know the commencement of the row yourself. Why is it that he is always showing airs? Why does he make himself larger than the King himself? Why? He was my induna and nothing more. I am King.”

*Gama* : “ The letter has frightened him. He had notice that that letter was written, and that he was out of office before he got it. He says you are alright as you don’t turn him out of the country.”

*King* : “ He may live in Swaziland if he likes.”

*Gama* : “ Shepstone is a son of the ‘Great House,’ and I am only his dog. He is angry and I dare not argue with him, but he will agree now that the King has explained the letter.”

*King* : “ I am surprised at the message Joselebumou brought back, for Shepstone said he was going to bring an army here. I was not quite sure of it in my ears. I was told he said: ‘Joselebumou, my reign is done. I am driven away. All I can do is leave the country. When I leave nothing will go right. The Dutchmen will come in and take the country.’ I will ask Joselebumou to tell you.”

*Joselebumou* said : “ I went up with Mr. Miller. After I gave Mr. Shepstone the letter and he read it, Mr. Miller and the other white man left. As they were leaving Shepstone said to me: ‘There are the spies running away. When I come to Embekelweni I will come with my soldiers. This letter drives me away. Everything will go wrong when I leave. The Dutchman will come and take the country. I will never come to the Embekelweni unless I come with an army.’ ”

*Gama* : “ I did not hear Shepstone say that. I never heard it.”

*Joselebumou* : “ He did say it. He also said: ‘I tell you these petty white men, when my troops come, will leave the King and run away.’ ”

*Gama* : “ I agree to that. He said these white men will run away.”

*The King* : “ I give you a message to Mr. Shepstone. Tell him all papers and books are to be given to the Committee. You have no more to do with my papers and documents. The Committee will have your power, but you may live in the country. That is my message. Tell him this was made law before T’Kuba, before Heleme, before Makashlalaga, before (illegible). White people were present. The (illegible) and the Committee is close by; not far off; and I am not in a speaking mood to-day.”

*Gama* : “ Shepstone says he understands the message you sent him, but he wants to know do you know what was in that paper that was sent. He says, ‘Does the King take me to be a fool. If things have to go on this way how can things go on in the country. Everything dates from the letters.’ ”

The Secretary offered to go and get a copy of the letter and have it read to those Indunas who had not heard it read.

*Gama* : “ No, it is all right. It does not matter.”

*T’Kuba* : “ When Mr. Shepstone was sent for he never came. He never comes in front of the Committee.”

*The King* : “ I am determined that the Committee shall look at my books and papers.”

The Secretary asked the permission of the King to say a few words.

*The King* : “ I should like to hear you.”

*The Secretary* : “ King, I am only a young man, but I have been all over the world. I have seen many things. I have kept my eyes and my ears open, and I have

“ learnt, for I am not a fool. When I came to your country I saw two things; I  
 “ saw the Committee on one hand, and Mr. Shepstone on the other. The Committee  
 “ was the King’s Committee, and Mr. Shepstone said he was the King’s man; but  
 “ if he was the King’s man, why did he work against the Committee? Why did he  
 “ lock all the books and papers in the safe, and refuse to be present so that the  
 “ Committee could look through them? Was this like a man who was on the King’s  
 “ side? His Kafir has come to-day to tell you that Mr. Shepstone is a great man,  
 “ but there are quite as great men in the Committee. When Mr. Shepstone’s Kafirs  
 “ tell the Swazie that Mr. Shepstone is the son of the Queen of England it makes  
 “ white men laugh, because of their lies. When Mr. Shepstone talks of coming here  
 “ with an army, the whitemen, who he says will run away, laugh louder, for he is  
 “ only fooling you; and when he says he will never come to Embekelweni until he  
 “ comes with an army they know that, if he is true to his word, he will never see  
 “ the Embekelweni Kraal again. King, this document that he has received says,  
 “ ‘ Hlakavana, you must give up my books and papers. Hlakavana, you must take  
 “ ‘ no part in governing my country.’ Does that drive him out of Swaziland? ”  
*The King*: “ It is the same old dispute.”  
 Gama then left, and, after some further talk, the meeting broke up.

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Enclosure 2 in No. 86.

TELEGRAM.

From GOVERNOR, Natal, to His Excellency the HIGH COMMISSIONER, Cape Town.

26th April.—Have just seen Rathbone, bearer of petition from Umbandine forwarded to your Excellency with my despatch of the 17th instant. Examined Rathbone as to the circumstances under which the document was executed. It appears that Umbandine fully understood its meaning and effect, and that his signature was duly witnessed by Native counsellors and by members of Swaziland Committee. I should be obliged if your Excellency would send me copies of the original documents sent in my despatch of 17th instant.

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No. 87.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
 (Received May 20, 1889.)

Government House, Cape Town,  
 April 29, 1889.

MY LORD,

I HAVE the honour to enclose, for your Lordship’s information, a copy of a telegram which I have received from Mr. H. Eckstein, of Johannesburg, urging that the independence of Swaziland should be maintained, or that, if a change of Government should seem imperative, it should be annexed to the Transvaal on the condition that vested interests in which English capital is invested be respected and guaranteed by the Government of the South African Republic.

I have, &c.

(Signed)

HERCULES ROBINSON,

High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,

&c.

&c.

&c.

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Enclosure in No. 87.

TELEGRAM.

From H. ECKSTEIN, Johannesburg, to his Excellency Sir H. ROBINSON, High Commissioner, Cape Town.

Despatched and received 29/4/89.—May it please your Excellency, I have at different times bought large interests in Swaziland for my own and other home firms, and these interests have been purchased in reliance on the convention of London, in which the independence of Swaziland is guaranteed. I have just received information that certain persons have applied to your Excellency to annex Swaziland, pretending falsely that it is the wish of the King. It would be very detrimental to the interests which I have bought, in reliance on the guarantee of the Convention of London, if the independence of Swaziland should be interfered with.

I have best authority for stating the people praying for the annexation of Swaziland have misrepresented the facts to your Excellency, and that it is neither the wish of the King nor the Swazie nation, nor the Europeans mostly interested in the welfare of Swaziland, to see the country annexed to any European State. Should circumstances arise which would make a change of government imperative, it would be for the interests of all concerned, and especially for the interests of the capitalists whose money is invested in Swaziland, that the country should fall under the rule of the Transvaal, which is the only Government immediately adjoining that could enforce therein the laws of a civilized State.

I therefore humbly pray that, should such change of Government seem to you imperative, Swaziland may come under the sway of the Transvaal on condition that the vested interests acquired (in which English capital is invested to a great amount), be respected and guaranteed by the Transvaal Republic.

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No. 88.

SIR HERCULES ROBINSON to LORD KNUTSFORD.  
(Received May 20, 1889.)

Government House, Cape Town,  
April 30, 1889.

MY LORD,

I HAVE the honour to enclose for your Lordship's information a copy of a telegram which I have received from the Governor of Natal, communicating the purport of a petition praying that the question of the future government of Swaziland may be reopened.

I have, &c.

(Signed)

HERCULES ROBINSON,  
High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 88.

TELEGRAM.

From GOVERNOR, Pietermaritzburg, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

29th April.—Mr. George Crossland Robinson, a resident and concessionaire in Swaziland, deputed by signatories, has to-day handed me petition from white inhabitants of Swaziland to Secretary of State, praying that the question of future government of that country may be reopened, with hope that it may be taken under British protection. Petition signed by Doering, Manager Forbes Gold Mining Company; by Sauer, Manager Pigg's Peak Company; by five members of Swaziland Committee; signed by T. Shepstone or (*sic*) Thorburn. Not signed by Dutch settlers because latter would prefer protection of their own nationality. Robinson states King knows of the petition, but was too ill to see it. King said to be in critical state. If he dies it is supposed that there will be fighting among Natives, when Boers might come in to restore order. Robinson thinks Shepstone's influence with Natives if properly used might check disorder. Robinson left Swaziland on 24th April. Petition follows by mail.

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No. 89.

LORD KNUTSFORD to SIR A. E. HAVELOCK.

SIR,

Downing Street, May 22, 1889.

I HAVE the honour to acknowledge the receipt of your Despatch of the 12th ult.,\* relating to the recent negotiations with the Chiefs Uncamana and Usibonda, and with Queen Zambile of Amatongaland.

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\* No. 84.

The statements reported by the messengers in these negotiations appear to furnish evidence likely to be of use in the delimitation of the northern boundary of Zululand, to the importance of which I have already drawn your attention. I shall be glad to learn in due course what steps you have been able to take in this matter.

It appears desirable that the magistrates for the northern districts of Zululand should make a point of visiting all the chiefs in their respective districts at an early date.

Sir A. Havelock.

I have, &c.  
(Signed) KNUTSFORD.

No. 90.

LIEUT.-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received May 28, 1889.)

Government House, Cape Town,  
May 3, 1889.

MY LORD,

WITH reference to Sir Hercules Robinson's Despatch of the 27th ultimo,\* I have the honour to enclose, for your Lordship's information, a copy of a despatch received from the Governor of Natal, covering a copy of a memorandum by Sir Theophilus Shepstone, relating to the affairs of Swaziland.

I have, &c.

(Signed) H. A. SMYTH,  
Lieutenant-General, Administrator and

The Right Hon. Lord Knutsford, G.C.M.G., Acting High Commissioner.  
&c. &c. &c.

Enclosure in No. 90.

Sir A. E. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
April 24, 1889.

SIR,

WITH reference to my despatch of the 17th instant, I have the honour to transmit herewith, for your Excellency's information, a copy of a memorandum relating to the affairs of Swaziland, which I have received from Sir T. Shepstone, at whose request I forward it to you.

I have, &c.

His Excellency  
The Right Hon. Sir H. Robinson, G.C.M.G.,  
&c. &c. &c.

(Signed) A. E. HAVELOCK.

MEMORANDUM by Sir T. SHEPSTONE.

MEMORANDUM for His Excellency Sir Arthur Havelock, K.C.M.G.

April 20, 1889.

THE present state of affairs in Swaziland seems to render it desirable, more from a political point of view than a personal one, that Mr. Theophilus Shepstone's position in that country should be clearly understood.

When, some years ago, prospecting for gold in the Transvaal began to extend itself in the Swazi country, the Chief Umbandine became uneasy, and asked that one of my sons should be sent to guide him in his dealing with the new condition of things, which he and his advisers saw arising.

He sent this request to me, he said, because he and the Swazi nation attributed their immunity from Zulu attack for more than a generation past, and consequently their

\* No. 86.

existence, to the restraining influence exercised by the Government of Natal upon the Zulus, who it was well known, had often, but in vain, asked its consent to their attacking the Swazi people, and that this restraining influence had been exercised by me.

They therefore looked upon their country and themselves as belonging to me; that I was their father, and must of necessity spare one of my sons to go and live with them, and take care of the rest of my children.

Mr. Arthur Shepstone consented to pay Swaziland a visit; but his experience there induced him to form an unfavourable opinion of the stability of the Chief's character, and he returned to Natal. After this, a special embassy was sent to me by the Chief and people, expressing regret at Mr. Arthur Shepstone's leaving, and requesting that I would give my son, Mr. Theophilus Shepstone, to take care of them, and guide and advise the Chief in the conduct of Swazi affairs, and especially to manage everything connected with their relations and intercourse with Europeans.

It must be borne in mind, that, according to Swazi ideas, the head of a family, especially if he be a man of position, always retains full control over his children, this, with the peculiar relationship towards them which the Swazi Chief and people have chosen to clothe me with, will account for the strangeness of the message, and explain the necessity that, recognizing the importance which they attached to their request, I should give my consent in a formal manner.

In doing so a day or two afterwards, in the presence of several Natal Natives, I stipulated that my son should not, unless specially requested, interfere in any way with the Government of the Swazi people, that his duty should be the arrangement of the Chief's relations with the white people, especially in regard to prospecting for and mining minerals; that, as the Chief could not write, Mr. Shepstone should do this for him, and be responsible for all written communications or documents signed by the Chief; that no paper should be signed by him until the purport and effect of it had been fully explained by Mr. Shepstone to the Chief, and that unless this was rigidly adhered to, there would be no use in his going at all. I told them that these duties would frequently expose Mr. Shepstone to the resentment of disappointed white men, who would endeavour to destroy confidence between him and the Chief. I warned the messengers especially of this, and added, as a concluding stipulation, that if any difference should arise between them which they could not settle by mutual explanation, it should be referred to me for adjustment, if possible, before any final step should be taken by either party.

All these conditions were heartily accepted by the messengers, and, when Mr. Shepstone left for Swaziland, I sent an intelligent native Induna to represent me at the assembly, at which, and by which, he should be appointed, to insist upon these stipulations as fundamental conditions of my consent to his appointment.

The programme thus laid down was strictly carried out; Mr. Shepstone was appointed, with great ceremony, at a general meeting of the heads of the Swazi people, by the Chief and headmen; my representative fully and ably explained the conditions I had stipulated for, and these being accepted by acclamation, Mr. Shepstone at once entered upon his new duties.

Many Europeans were present and joined in the cheering that welcomed the appointment.

Notification thereof was made to the different Governments and Mr. Shepstone became the medium of communication from and to the Swazi Chief.

When my Induna representative returned to Natal he reported that he had been asked by several Swazi Headmen, whether Mr. Shepstone's appointment would enable him to bring about any amelioration in the manner in which they had been governed. Whether he would prohibit the summary executions ordered by the Chief, without trial, which had become so common, and that when he told them that interference with the domestic rule of the Chief had been specially prohibited, they were much disappointed, and said, we had hoped that our condition would have been improved.

For a time things went smoothly enough; Mr. Shepstone established an elected European Committee to assist him in matters pertaining to the white population; jealousies and the distraction of personal interests, however, soon marred its authority; factions sprung up, which called in question Mr. Shepstone's advice to the Chief, who was ultimately persuaded to sign concessions, despite Mr. Shepstone's advice to the contrary. Mr. Shepstone protested, and the Chief was led to believe that his adviser was aiming at supplanting him. At length it became the practice for the Chief to sign any document that might be placed before him when it was accompanied by a money payment.

Mr. Shepstone became aware of this, and upon several occasions remonstrated with him, when he usually admitted that he had signed, but denied knowledge of what he had granted, saying that he had been deceived by the white people, who knew he could not read.

It must be said on behalf of the Chief that, by this time, he had fallen into serious ill-health.

I had been aware of this state of things for some time, when I was surprised by seeing a proclamation purporting to be signed by the Chief, dismissing Mr. Shepstone, published in the various Colonial papers.

While awaiting the outcome of this Proclamation, two messengers, Umkokoni and Umhlonitshua, arrived in Pietermaritzburg from the Swazi Chief; they were two of the messengers who had been originally sent to ask my consent to my son's going to Swaziland.

The object of their mission was, they said, 1st, to report to me "his father" the illness of "my son," Umbandeni; 2nd, to inform me that a threat of invasion had been made by Dinizulu in reprisal for the seizure by the Swazi Chiefs of certain Zulu cattle which had been sent to Swaziland for safety during the late Zulu disturbance; and, 3rd, to tell me that the Chief had been informed that a proclamation had appeared in the newspapers purporting to be signed by him, dismissing Mr. Shepstone from his position in Swaziland, the authenticity of which he denied, and to request my advice as to the course we had best adopt to counteract these false reports about him and "his brother."

The messengers urged for a speedy reply, because they had been ordered, they said, to return immediately they had received it.

Discussion, in which several Natal natives took part, elicited the true state of things, and a Chief who was present said to the messengers, you have done wrong, it is for you to find the remedy. The messengers explained that their Chief attributed the mischief to the jealousy and intrigue of Europeans, upon whom Mr. Shepstone had conferred importance, by making them members of the Committee, which he said would assist him in keeping order among the whites; that the Chief could not read, and when things were put before him to sign, represented as small things, they in many cases, as in the present, turned out to be great things. The Chief to whom this explanation was addressed, replied, that is exactly what you said you wished to provide against when you asked that Mr. Shepstone might be allowed to go to you.

It was elicited during the discussion, that the Swazi Chief had for some time past been in the habit of signing papers that were put before him by interested persons, upon the payment of money, without Mr. Shepstone's knowledge, and in spite of his protests, and that this practice had been the cause of a good deal of friction between them.

It appeared, further, that the messengers had been despatched at short notice from Swaziland, and, during Mr. Shepstone's absence, and that the threat attributed to Dinizulu, which they said had reached only the day before, was the urgent matter that was to be pleaded to me, to account for their having been sent without his knowledge.

In my reply I expressed regret at the Chief's illness; as to Dinizulu's threat, I pointed out that if he had really uttered it no importance need be attached to it, because now, no armed force with hostile intent could leave Zululand except by permission of the Governor.

The messengers urged me to give definite advice as to how the Chief could best remedy what he had unwillingly done in regard to Mr. Shepstone's position, and intimated that to obtain my definite advice was the real object of their mission. I said that, if what the Chief had done had been done without his knowledge and against his will, the only course that appeared to me to be open was to publish in the newspapers his disavowal of the proclamation of dismissal declaring it to have been made and published without his authority or intention, and to restore Mr. Shepstone to his position, and to the discharge of the functions to which he had been appointed, so that people might see which proclamation to believe; that if he did not choose to do this, the only alternative course was that he should assemble the Council of the Nation, by whom, with the Chief, the appointment was made, that they should then relieve Mr. Shepstone of his position as formally as he had been clothed with it; and, after having paid him what was his due, they should allow him to leave the country.

The messengers declared that the Chief would never consent to his leaving the country.

These messengers arrived at Pietermaritzburg on the 6th instant, and left again on the 9th, so anxious were they to get back.

My object in writing this memorandum is to place on record the circumstances, as far as I am connected with them, of my son's appointment in Swaziland, and such

incidents connected with the discharge of his duties there as are of public notoriety, together with the most recent communications to me, regarding him, by the Swazi Chief.

What turn events, which seem to be marching quickly, may take in that country, it is not possible to foretell; the only certainty is, that change must come.

(Signed) T. SHEPSTONE.

No. 91.

LIEUT.-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received May 28, 1889.)

Government House, Cape Town,  
May 4, 1889.

MY LORD,

WITH reference to Sir Hercules Robinson's Despatch of the 27th ultimo,\* I have the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from the Governor of Natal respecting the affairs of Swaziland.

I have, &c.

(Signed) H. A. SMYTH,  
Lieutenant-General, Administrator and  
Acting High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 91.

Sir A. E. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
April 27, 1889.

SIR,

WITH reference to my despatch of the 17th instant relating to the affairs of Swaziland, I have the honour to forward, herewith, a copy of a telegram which I sent to your Excellency yesterday.

I transmit a copy of a letter addressed to Umbandine acknowledging the receipt of his letter asking for the protection of Great Britain.

I have, &c.

(Signed) A. E. HAVELOCK.

His Excellency  
The Right Hon. Sir H. Robinson, G.C.M.G.,  
&c. &c. &c.

Governor Sir A. E. HAVELOCK, K.C.M.G., to His Excellency the HIGH  
COMMISSIONER, Cape Town.

26th April.—Have just seen Rathbone, bearer of Petition from Umbandine, forwarded to your Excellency with my Despatch of the 17th instant. Examined Rathbone as to the circumstances under which the document was executed. It appears that Umbandine fully understood its meaning and effect, and that his signature was duly witnessed by Native Councillors and by members of Swaziland Committee.

I should be obliged if your Excellency would send me copies of the original documents sent in my despatch of 17th instant.

\* No. 86.

Governor Sir A. E. HAVELOCK, K.C.M.G., to UMBANDINE, King and Paramount Chief of Swaziland.

Government House, Pietermaritzburg, Natal,  
April 26, 1889.

MY GOOD FRIEND,

ON the 17th instant I received your letter asking for the protection of Great Britain, together with the documents which accompanied it. I forwarded it to His Excellency the High Commissioner on the same day. I have to-day seen Mr. Rathbone who has given me further information in the whole matter.

To Umbandine,  
King and Paramount Chief of Swaziland,  
Embekelweni.

I remain, &c.  
(Signed) A. E. HAVELOCK.

No. 92.

LIEUT.-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received May 28, 1889.)

Government House,  
Cape Town, May 6, 1889.

MY LORD,

WITH reference to Sir Hercules Robinson's Despatch of the 27th ultimo,\* I have the honour to enclose for your Lordship's information a copy of a despatch which I have received from the Governor of Natal, covering copies of correspondence with the Acting Secretary and Agent to the Swazi king.

I have, &c.  
(Signed) H. A. SMYTH, Lieut.-General,  
Administrator and Acting High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 92.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg,  
Natal, May 1, 1889.

SIR,

WITH reference to previous correspondence on the subject of affairs in Swaziland, I have the honour to forward to your Excellency a copy of a further letter received from the Acting Secretary and Agent to the King of Swaziland, and of the reply which I have directed to be made to it.

His Excellency  
The Right Hon. Sir H. Robinson, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

Acting  
Secretary,  
Swazi King,  
to Sir A.  
Havelock.  
23rd April  
1889.  
Private  
Secretary to  
Acting  
Secretary.  
30th April  
1889.

Mr. MILLER, Acting Secretary and Agent, Swazi King, to GOVERNOR  
Sir A. E. HAVELOCK, K.C.M.G.

Swaziland Government Committee,  
Embekelweni, April 23, 1889.

YOUR EXCELLENCY,

ON the 1st March last some very important despatches were forwarded to your Excellency by the Swazi King. These despatches included a petition from Umbandine to His Excellency the Right Honourable the High Commissioner praying for the immediate appointment in Swaziland of a British Resident.

Mr. T. B. Rathbone, a nominee of the King's on the Swaziland Government Committee, was about to visit Natal at the time, and, as these letters were of the greatest importance, and the King was very anxious for a speedy reply, the despatches were entrusted to Mr. Rathbone, who undertook to deliver them without delay into your Excellency's hands.

By last mail I received a letter from Natal, stating that Mr. Rathbone was lying seriously ill at his home in Tongaat, and that the King's letters had not even been forwarded to your Excellency.

The King is much upset by this intelligence, as he has been most anxiously and hopefully awaiting a reply to his petition, and he has instructed me to forward to your Excellency a copy of each of the documents contained in the original despatch and he prays your Excellency to use all your influence to make the petition a success. In the meantime I have advised Mr. Rathbone, by telegram, to forward to your Excellency the original despatch.

His Excellency  
Sir Arthur E. Havelock, K.C.M.G.,  
Governor of Natal and of Zululand,  
&c. &c. &c.

I have, &c.  
(Signed) ALLISTER M. MILLER,  
Acting Secretary and Agent to  
Swazi King.

Private Secretary to Mr. A. M. MILLER, Acting-Secretary and Agent to the Swazi King.

Government House, Pietermaritzburg, Natal,  
April 30, 1889.

SIR,

I AM directed by the Governor to acknowledge the receipt of your letter of the 23rd instant, enclosing copies of your letter of the 28th February and the petition and other documents transmitted by the hand of Mr. T. B. Rathbone.

The original documents were received by his Excellency on the 17th instant. The petition and the papers which accompanied it were forwarded on the same day to the High Commissioner for South Africa.

A. M. Miller, Esq.,  
Acting Secretary and Agent to the Swazi King,  
&c. &c. &c.

I have, &c.  
(Signed) G. BROWNE,  
Private Secretary.

No. 93.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received May 28, 1889.)

Government House, Cape Town,  
May 6, 1889.

MY LORD,

WITH reference to my telegraphic despatch of the 4th instant,\* I have the honour to enclose, for your Lordship's information, a translation of a telegram which I have received from the President of the South African Republic, suggesting a friendly settlement of the questions relating to the territories to the north and east of the Republic.

I have, &c.  
(Signed) H. A. SMYTH, Lieut.-General,  
Administrator and Acting High Commissioner.  
The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

\* No. 82.

Enclosure in No. 93.

TELEGRAM.

FROM STATE PRESIDENT, Pretoria, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

3/5/89. With reference to the territories to the north and to the east of this Republic, I have the honour to acquaint your Excellency with the following :—

That I request that you will be pleased to convey to Her Majesty's Government this Government's wish to propose to Her Majesty's Government the following friendly settlement regarding said territories.

The Government is disposed to withdraw the claims of this Republic to the lands (?) to the north of this Republic and its protests respecting those territories on condition that Her Majesty's Government withdraws itself to the east of this Republic in Swaziland, the territory of Zambaan and Umbegesa, and Amatongaland, including the Kosi Bay. This Government will, in that case, use its influence to support the plans of Her Majesty's Government for expansion in Bechuanaland and Matabeleland, whilst this Government would then expect the same from Her Majesty's Government to the east of this Republic. This Government has not the intention thereby to take away the self-government of the Swazi King. The Government has come to this proposal through its endeavour for a friendly settlement, at the same time having in view the impossible position (lit. impossibility) in which this Government is placed by the geographical position of Swaziland ever to agree that in the future, whenever necessary, Swaziland should, with or without the consent of the Swazi King, come under another Government than that of this Republic. If this proposal should find a favourable consideration by Her Majesty's Government, then this Government proposes, for the greater contentedness of the natives now on our north and north-west borders, to make further proposals respecting small alterations in those boundary lines.

No. 94.

LIEUT.-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received May 28, 1889.)

Government House, Cape Town,  
May 7, 1889.

MY LORD,

WITH reference to Sir Hercules Robinson's Despatch of the 30th ultimo,\* I have the honour to enclose for your Lordship's information a copy of a despatch which I have received from the Governor of Natal, covering a petition from a number of the European inhabitants of Swaziland, praying that the question of the future government of Swaziland may be reopened.

I have, &amp;c.

(Signed) H. A. SMYTH, Lieut.-General,  
Administrator and Acting High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 94.

Sir A. HAVELOCK to Sir H. ROBINSON.

Government House, Pietermaritzburg, Natal,  
May 1, 1889.

SIR,

I ENCLOSE a copy of a telegram, which I sent to your Excellency on the 29th ultimo, informing you that Mr. George Crosland Robinson, of Swaziland, had placed in my hands a petition addressed to the Secretary of State for the Colonies by certain white inhabitants of Swaziland, praying that the question of the future Government of Swaziland may be reopened, and expressing the hope that the country may be taken

\* No. 88.

under British Protection. I now forward to your Excellency the petition in question. Mr. G. C. Robinson, the bearer of it, told me that it was the earnest desire of the signatories that the petition should reach the Secretary of State at the earliest possible date.

2. Mr. Robinson informs me that he intends to leave for England by the outgoing mail steamer, and that his address in London will be the Salisbury Club, St. James' Square.

His Excellency

The Right Hon. Sir H. Robinson, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

Governor Sir A. E. HAVELOCK, K.C.M.G., to his Excellency the HIGH COMMISSIONER,  
Cape Town.

29th April. Mr. George Crosland Robinson, a resident and concessionaire in Swaziland, deputed by signatories, has to-day handed me a petition from white inhabitants of Swaziland to Secretary of State, praying that the question of future government of that country may be reopened, with hope that it may be taken under British protection. Petition signed by Doering, manager Forbes' Gold Mining Company, by Sauer, manager Pigg's Peak Company, by five members of Swaziland Committee, and by many others. Not signed by T. Shepstone, or Thorburn. Not signed by Dutch settlers, because latter would prefer protection of their own nationality.

Robinson states King knows of the petition, but was too ill to see it. King said to be in critical state. If he dies it is supposed that there will be fighting among Natives, when Boers might come in to restore order. Robinson thinks Shepstone's influence with natives, if properly used, might check disorder. Robinson left Swaziland on 24th April. Petition follows by mail.

MY LORD,

Swaziland, March 14, 1889.

WE, the undersigned, British subjects and others, having interests, and residing in Swaziland, South Africa, respectfully request your Lordship to lay these, our humble representations and petition, before Her Majesty :

Namely,—

That, whereas in the Convention known as the Convention of London, and concluded in the year 1884, between Her Majesty and His Honour the President of the South African Republic, the independence of Swaziland was recognised by the Governments of Great Britain and of the South African Republic :

And whereas, owing to the fertility and mineral wealth of the said Native state, a large number of whites, British subjects, Dutch, and others, have of late settled in the country, have acquired grazing, mineral, and other rights, by purchase from the King, and have instituted interests that by now amount to an estimated value of three million pounds sterling :

And whereas the necessity for the existence of some authority, competent and qualified to regulate, control, and protect the rights, titles, and interests of the said white inhabitants, has led to certain negotiations and arrangements between the body of white inhabitants aforesaid, and the Swazie King, which negotiations and arrangements have resulted in that there is now in existence a White Committee possessing certain powers and rights, chosen by the white inhabitants among themselves, and confirmed by charter from the King, and exercising jurisdiction in all questions concerning the white inhabitants :

And whereas the position and authority of the said White Committee depend entirely on the sufferance and good will of the Swazie King and his council :

And whereas the aforesaid rights and interests of the white inhabitants are already of such magnitude, and are so rapidly increasing in value, that the said White Committee, constituting the sole representation of legislative, judicial, and executive authority, and having no more stable foundation than the aforesaid charter, can in no wise be regarded as sufficient protection to the rights, titles, and interests aforesaid :

And whereas the present unsettled and unsatisfactory position of affairs is not only tending to the detriment of the said rights, titles, and interests of the white people—in great part British subjects—and retarding the general development of the country, but has not failed to already create great uneasiness in the present, and grave apprehensions as to the future, in both the white and the Native populations, having already been the

direct or indirect cause of a rumoured conspiracy among the native population, resulting in the execution of the Prime Minister and six Councillors, for treason, and the slaughter of numbers of their followers and relations :

Now, we humbly and respectfully represent,—

That the existing position of affairs in Swazieland has grown up through circumstances and events, namely, the discovery and development of mineral wealth in the country, which could not have been foreseen at the time of the London Convention :

That existing uncertainty, uneasiness, and apprehension, produced by these unforeseen events, is most detrimental to the Native population itself, in whose interests, and for whose protection the recognition of independence was provided for in the said Convention.

That the conspiracy and punishment aforesaid furnish proof that a further or re-arrangement of the internal affairs of Swazieland is urgently needed, and called for in the interests of the Native and white populations alike.

And, that the increasing numbers and importance of the white population, induced to develop the great resources of the country through the indirect pledges of security involved in the recognition of independence laid down in the said Convention; their present complete defencelessness as to life and property; the existence of local jealousies occasioned by conflicting interests; and the unstable condition of the financial position of the country, are cause for the gravest apprehension of disaster in the near future, should not prompt steps be taken by the parties to the said Convention for a re-arrangement of the internal affairs of the country.

Wherefore,

We, the aforesaid undersigned, British subjects and others, having interests, and residing, in Swazieland, humbly pray and petition, that Her Majesty may be pleased to re-open the question of the form of the future government of Swazieland, with the Government of the South African Republic, and with the Swazie King.

And,

We believe that while it is the unanimous wish and desire of such of the undersigned as sign themselves as British subjects or sympathizers, that the future government of Swazieland should, if possible, be undertaken by Her Majesty, and the country be taken under British protection, it is the unanimous wish of the great majority of both the white and Native populations, that the whole of this vital question of the relations of the said two populations should be discussed and arranged, in convention, by the three Governments aforesaid.

We have, &c.

(Signed) F. B. DÖRING, Manager and Sole Administrator in South Africa of the Forbes Reef Gold Mining Company, capital 400,000*l.*, employing 10 officials, 50 white men (miners and artizans), and about 200 Kafirs.

CHAS. F. SAUER, Manager, Pigg's Peak Gold Mining Company, employing 26 Europeans and 160 Natives.

ALBAN T. ARDEN, Battery Manager, Pigg's Peak Gold Mining Company, Limited.

JOHN J. ROBINSON, Resident Engineer, Pigg's Peak Gold Mining Company, Limited.

J. FRANKLIN, Storekeeper, Pigg's Peak.

HARRY WILSON, Storekeeper, Makongwa.

WALTER CARTER, Manager, Ruby Creek Syndicate, employing 6 Europeans and 12 Natives.

FRANK H. BUCKHAM, Resident.

WILLIAM PIGG, Manager, Black Diamond Creek.

DOUGLAS, Bishop for Zululand.

FRANK ADCOCK, Solicitor.

G. KANNEMEYER, Concessionaire, Farmer, and Store-keeper.

And 79 others.

To the Right Hon. Lord Knutsford,  
Her Majesty's Secretary of State for the Colonial  
Department, G.C.M.G., &c., &c., &c.

No. 95.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received May 28, 1889.)

Government House, Cape Town,  
May 8, 1889.

MY LORD,

WITH reference to Sir Hercules Robinson's Despatch of the 27th ultimo,\* covering a copy of a petition from the Swazi King, praying for the establishment of a British Protectorate in Swaziland, I have the honour to enclose, for your Lordship's information, a translation of a telegram received from the State President of the South African Republic on the subject.

I have, &amp;c.

(Signed) H. A. SMYTH, Lieut.-General,  
Administrator and Acting High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 95.

TELEGRAM.

STATE PRESIDENT, Pretoria, to His Excellency the HIGH COMMISSIONER, Cape Town.

Immediate. 1/5/89. In reply to your Excellency's despatch of 25th April, I answer that I have read it with the greatest astonishment, as it is entirely in conflict with the messages which Umbandine sends to me. It cannot be otherwise than deception. Umbandine does not at all know and understand what a Protectorate means.

I trust that Her Majesty's Government will give no effect to this request before both Governments who guaranteed his independence by convention have truly explained to Umbandine what a Protectorate means, and that there can be no fear for Umbandine, because his independence is guaranteed by both Governments. This Government has also received a message from Umbandine, asking whether it is true that Shepstone will bring a force of Boers in Swaziland, and it has replied to him as follows, that it knows nothing of such a project, but also will never allow that Umbandine's independence shall be violated. Letter follows.

No. 96.

SIR A. E. HAVELOCK to LORD KNUTSFORD.  
(Received June 4, 1889.)

Government House, Pietermaritzburg, Natal,  
May 1, 1889.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 21st of February last,† informing me that some doubt had been expressed by persons interested in the "Mapootaland Syndicate" as to the exact position of the northern boundary of Zululand, and saying that you would be glad to learn my views upon the subject, in order that you may be able to reply authoritatively should the matter be further questioned.

2. I enclose a copy of a memorandum which has been drawn up by Mr. H. C. Shepstone, Secretary for Native Affairs, embodying the substance of the information given by him in previous papers on the subject of the political status of the Chiefs and people occupying the region forming the north-eastern portion of Zululand and the southern portion of Tongaland, and also commenting on the points set forth in your Lordship's despatch.

Memo. by  
Secretary for  
Native  
Affairs, 24th  
April 1889.

\* No. 86.

† No. 67.

3. The principal facts established by Mr. Shepstone are (1), that the Chiefs Zambane (Sambana), Begesa (Umbegeza), M'Tsilqwana (Umtyelekwana) owe allegiance to the Swazi King; and (2) that the Chiefs Fagoot (Fogoti), Ungwaman (Umcamana), and Usibondi (Sibonda) have long since transferred their allegiance from the Tonga to the Zulu power, and that since the accession of Cetywayo they and their people have been looked upon as Zulu subjects, and have by their acts admitted themselves to be Zulu subjects. I have had occasion, in course of correspondence with the High Commissioner relative to an application from the Government of the South African Republic for permission to annex the territories of Chiefs Sambana and Umbegeza, to draw his Excellency's attention to the political relations of those Chiefs with the Swazi King. And your Lordship is aware that the declaration made in the Government Notice of the 8th December 1888, that the territories of Umcamana and Sibonda (in which Sordwana Point and Bay are situated) form a portion of Zululand, is based on the facts respecting those territories which are mentioned in Mr. Shepstone's memorandum.

4. The "Mapootaland Syndicate" may be correct in asserting that *Tongaland* is an expression used by geographers to describe the whole territory north of the Umkusi and east of the Lebombos, as far as the Umbeloosi River and Delagoa Bay. But the correctness of such an assertion does not prevent one portion of the territory so described from forming a Portuguese possession, another portion from forming a part of the Zulu dominion, and a third portion from forming a part of the Swazi King's dominion. In the same way *Poland* is an expression used by geographers to describe a country with certain defined boundaries, but the use of that expression does not alter the fact that certain portions of Poland form integral parts of Russia, of Prussia, and of Austria. When, in the Proclamation of the 14th May 1887, declaring Her Majesty's sovereignty over Zululand, that country is described as being bounded on the north by Amatongaland (*Tongaland*), the expression Amatongaland was intended by me to designate the country bearing that name and possessing a *separate political existence* from Zululand. In the same way the magisterial district of Lower Umfolosi is described in Proclamation No. IV., 1887, as bounded by *Tongaland*. In drafting both these Proclamations I purposely used this form of description for the northern boundary of Zululand, and refrained from mentioning the Mkusi River or any other natural feature as forming the boundary line. I would observe, therefore, that the persons interested in the "Mapootaland Syndicate" were in error when they pointed out to your Lordship that the magisterial district on the Zululand border is defined as *extending up to the Umkusi River*.

5. Your Lordship observes that it has been represented that Cetywayo did not regard Usibondi (Sibonda) and the other neighbouring Chiefs as being in Zululand, and that they paid tribute to him just the same as Zambili did. It is possible that Cetywayo may not have regarded the territories of Sibonda and those of the neighbouring Chiefs, Fogoti and Umcamana, as being included within the *geographical* limits of Zululand proper; but that he considered that those territories formed part of his *dominion or sovereignty* seems clear. The relations between Zambili, as Regent of Tongaland, and the Zulu King were quite different to those between Sibonda and his neighbours and the Zulu King. The Tonga Sovereign appears to have been a tributary of the Zulu King, but does not appear to have been liable to serve under him in war, or to fulfil any other obligation devolving upon a subject; whereas the Chiefs of Sibonda's and Umcamana's territories have, for a long time past, been liable to be called upon to do service for the Zulu Chief, and have repeatedly been required to do so. As recently as last year the summons of Dinuzulu to do him service by attacking Usibebu was obeyed by Umcamana and Sibonda.

6. The territories of Sibonda and Umcamana have been declared to be part of Her Majesty's Possession of Zululand, and they have been included in the magisterial district of Lower Umfolosi; and thus, as your Lordship remarks, the statements of the "Mapootaland Syndicate" are, as far as those territories are concerned, practically answered; but the actual northern boundary line of those territories still remains but imperfectly defined. An inquiry on the spot would, I think, be the only means of obtaining the details required for a precise and accurate description of this boundary line. I propose to direct the Assistant Commissioner and Resident Magistrate of the district to visit this portion of his district as soon as the unhealthy season of the year is past, and then and there to collect the necessary information. The most favourable season will be during the months of June and July.

I have, &c.  
(Signed) A. E. HAVELOCK.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 96.

MEMORANDUM by the SECRETARY FOR NATIVE AFFAIRS, Natal.

*Memorandum.*

In the Despatch of the 21st February last, from the Secretary of State to his Excellency the Governor of Zululand, it is stated that doubts have been expressed by members interested in the Maputaland Syndicate as to the exact position of the northern boundary of Zululand, which, in the Proclamation annexing Zululand, is described as Tongaland; and it is asserted by them that, as geographers have given the name of Tongaland to the country lying to the north of the Umkuzi River and including Sordwana Lake and Bay, that therefore the Umkuzi River is the northern boundary of Zululand.

Three of the Chiefs, Zambana, Umbekisa, and Umtyelekwana, named in the despatch as possibly likely to be induced by Zambili to place themselves under the Portuguese flag, live in the country on and along the eastern slopes of the Lebombo Mountains, to the north-west of the Pongolo River, and never paid tribute or were subject to any Tonga Chiefs; they are, by birth, Swazi subjects, but, from motives of policy, have paid tribute to the Zulu Chief in addition to acknowledging their own Swazi Chief.

With regard to the others, the messengers from the Tonga Regent, Zambili, who have lately been here to see his Excellency the Governor of Zululand regarding the seizure, by her orders, of certain cattle belonging to the petty Chiefs, Uncamana, upon being questioned as to the right of Zambili to claim tribute from Uncamana, stated that the three petty Chiefs, Fokoti, Uncamana, and Sibonda, living in the country lying between the Lebombo Mountains and the sea, to the north of the Umzuzi River, paid tribute to and were the subjects of the Tonga Chief Makasana, the grandfather of the present young Chief Ungwanase.

Upon the death of Makasana, which must have taken place early in Panda's time, these three Chiefs or, rather, their fathers, ceased to pay any tribute to the Tonga Chief, and transferred their allegiance, unquestioned by the Tongas, to the Zulu power. I do not know what position they held during Panda's lifetime to the Zulu power, that is, whether they were looked upon as actual subjects or merely tributary Chiefs, in the same way that Makasana and his successor, Nozizingili, were regarded.

The messengers admit that, after Cetywayo's accession to the chieftainship, these petty Chiefs were looked upon as Zulu subjects and called out by Cetywayo when he required their services; that they were so called during the Zulu war and after Cetywayo's restoration, when he and Sibebu quarrelled, and they were again called upon and used by the Zulus, when they, with the assistance of the Boers, attacked and defeated Sibebu.

I believe also that in the recent disturbances in Zululand, these Chiefs acted under the orders of Dinuzulu, and actively opposed the return of Sibebu to his country, for which they were attacked and punished by Usibebu.

All these acts go to show that they regarded themselves and were regarded by the Zulu power as Zulu subjects; and, further, the Tonga Chiefs never protested against their action, or called upon them, if they regarded themselves as Zulus, to leave their (the Tonga) country.

I understand from the Tonga messengers that these Chiefs and their people lived in the country to the north of the Umkuzi River, right down to the seashore.

Fokoti and his people occupied the country to the east of the Lebombo Mountains, between the Umkuzi and Pongolo Rivers to where the Pongola River turns and runs to the north; that Uncamana, who has a large tribe, comes next, and occupies the country right down to the sea, and for some distance along the seashore to the north of Sordwana Bay.

Sibonda, who only has a small tribe, occupies the country to the north of St. Lucia Lake down to the sea and along the seashore up to Sordwana Bay. There is also another small tribe between him on the west and Uncamana's people.

The messengers could not tell me how far along the seashore to the north of Sordwana Bay Uncamana's people occupied the country, but they said it was some distance.

From this I think it will be seen that the Tonga Chief has no grounds to look upon these three Chiefs as his subjects, because, many years ago, with the knowledge and tacit consent of the Tonga Chief, they transferred their allegiance to the Zulu power.

(Signed) H. C. SHEPSTONE,

Secretary for Native Affairs.

April 24, 1889.

No. 97.

SIR A. E. HAVELOCK to LORD KNUTSFORD.

(Received June 4, 1889.)

Government House, Pietermaritzburg, Natal,

May 4, 1889.

(Extract.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 5th ultimo\* in which you desire me to consider whether I should not at once take steps to define the boundary between Zululand and Tongaland.

Before receiving your Lordship's despatch under acknowledgment, I had considered this matter, and in the last paragraph of my Despatch of the 1st instant,† I had informed your Lordship that I proposed to send an officer to obtain, on the spot, the details required for a precise and accurate description of the boundary line. I now submit a copy of a despatch which I have addressed to the Resident Commissioner conveying instructions to him in the matter.

Enclosure in No. 97.

SIR A. E. HAVELOCK to MR. OSBORN.

Government House, Pietermaritzburg, Natal,

May 4, 1889.

SIR,

THE Secretary of State has drawn my attention to the necessity of ascertaining and settling the precise boundary between Zululand and Tongaland. An inquiry on the spot would, I consider, be the only means of obtaining the details required for a precise and accurate description of the boundary line. For this purpose and for the general purposes of administration, it is desirable that this part of the country should be visited by an officer of the Zululand Government as soon as the unhealthy season of the year is past. I have, therefore, to request that you will direct the Assistant Commissioner and Resident Magistrate of either the Lower Umfolosi or the Ndwandwe District to proceed, at the earliest convenient date, to the locality, and then and there to ascertain and settle the boundary line between Zululand and Tongaland.

You should invite the Queen Regent, Zambili, to send a representative to be present at the demarcation. Messengers from Zambili are here now. I will desire them to prepare the Queen Regent for your invitation.

2. The proposed demarcation will necessarily involve some reference to the position of Zambaan (Sambana) and Umbegesa. It would be desirable that the wishes of these Chiefs with regard to their future relations with Her Majesty's Government and with the Government of the South African Republic should be ascertained. This should be done without any promise being made or indication as to the policy of Her Majesty's Government being given to them. At the same time information should be sought as to the position and boundaries of the territory of a Chief named M'Tsiloqwan (Umtyelekwana), and as to the political status of this Chief and his people.

3. There are tribes occupying strips of territory lying immediately to the eastward of the Pongola River, the names of whose Chiefs are Fogoti (Fagoot) and Umghenti. There is reason for supposing that these tribes and their lands form, in the same manner as Uncamana and Sibonda's tribes and territories, a portion of the Zulu dominion. All doubt on these points should be set at rest by inquiry on the spot, which should be made by the officer sent to define the Zulu-Tonga boundary.

4. Important concessions are said to have been obtained by Colonel Coope for the Mapootaland Syndicate from the Chiefs Sibonda, Uncamana, Fogoti, Umghenti, and Umbegesa. Information should be got from the Chiefs as to the nature of these concessions, and as to the circumstances under which they were given. I enclose a tracing of a map,‡ prepared for the Mapootaland Syndicate, showing the position of the territories of the Chiefs mentioned above.

I am, &amp;c.

(Signed) A. E. HAVELOCK.

His Honour the Resident Commissioner of Zululand,

&amp;c.

&amp;c.

&amp;c.

\* No. 72.

† No. 96.

‡ Not printed.

No. 98.

LIEUT.-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received June 4, 1889.)

Government House, Cape Town,  
May 15, 1889.

MY LORD,

I HAVE the honour to inclose, for your Lordship's information, a copy of a letter which I have received from Mr. H. Eckstein, covering a notarial copy of a document in which Umbandine undertakes not to part with the independence of his country.

It is evident that the European inhabitants of Swaziland are divided in opinion as to the maintenance of the independence of the country or the intervention of either England or the South African Republic, and that each party claims to possess the concurrence of the King.

I have, &amp;c.

(Signed) H. A. SMYTH, Lieut.-General,  
Administrator and Acting High Commissioner.The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 98.

Mr. ECKSTEIN to His Excellency the ADMINISTRATOR.

Johannesburg, South African Republic,  
1889.

MAY IT PLEASE YOUR EXCELLENCY,

REFERRING to my telegram of the 29th April, which I had the honour to dispatch to you, I now take the liberty of enclosing a notarial copy of a document which I received from Swaziland, which proves conclusively that the petition for protection handed to your Excellency in the name of King Umbandine is, to say the least of it, insincere and unreliable.

A further proof in support of my statement is that there are two Swazie Chiefs at present in Pretoria who have stated publicly that they are there by order of their King to deny that he has sent any white men with a petition for protection to your Excellency.

I have, &amp;c.

(Signed) H. ECKSTEIN.

To his Excellency  
Her Majesty's High Commissioner for South Africa,  
Cape Town.

TRANSLATION.

To all whom it may concern, Greeting.

I, Alexander Reus Meintjes, Assistant Registrar of the High Court of the South African Republic, certify by these presents that Carl Weckermann, senior, whose signature stands upon the document hereunto annexed, marked A, is admitted and authorised as Notary Public in this Republic, and that all acts, documents, or manuscripts witnessed by him in his capacity as aforesaid, are in all respects accepted as authentic and valid in the courts of justice and elsewhere throughout this State.

Given under my hand and seal, in the Registrar's Office at Pretoria, this 7th day of May 1889.

(Signed) A. R. MEINTJES,  
Assistant Registrar.

(L.S.)

WHEREAS I, Umbandeni, King of the Swazi nation, have, with the advice and assistance of my headmen and councillors granted certain concessions for the licenses and mint and others in Swaziland, which licenses and mint concessions are now held by and transferred and confirmed to Jules Porges and Hermann Eckstein, hereinafter styled the concessionaires; and whereas it is proper that the holders of concessions in Swaziland should be properly secured in the working of the said concessions in the manner hereinafter set forth.

Now I, on my behalf and on behalf of my people, promise, engage, and agree to and with the said concessionaires, for good and sufficient consideration received by me from them this day, that I will not on any account give up the independence of my country to any foreign power whatsoever, excepting with the consent of the said concessionaires, but will on the contrary resist the conquest or annexation of my country or the getting of any authority therein by any foreign power to whom the said concessionaires may object, to the best of my ability and with force of arms if necessary; and I, Umbandeni, assisted by my councillors, do accept the assistance offered by the said concessionaires, and authorise and empower them in the event of my being attacked, or the conquest or annexation of my country being threatened, to bring in such foreign powers as they may think fit for the protection of my kingdom or otherwise. And it is a condition hereof that the said concessionaires shall pay me yearly the sum of 100*l.* (one hundred pounds sterling), the first payment to be made on the 1st day of May 1890.

And I agree that in the event of the independence or annexation of my country being threatened, or proposals in that behalf being made to me, I shall give the said concessionaires due notice of same, so as to enable them to take steps for the protection of the concessions granted by me for Swaziland.

Dated at Embekelweni, King's kraal, Swaziland, May 1st, 1889.

(Signed)	KING UMBANDENI, his X mark.
„	TECUBA, his X mark.
„	HELM, his X mark.
„	JOBBE, his X mark.
„	MACHAZE, his X mark.
„	JOSEBOMBA, his X mark.
„	MACHASHATEKE, his X mark.

Witnesses—

(Signed)	NAPH. M. COHEN.
„	ANDREW EWING.

I, Ernest Cooper, do hereby certify that I this day carefully and truly translated the foregoing document to King Umbandeni and his council.

Dated at Embekelweni in Swaziland, 1st May 1889.

(Signed) ERNEST COOPER,  
Interpreter.

I, Carl Weckermann, senior, of Pretoria, Notary Public for the South African Republic, do hereby certify that the foregoing is a true copy of the original deed.

(Signed) CARL WECKERMANN,  
Notary Public.

Pretoria, May 7, 1889.  
(L.S.)

Duly registered in the books of the King.

(Signed) ALLISTER M. MILLER,  
Acting Secretary and Agent, Swazi King.

Embekelweni, May 1, 1889.

No. 99.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received June 5, 1889.)

TELEGRAPHIC.

I have received telegram from Government of the South African Republic informing me that a confidential letter has been received by influential person in Swaziland communicating intelligence respecting possible disturbances on 29th July next. Govern-

ment of the South African Republic add they consider it necessary, in the interest of King, his subjects, and other inhabitants of Swaziland, and especially because King has applied for it, to send Commission to investigate and report, and see to [? no] mischief takes place on 29th July. I replied that I hoped Government will be able to inform me of substance of confidential letter, that I will communicate substance of this telegram to you by cable, but I trust no steps will be taken in direction of proposed Commission until views of Her Majesty's Government have been received. I advise that you accede to proposed Commission, but appoint British officer to accompany it. Colonel Martin is close to, knows the country, and, looking at short time available, would, I think, be the best man to send. Please instruct me by cable.

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No. 100.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received June 6, 1889.)

TELEGRAPHIC.

6th June. Referring to my telegram of 5th June,\* Government of South African Republic reply that circumstances are such that it is not possible for them to wait. I think President of South African Republic should be informed Her Majesty's Government intend to send officer to investigate facts, and it would be well if he could act in concert with Transvaal officers, but, if it cannot be conveniently arranged, he will act alone. Do you approve?

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No. 101.

THE LONDON CHAMBER OF COMMERCE to COLONIAL OFFICE.  
BRITISH RESIDENT IN SWAZILAND.

Botolph House, Eastcheap, London, E.C.,  
June 7, 1889.

MY LORD,

YOUR Lordship will be aware of the interest taken by the South African Section of this Chamber in all matters which are likely to have any influence on the development of British trade with our Colonies and possessions in South Africa.

Such development is best assured by the due observance of law and order under the responsibility of a British Representative, and for this purpose the South African Section of this Chamber desires to urge Her Majesty's Government to accede to the request repeatedly made by the Swazi King, and supported by Chambers of Commerce and other influential bodies and persons in South Africa, for the appointment of a British Resident in Swaziland.

With the purpose of bringing the views of my Section before your Lordship, views which your Lordship is aware, from previous communications, are swayed entirely by commercial, and not at all by political interests, I am desired to inquire whether your Lordship will be disposed to receive a deputation from this Chamber, which, in the affirmative case, will be introduced by Mr. Joseph Chamberlain, M.P.

I am further desired to inquire whether the 25th instant would be a date convenient to your Lordship, or, if not, to request you to kindly favour me with one or two alternative dates, in order that I may consult the convenience of Mr. Chamberlain and other gentlemen who will take part in the deputation.

I have, &c.

(Signed) KENRIC B. MURRAY,  
Secretary.

The Right Hon. Lord Knutsford,  
Colonial Office, S.W.

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\* No. 99.

No. 102.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received June 12, 1889.)

TELEGRAPHIC.

Press telegram reports General Smit and Attorney-General, with military escort, have left Pretoria for Swaziland.

No. 103.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

12th June, 1889. Referring to your telegram of 12th June,\* inform President of the South African Republic that Her Majesty's Government have learnt with surprise report that two high officials of Government of the South African Republic, under escort of military, had left for Swaziland; that Her Majesty's Government are now considering advisability of proposing to Government of South African Republic an inquiry in concert with that Government into the existing circumstances Swaziland, to ascertain what are wishes of Swazi King, Chiefs, and Europeans, and in the meantime they cannot sanction any separate interference in affairs of that country. Observe that under Article II., London Convention of 1884, it is proper function of Her Majesty's Government, if necessary, appoint Commissioners maintain order there.

If report confirmed, send Martin, with small body of white police force escort, as Deputy Commissioner, instructing him use influence to maintain order pending instructions, but of course he will not assume administrative control. He should meet officers of Government of the South African Republic in friendly spirit, but protest if any breach of London Convention of 1884 appears to be in contemplation.

No. 104.

LORD KNUTSFORD to SIR C. B. H. MITCHELL.

EXTRACT.

Downing Street, June 12, 1889.

I HAVE the honour to acknowledge the receipt of Sir A. Havelock's Despatches, of the 1st and of the 4th of May,† relating to the northern boundary of Zululand and its relations to Amatongaland.

Sir A. Havelock's action as regards the demarcation of the boundary has my approval, and I shall be glad to learn the progress that is being made in this matter.

No. 105.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received June 15, 1889.)

TELEGRAPHIC.

REFERRING to your telegram of 12th June,‡ the following is substance of long telegram from President of South African Republic:—

The Mission of Vice-President and State Attorney has already been communicated. Swazi King, through messengers, asked General Smit to come to him. There

\* No. 102.

† Nos. 96 and 97.

‡ No. 103.

is no military escort. Two artillerymen have gone to drive and take care of horses. Government of South African Republic will be glad to receive proposals for a joint inquiry into affairs of Swaziland, which was proposed by them some time ago. It is not the intention of Government of South African Republic to interfere with Swaziland. It is their object to preserve independence of Swazis, and to prevent disturbances indicated by Shepstone's letter. Government of South African Republic does not feel called on to maintain order in Swaziland, unless it should become absolutely necessary to interests of Republic. Précis ends.

I will send my views in separate telegram.

No. 106.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received June 15, 1889.)

TELEGRAPHIC.

REFERRING to my telegram of to-day,\* the avowed objects of Transvaal officers is legitimate, but to prevent possible unfair influence at Committee meeting, 29th July, I think Martin should go to Swaziland.

Governor of Natal has no confirmation of Shepstone's reports of possible disturbances, but Martin's presence would act as a check on both English and Transvaal party. He might be instructed to inform King of probable Joint Commission of Inquiry, and to report on statements in Shepstone's letter, but there is no need to give him a commission or police. Letter of instructions will give him sufficient authority.

There is no reliable ground for believing that Swazi King desires a Deputy Commissioner, and if one was appointed now without request from Swazis, there would be difficulty in getting contribution from him afterwards; moreover, he could not be withdrawn without loss of prestige, even if they refused to contribute.

As regards proposed police escort, armed men would have to travel via Tongaland, and journey would be attended with difficulty, and take several weeks. If Martin takes interpreter and only two unarmed orderlies, he can pass through Transvaal.

No. 107.

COLONIAL OFFICE to the LONDON CHAMBER OF COMMERCE.

SIR,

Downing Street, June 15, 1889.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 7th instant,† inquiring whether it would be convenient for his Lordship to receive a deputation from the London Chamber of Commerce in connexion with the affairs of Swaziland.

I am to acquaint you in reply, for the information of the Council of the London Chamber of Commerce, that it is probable that an inquiry will be made into the condition of affairs in Swaziland, and as to the actual facts with regard to the feelings and wishes of the King and the people of that country, and of the white residents there, upon which the reports are very contradictory.

Her Majesty's Government are accordingly not at present prepared to appoint an officer to reside in Swaziland, and Lord Knutsford thinks that it would be better to defer for the present receiving a deputation on the subject.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

The Secretary, London Chamber of Commerce.

\* No. 105.

† No. 101.

No. 108.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received June 16, 1889.)

TELEGRAPHIC.

16th June 1889.—President of South African Republic sends me text of telegraphic correspondence respecting Swazi raid on Transvaal Republic. Agent of Swazi King apologised and asked that matter be settled amicably. President of South African Republic replied that Government of South African Republic does not intend to maintain its rights by force, and relies upon good-will of Swazi King. General Smit is on his way to Swaziland, and Swazi King can settle matter with him. Agent of Swazi King replied that King will, as suggested, consult Vice-President. Précis of telegraphic correspondence ends.

This is satisfactory, but for reasons already given I am still of opinion that Martin should go. Moreover, he could do good by inducing rival European parties to postpone their quarrels till appointed Commission of Inquiry arrives.

No. 109.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

18th June 1889.—Referring to your telegrams of 15th and 16th June,\* your proposal approved. Martin should go immediately with unarmed mounted orderlies and interpreter. Inform Government of the South African Republic that Her Majesty's Government have received with much satisfaction explanation referred to in your telegram of 15th June.

No. 110.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

SIR,

Downing Street, June 21, 1889.

I HAVE the honour to acknowledge the receipt of your three telegrams of the 15th and 16th instant,\* relating to the affairs of Swaziland.

In my telegram of the 18th instant,† I have already informed you of my approval of your proposal that Colonel Martin should proceed at once to Swaziland to ascertain and report the present position of affairs.

I desire to observe that, in suggesting that Colonel Martin should be sent as Deputy Commissioner, I did not contemplate his appointment as a Commissioner for Swaziland under the 2nd Article of the Convention of London, but his temporary employment as a Deputy Commissioner under the 5th Article of Sir H. Robinson's Commission as High Commissioner, for the purposes of his present mission. I concur, however, in your opinion that there is no necessity for him to receive any commission.

I have, &amp;c.

The Acting High Commissioner.

(Signed) KNUTSFORD.

No. 111.

SIR A. E. HAVELOCK to LORD KNUTSFORD.

(Received June 24, 1889.)

Government House, Pietermaritzburg, Natal,

MY LORD,

May 24, 1889.

I HAVE the honour to submit to your Lordship a transcript of a message sent to me by the Queen-Regent Zambili of Tongaland. The bearers of this message were the

three men, Masololo, Kwezi, and Unkonka, who have on previous occasions been charged with a similar mission. They brought to me also a letter from Mr. Brühem, a copy of which I enclose. I received the messengers on the 17th instant, and gave them a reply to take back to Zambili. My reply, which I had previously reduced to writing, was read over, interpreted, and explained to the messengers, and then placed in their hands, enclosed in a sealed envelope addressed to Zambili. I submit a copy of my message. The receipt of Mr. Brühem's letter was acknowledged by the Secretary for Native Affairs.

2. I examined the messengers as to whether Zambili and her headmen had had any recent communication with officials of the Portuguese, or of any other foreign Government. They stated that since Colonel Martin's visit during last year, the only Europeans with whom they had had communication of any kind were traders.

I have, &c.

(Signed) A. E. HAVELOCK.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure 1 in No. 111.

MESSAGE to His Excellency the GOVERNOR OF ZULULAND from ZAMBILI, Regent, and the Chiefs, and Indunas of Amatongaland, delivered by Masololo, Kwezi, and Unkonka.

WE are sent with a letter, written by Madavu (Mr. Brühem) for Zambili and her Indunas, to the Governor; we are to give their respects to the Governor, and to appeal to the Government for redress, as to the way in which our country has been divided and taken away from us and given to the Portuguese without our knowledge and consent. More than half our country is cut off.

The boundary as now pointed out runs close past the Eugcina kraal, which, before this new boundary, was situated in about the centre of our country.

This country and the people occupying it are said to belong to the Portuguese, though we, who own it, never gave it and know nothing about it. The people in it regard Zambili as their chief, and not the Portuguese. Zambili and the Indunas do not understand how they can control and rule over people living in a country which is said not to belong to them.

They state that when they paid tribute to the Zulu power, they did so for the whole of their country and people, and that when they signed the Treaty of Amity, brought to them by Umxakaza (Mr. Saunders), they did so under the impression that they were doing so for the whole of their country and people in the same way as they had done to the Zulus.

When Konela (Colonel Martin) came and pointed out the boundary line close past the Eugcina kraal, they protested against it, saying, that this had always been their country, and had never been given by them to the Portuguese. Seeing that Colonel Martin persisted in this boundary, and that, in our opinion, in doing so, he had broken the treaty signed by us and Mr. Saunders, we refused to sign the paper he had brought. This was the reason why the paper was not signed.

Zambili wishes to own and rule over the whole of her country and people as her predecessors had done, and when she does hand it over to any other Power, she wishes to hand it over as a whole.

Upon being questioned as to the contents of the letter they brought, the messengers stated that they did not know that the letter requested that Zambili and her Indunas might be released from the Treaty of Amity signed before Mr. Saunders. They said that they had no message to that effect, and that they had stated the words given to them to the effect that they were to appeal to the Government for redress.

Made to me,

(Signed) H. C. SHEPSTONE,  
Secretary, Native Affairs.

26th April 1889.

Postscript.—The messengers say that they had omitted to state that Zambili had instructed them to acknowledge the message sent through them from the Governor relative to Umcamana's cattle. Zambili thanks the Governor for his words and for his decision as to the disposal of the cattle, which she says she will have carried out.

The messengers stated, upon being questioned, that no orders about it had been given before they left, because on their arrival from Natal they found Zambili very busy

with preparations for the dance of the first-fruits, which came off shortly before they left to come here, and that they think the necessary instructions as to the cattle would have been given soon after.

18.5.89.

(Signed) H. C. SHEPSTONE,  
Secretary, Native Affairs.

## Enclosure 2 in No. 111.

Mr. BRÜHEIM to Sir A. E. HAVELOCK.

ZAMBILI and all the Chiefs and Indunas of Amatongaland wishes me to beg your Ex. (Excellency) to release them from the Treaty dated 6th of July 1887; they wish to be free, and to do with their country as they think is the best for the country and the Amatonga people.

This letter is conveyed, and the substance of this letter is verbally given by Zambili and her councillors to Masololo, Kwezi, and Unkonko.

Emfheleweni Kraal,  
19th April 1889.

I have, &c.  
(Signed) G. W. BRÜHEIM.

## Enclosure 3 in No. 111.

MESSAGE from His Excellency the GOVERNOR OF NATAL AND ZULULAND to ZAMBILI, Regent, and the Indunas of Tongaland in reply to that delivered by Masololo, Kwezi, and Unkonka.

THE Governor has received and read the message delivered by the messengers to the Secretary for Native Affairs. The Governor has received and read a letter brought by the messengers from Mr. Brüheim. In this letter Mr. Brüheim says that Zambili and the Chiefs and Indunas wish him to ask the Governor to release them from the treaty signed in the presence of Mr. Saunders. Mr. Brüheim further says that this request is verbally given by Zambili and her councillors to Masololo, Kwezi, and Unkonka. The message brought by these messengers contains no mention of this request, and they state they have been charged with no message to that effect. The Governor desires the messengers to enquire of Zambili how this difference between their message and Mr. Brüheim's letter has come to pass.

The Governor desires the messengers to tell Zambili that such a request as that mentioned in Mr. Brüheim's letter could be granted by no one except the Great Queen herself. The Governor thinks the Queen would not grant it for this reason, that the Tonga sovereign and people were, as the messengers themselves say, tributaries of Cetywayo; that the Queen having conquered Cetywayo now rules his country and people, and possesses all the rights he used to possess. It follows that the Queen Regent Zambili and her people are in this way tributaries of the Great Queen, and that the treaty dated on the 6th July 1887, and afterwards signed in the presence of Mr. Saunders, made no new arrangement; it merely stated in writing a condition that already existed. For this reason the Governor thinks it will be impossible for the Queen to alter the treaty. Besides this, it is for the good of the Tonga people that such a treaty should exist. It will prevent them from being eaten up by people who only wish to make money out of them.

The messengers report that they are directed by Zambili and her Indunas to give their respects to the Governor, and to appeal for redress as to the way in which their country has been divided and taken away from them, and given to the Portuguese without their knowledge and consent. This is no new matter. It is a matter which was settled a good many years ago, and cannot now be altered. The Governor himself told these same messengers about it with his own mouth, when he saw them in his room more than two years ago. Mr. Saunders told Zambili and the Indunas about it when they signed the treaty in October 1887. It is incorrect for them to say that they thought they were signing for the whole country with Mr. Saunders. They are also wrong in their opinion when they state that Colonel Martin, by pointing out the boundary, in spite of their protests, broke the treaty signed in the presence of Mr. Saunders. The Governor repeats that this matter of the boundary is settled, and cannot be altered.

The Governor reminds these messengers of the message sent by him to Zambili about the cattle taken from Umcamana. In the same message the Governor told Zambili that Umcamana and Sibonda, having for many years been subject to the Zulu King, are now subject to the Queen, and that their country is now included in the Queen's dominions. The Governor has desired Mr. Osborn to send a white officer to mark off the boundary between Umcamana and Sibonda's land and the land of Zambili and her people. The Governor has directed Mr. Osborn to ask Zambili to send one of her Indunas to be present at the marking off (of) this boundary. The Governor wishes Zambili to comply with Mr. Osborn's request.

(Signed) A. E. HAVELOCK,  
Governor.

17th May 1889.

No. 112.

FOREIGN OFFICE to COLONIAL OFFICE.

SIR,

Foreign Office, June 26, 1889.

I AM directed by the Marquis of Salisbury to transmit to you herewith, to be laid before the Secretary of State for the Colonies, copy of a despatch from Mr. Knee, Acting British Vice-Consul at Lorenzo Marques, forwarding copy of a newspaper\* giving an account of the reception by the Governor of that city of ambassadors from Amatongaland, and I am to request that Lord Salisbury may be favoured with any observations that Lord Knutsford may have to offer thereon.

The Under Secretary of State,  
Colonial Office.

I am, &c.  
(Signed) T. V. LISTER.

Enclosure in No. 112.

Vice-Consulate, Lorenzo Marques,  
Delagoa Bay, May 15, 1889.

MY LORD,

I HAVE the honour to enclose to your Lordship copy of a newspaper, dated the 11th of May 1889,\* published here, and generally understood to be what is termed a semi-official publication.

I beg to call attention to an article at page 2, headed "Nova Embaisada de Maputo," setting out particulars of an official audience given by his Excellency the Governor of this city to the ambassadors of that portion of Amatongaland situate south of parallel 26.30, understood by all concerned to be enjoying the advantages of being within the sphere of British influence.

The reception of these ambassadors by the Portuguese Governor in the presence of the whole of the Government officials, conveys to the public here such an incorrect view of the right of such a proceeding, that, in the interest of my Government, I deemed it desirable to call on the Governor and ask if he saw any objection to explain to me the meaning of such demonstration. His Excellency offered me the following explanation: 1st. The Queen of Amatongaland desired the whole of her territory to be placed under Portuguese protection; 2. That a similar request had before been made, though without success; 3. That she had despatched a similar number of indunas to his Excellency the Governor at Natal, to state there what her ambassadors here had instructions to place before the Portuguese Government.

To the 1st I ventured to ask his Excellency the Governor if there was any doubt in his mind, or if the messengers had expressed any doubt, as to the knowledge that the portion of the country south of 26.30 enjoyed the opportunity of stating their wishes to the Government exercising protecting influence over them, instead of asking directly the interference of a Government adjoining. His Excellency the Portuguese Governor assured me that it was quite understood, but that they simply asked for help. I then ventured to ask his Excellency if he was not aware that what he chose to designate the first application, made without success, was attended with a direct refusal from the English Government to permit the question to be discussed by any other Government than its own.

\* Not printed.

To this his Excellency offered no comment.

I would beg permission to point out that every endeavour is made to discredit British influence, and that the inspired reports published weekly in the Lorenzo Marques newspaper, as to the railway being about to be seized by the Portuguese Government, has undoubtedly influenced the mind of the Amato-ga Queen in the step she has taken by the advice and assistance of her European councillor "Breaumhime." Events are moving rapidly, and not in the interests of British influence and commerce. I have not thought it desirable to do more than bring these facts to the knowledge of your Lordship.

The Marquis of Salisbury.

I have, &c.  
(Signed) OLIVER KNEE.

No. 113.

SIR A. E. HAVELOCK to LORD KNUTSFORD.

(Received July 2, 1889.)

Government House, Pietermaritzburg, Natal,

MY LORD,

June 3, 1889.

WITH reference to my Despatch of the 4th May last,\* enclosing copy of a despatch which I had addressed to the Resident Commissioner, conveying instructions with regard to the demarcation of the boundary between Zululand and Tongaland, I have the honour to submit to your Lordship a copy of a despatch from Mr. Osborn, in reply, setting forth proposals with regard to the carrying out of those instructions.

2. I recommend the Resident Commissioner's proposals to your Lordship's favourable consideration. Should your Lordship approve, I would request that, in order to save time, authority for the expenditure of the sum of 313*l.* 6*s.* 8*d.*, to cover the cost of the expedition, may be given by telegraph.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) A. E. HAVELOCK.

Enclosure in No. 113.

Mr. OSBORN to Sir A. E. HAVELOCK.

Eshowe, Zululand,

SIR,

May 28, 1889.

IN reference to your Excellency's Despatch of the 4th instant, conveying instructions for the ascertaining of the boundary between Zululand and Tongaland, I venture to represent, for your Excellency's consideration, that Mr. Saunders, Resident Magistrate, Eshowe, should be charged with the duty of carrying out those instructions instead of either of the two officers indicated in your despatch. My reason for offering this suggestion is that both Captain Tye and Mr. Gibson have been appointed to their present offices at comparatively late dates, and can scarcely have a sufficient knowledge of all the circumstances to be inquired into and dealt with, in order to carry out the instructions in a satisfactory manner. Mr. Saunders, on the contrary, while on his mission to Zambili in 1887, studied the whole position. The knowledge he so acquired, and the official acquaintance he then made with the Chiefs, combined with his experience of Native matters generally render him, I submit, specially fitted for the duties referred to.

Should this suggestion meet with your Excellency's approval, Mr. Saunders could proceed on his journey on, or as soon as possible after, the 1st July, by which date he will have completed the collection of the hut-tax in Eshowe district, and I would recommend that Mr. Koch be appointed to act as Resident Magistrate during his absence.

I would also recommend that Mr. Saunders be authorised to collect the hut-tax from the Chiefs Sibonda and Ncamana while on his journey to carry out the instructions.

\* No. 97.

Mr. Saunders has, at my request, prepared an estimate of the expenses that would have to be incurred in connexion with the expedition, of which I enclose a copy for your Excellency's consideration.

I concur with Mr. Saunders that he should be accompanied by an escort of 15 men and one officer of the Zululand Police.

His Excellency Sir A. E. Havelock, K.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) M. OSBORN,  
Resident Commissioner.

RESIDENT MAGISTRATE, Eshowe, to the RESIDENT COMMISSIONER.

R.M. Office, Eshowe,  
May 28, 1889.

SIR,

IN reply to your letter of this date on the subject of my being charged with the duty of ascertaining the boundary between Zululand and Tongaland, and collecting hut-tax from Sibonda and Ncamana, I estimate the total cost of such mission, which it is calculated will take two months to accomplish, as under :—

	£	s.	d.
My own expenses, to cover everything, at 25s. a day for 60 days	75	0	0
Clerks' pay, at 10s. a day for 60 days	30	0	0
Pay for three Headmen to accompany me at, say, 2 <i>l.</i> each per month	15	0	0
Rations, &c. to Headmen and their attendants	30	0	0
Presents to Zambili and Chiefs	25	0	0
Contingencies, such as medicines, &c.	15	0	0
Salary to locum tenens here, at Eshowe, at, say, half my salary	33	6	8
Hire of two waggons at, say, 15s. a day, each	90	0	0
	£313	6	8

In making out this estimate I would make the following remarks :—

- 1st. It is possible the mission would not occupy the whole of the two months, in which case the expenses would be reduced; but, at the same time, it is very necessary that, in performing a duty of this nature, one should not be hurried.
- 2nd. I think it very necessary that two or three Headmen of standing should accompany whoever goes down to perform this duty, so that they may be independent witnesses of what takes place.
- 3rd. It is usual, in matters of this nature, to make small presents of blankets, &c. to the Chiefs one has to deal with, and this course was observed when, on a previous occasion, I was sent on a mission to Zambili.
- 4th. It appears to me very necessary that a small detachment of Zululand Police, say, of 15 men, under a non-commissioned officer, should accompany the party, as, in the first instance, it will be necessary to have a guard over what money is collected as hut-tax, and the presence of a detachment of this force would favourably impress the tribes which, up to the present, have had little or no control exercised over them. The estimate for the second waggon is in view of a detachment accompanying the party. I presume a portion of the detachment now at the Lower Umfolosi Magistracy could be told off for this duty.

I have, &c.  
(Signed) C. R. SAUNDERS,  
R.M., Eshowe.

No 114.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received July 2, 1889.)

Government House, Cape Town,

June 11, 1889.

MY LORD,

WITH reference to Sir Hercules Robinson's Despatch of the 27th April last,\* and to my Despatch of the 15th ultimo,† I have the honour to enclose, for your Lordship's information, a copy of a letter which I have received from Mr. H. Eckstein, covering sworn declarations to the effect that Umbandine, the King of Swaziland, repudiates his alleged desire for British protection.

I have, &amp;c.

(Signed) H. A. SMYTH, Lieutenant-General,  
Administrator and Acting High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure, in No. 114.

Mr. ECKSTEIN to His Excellency the ACTING HIGH COMMISSIONER.

Johannesburg, South African Republic,

June 4, 1889.

MAY IT PLEASE YOUR EXCELLENCY,

REFERRING to my letter of 8th May, in which I enclosed copy of a certain document for the receipt of which I had your Excellency's reply in a letter dated May 15, I beg again to take the liberty of enclosing certain further documents for your Excellency's information, and at the same time I am sending copies of these documents to the State Secretary of this Republic for his information also.

I had the honour of informing your Excellency some time ago that I, with others, hold large interests in Swaziland, and it is for the protection of such interests that I again take the liberty of addressing your Excellency and keeping you informed of the doings in that country.

I have, &amp;c.

(Signed) H. ECKSTEIN.

His Excellency  
Her Majesty's High Commissioner  
for South Africa, Cape Town.

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I, ERNEST COOPER, do hereby make oath and say as follows, to wit:—

I. That I am a resident at Embekelweni, in Swaziland and interpreter to King Umbandine of Swaziland.

II. That I did on the 22nd day of May instant, at the request of John Robert Harnigton, and in presence of Allister M. Miller, Agent to the King, appear before Umbandine and did interpret a certain petition dated the 28th day of February 1889, alleged to have been signed by Umbandine and his Indunas and addressed to Sir Hercules Robinson as High Commissioner to Her Majesty Queen Victoria in South Africa, praying for the protection of Great Britain over Swaziland.

III. Upon interpreting the said petition to Umbandine, he stated that the same differed entirely from the translation and interpretation which was given him of the said petition upon his signing it, with the exception of three or four words.

IV. That the petition he (Umbandine) had intended to sign was merely one to Sir Hercules Robinson requesting him to send him (Umbandine) a good man to undertake his business regarding the governing of the white inhabitants in Swaziland, and that the document he signed was interpreted to him as such, and in that

sense. That he had no intention of petitioning the Government of Great Britain to establish a Protectorate over Swaziland.

Sworn at Barberton, South African Republic, on this the 27th day of May 1889.

Before me,  
(Signed) J. L. VAN DE MERWE,  
Vrederechter.

(Signed) ERNEST COOPER.

I, JOHN ROBERT HARRINGTON, of Barberton, do hereby make oath and say as follows, to wit:—

I That I did, on the 22nd day of May instant, appear before Umbandine, King of Swaziland, and his Indunas, at Embekelweni, in Swaziland, accompanied by Ernest Cooper, the duly appointed interpreter of the King, and Allister M. Miller, the Agent of the King.

II. In my presence, and in the presence of Mr. Miller, the interpreter read and expounded and interpreted the copy petition hereunto annexed to the King and his Indunas.

III. We were informed by the interpreter during the reading of this document that the King expressed himself as very much surprised at hearing its contents.

That he (the King) had never knowingly signed a petition to Her Majesty Queen Victoria asking for the protection of Great Britain over his country and people. That the document signed by him on the 28th day of February last was not, with the exception of three or four words, interpreted to him as upon the occasion of my presence on the said 22nd day of May at Embekelweni. That the document he signed on the 28th of February last he then believed to be merely an application to Sir Hercules Robinson, requesting him to send him (the King) a good man to undertake his business regarding the government of the white inhabitants in Swaziland, and that the said document was on his signing the same on the 28th February last, interpreted to him in that sense. That he had no intention of applying for the protection of Great Britain under that document, and that he did not desire British protection.

IV. Upon being requested to sign a document repudiating the petition, and requesting Sir Hercules Robinson to withdraw the same, the King replied that this should be done; but that he desired to see the gentlemen who had interpreted the petition to him, and get an explanation from them of their action before doing this; and it was then agreed that a meeting should take place between the King and the interpreters about the 23rd of June next, at which I should be present.

V. The King expressed himself in very friendly terms towards me in having brought to his notice the existence of the petition, and stated that as a person who had spent a lot of money in the country, I was right in protecting my interests as I had done in bringing this document to his notice.

Sworn at Barberton, South African Republic, on this the 28th day of May 1889,

Before me,  
(Signed) J. L. VAN DE MERWE,  
Vrederechter.

(Signed) J. R. HARRINGTON.

To His Excellency Sir HERCULES G. R. ROBINSON, Her Majesty's High Commissioner for South Africa.

YOUR EXCELLENCY,

WE, Umbandine, King of Swaziland, and the Indunas of the Swazi nation, send greeting to your Excellency, and through your Excellency to Her most Gracious Majesty Queen Victoria, and the Council of Her Empire.

Your Excellency, many difficulties have beset me in the past, and the nation dread the complication which, should the protection of Great Britain be refused us, threaten our future. The sincere prayer of myself and my Indunas is, that that protection will

be accorded us, and so, through your Excellency, we again approach Her Majesty Queen Victoria, and Her Councillors, and pray that she and they will grant this our humble petition.

And our petition is, that a British Protectorate be declared over this kingdom of Swaziland; and further, that your Excellency do recommend to Her Majesty the Queen and Her Imperial Parliament the immediate appointment in this country of a representative (?) of the British Empire.

Your Excellency, we pray you consider our necessities and the political difficulties and dangers which surround and threaten to overwhelm us.

We consider that a British Protectorate would be our shield, and guard the nation from a real danger that already exists, and grows more threataening from day to day; and we feel that the appointment in Swazieland of a British representative would help us in governing of our native and white subjects, and would materially tend towards the security of their lives, and the many interests in the country.

Your Excellency, we cannot believe that this petition will be addressed in vain; and we look forward to the not long distant day when we shall welcome to Embekelweni a representative of the British Queen and Government, who will himself assure us of a British Protectorate having been declared over this our country.

We have not forgotten, nor shall we ever forget, the promise made us by General Wood, when our soldiers, having fought and bled by the side of the soldiers of Great Britain, returned with honours to their country and their homes. We cannot believe that promise to have been an empty one, for we have thought of it in the hour of our greatest need, and so we feel assured that this our humble petition and prayer will not be rejected.

Given under Our hand and seal at Our Royal Kraal of Embekelweni, with the advice and consent of Our Indunas, this twenty-eighth day of February, in the year one thousand eight hundred and eighty-nine.

(Signed)	UMBANDINE	his X mark.
"	TKUBA	his X mark.
"	HELM	his X mark.
"	JOBBE	his X mark.
"	UMKUNKUNI	his X mark.
"	JOSILE BOMORE	his X mark.

As witnesses:—

(Signed)	ALLISTER M. MILLER, Secretary, Swazie Government Committee, Acting Secretary and Agent, Swazi King.
"	ANDREW EWING.
"	J. THORBURN.

We hereby certify that the contents of this document have been well and truly translated and interpreted by us to the King and his Councillors, and we also witnessed the above signatures.

(Signed)	J. B. RATHBONE, Member Swazieland Committee.
"	JOEL JACKSON.

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No. 115.

LORD KNUTSFORD to SIR C. B. H. MITCHELL.

SIR,

Downing Street, July 3, 1889.

I HAVE the honour to acknowledge the receipt of Sir A. Havelock's Despatch of the 24th May,\* reporting messages sent by Queen Zambile of Amatongaland, relating to the question of the boundary.

I approve the reply made by Sir A. Havelock.

The Officer Administering the  
Government.

I have, &c.  
(Signed) KNUTSFORD.

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\* No. 111.

No. 116.

## COLONIAL OFFICE to FOREIGN OFFICE.

SIR,

Downing Street, July 3, 1889.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 26th ultimo,\* transmitting a report from the Acting British Vice-Consul at Lorenzo Marques, as to the reception by the Portuguese Government of the messengers sent by Queen Zambile of Amatongaland, whose territory lies partly within the sovereignty of Portugal, as defined by Marshal McMahon's award.

I am to take the opportunity of transmitting to you, for the information of the Marquis of Salisbury, a copy of a despatch† from the Governor of Zululand, reporting the receipt of messages from Zambile, dealing with the same subject as that on which the Portuguese Government was addressed. The two sets of messengers seem to have started at about the same time.

I am to add that Lord Knutsford proposes to approve the reply made by Sir A. Havelock.

I have, &amp;c.

The Under Secretary of State,  
Foreign Office.

(Signed) ROBERT G. W. HERBERT.

No. 117.

## FOREIGN OFFICE to COLONIAL OFFICE.

SIR,

Foreign Office, July 5, 1889.

WITH reference to your letter of the 3rd instant,‡ I am directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before the Secretary of State for the Colonies, copy of a despatch from Her Majesty's Minister at Lisbon, relative to Queen Zambili's overtures to the Portuguese Government respecting her territory under British Protectorate.

I am, &amp;c.

The Under Secretary of State,  
Colonial Office.

(Signed) T. H. SANDERSON.

Enclosure in No. 117.

MY LORD,

Lisbon, June 26, 1889.

WITH reference to your Lordship's Despatch of the 11th instant, I have spoken to Sñr. Barros Gomes on the subject of Queen Zambili's overtures to the Portuguese Government, to place the whole of her territory under the Protectorate of Portugal, pointing out to him that the Treaty of July 1887, with Great Britain, not only rendered such a combination impossible, but also deprived the Queen of the right of even entering into correspondence or negotiations with a foreign State, with a view to any alienation of the territory comprised within the British Protectorate.

To that extent the Queen had sacrificed her independence, and therefore missions from her with that object ought not to be received.

His Excellency said that of course he was perfectly acquainted with the Treaty of 1887, and had already given Her Majesty's Government proof of the firm intention of the Portuguese Government not to go beyond the limits of the MacMahon award, except by express agreement with Her Majesty's Government, and he adhered to what he had said to me when this subject was last mentioned. As to receiving emissaries from Queen Zambili, it was quite true that a portion of her territory was under the British Protectorate, but, at the same time, a portion of it was under the sovereignty of Portugal.

It may be taken that Queen Zambili's attempt to rid herself of the obligations of the Treaty has ended in failure, but she maintains to the Portuguese that she looks upon it as invalid.

I have, &amp;c.

The Marquis of Salisbury, K.G.,  
&c. &c. &c.

(Signed) GEORGE G. PETRE.

\* No. 112.

† No. 111.

‡ No. 116.

No. 118.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received July 16, 1889).

MY LORD,

Government House, Cape Town,  
June 25, 1889.

I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have addressed to the Administrator of Natal, covering a letter of instructions for Lieutenant-Colonel Martin respecting his mission to Swaziland.

I have, &amp;c.

(Signed) H. A. SMYTH, Lieutenant-General,  
Administrator and Acting High Commissioner.The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 118.

Lieutenant-General SMYTH to Sir C. MITCHELL.

Government House, Cape Town.  
June 20, 1889.

SIR,

WITH reference to my telegraphic despatch of yesterday's date, I have the honour to enclose a letter of instructions for Colonel Martin.

As there has not been time to prepare a copy of Mr. Shepstone's letter, which was enclosed in Sir A. Havelock's despatch of the 25th ultimo, I shall be much obliged if your Excellency will cause Colonel Martin to be furnished with a copy.

I have, &amp;c.

(Signed) H. A. SMYTH, Lieutenant-General,  
Administrator and Acting High Commissioner.His Excellency Sir C. Mitchell, K.C.M.G.,  
Maritzburg.

Lieutenant-General H. A. SMYTH to Lieutenant-Colonel MARTIN.

Government House, Cape Town,  
June 20, 1889.

SIR,

I HAVE the honour to acquaint you that I have been instructed by Her Majesty's Government to send you on a special mission to Swaziland, and I have to request that you will set out as soon as the necessary preparations for your journey have been completed.

You will take with you an interpreter, to be engaged by yourself, and two unarmed mounted police orderlies. The whole party, being unarmed, will be able to travel by the shortest route through the South African Republic. I do not think it desirable to lay down any particular itinerary or to hamper your discretion in any way, but I would suggest that as you may, when you reach the King's kraal, receive conflicting accounts of the state of the country, it would be well if on your journey northward you entered Swaziland as near the Southern limit as may be found convenient and availed yourself of the opportunities of observation afforded by your journey, for collecting information as to the actual condition of the country.

You will probably be passing through the territory known as the Little Free State and any information that you may obtain respecting its population, extent, &c. would be interesting.

Copies of telegraphic correspondence respecting the visit of Transvaal officials to Swaziland have already been communicated to the Governor of Natal, and he will doubtless have afforded you an opportunity of perusing these papers.

You will observe that the Vice-President and the State Attorney have been sent to Swaziland to inquire into statements contained in a letter to the Government of the South African Republic, and the Governor of Natal. A copy of this letter will be communicated to you by the Governor of Natal, and you should make inquiries as to the truth of the allegations contained therein.

You will observe that it is feared some serious disturbance may occur at a meeting to be held on July the 29th, if not before. You should do your best to avert any possible disturbance, and you are authorised to inform the King as well as the Euro-

peans that Her Majesty's Government are now considering the advisability of appointing a joint British and Transvaal inquiry into the existing circumstances of Swaziland, to ascertain what are the wishes of the Swazi King, Chiefs, and Europeans. In all matters you should endeavour to act in concert with the officials of the South African Republic, and to maintain a friendly bearing towards them. The influence of the Transvaal officers will doubtless be acknowledged by the grazing licence holders, most of whom are of Dutch descent, and if it be exerted in concert with the influence you will probably be able to exercise over the mining population, disturbance ought to be avoided. The discussion of differences which cannot be amicably arranged may with advantage be postponed until the arrival of the expected commission of inquiry; and any petty disputes admitting of immediate adjustment would probably be settled if the Transvaal officers should after consultation with you unite with you in tendering identical advice to the disputants.

You will of course understand that you have no authority to act in any administrative or judicial capacity, and should any effort be made to secure your assistance in either capacity you should explain that your instructions limit your action to the giving of friendly and disinterested advice.

If you should consider that any special action on the part of the Transvaal officials constitutes a breach of the London Convention by which the independence of Swaziland is recognised, it will be your duty to explain your views in a friendly conference. Should they fail to meet with acceptance, and should the contemplated breach of the Convention be persisted in, you should then deliver to the Transvaal officers a written protest, specifying the article of the Convention which in your judgment has been infringed.

Your reports should be addressed to me as Acting High Commissioner, but it will be convenient that they should be sent under flying cover to the Governor of Natal, who will thus have an opportunity of perusing and noting the correspondence.

A similar course will be adopted in regard to any communications I may find it necessary to address to you.

In regard to your personal allowance, and the travelling expenses of yourself and staff, you should be guided as far as possible by the scale sanctioned by the Secretary of State in the case of your previous journey to Tongaland and Swaziland.

I have, &c.

(Signed) H. A. SMYTH, Lieutenant-General,  
Administrator and Acting High Commissioner.

Lieut.-Colonel Martin, C.M.G., Maritzburg.

No. 119.

FOREIGN OFFICE to COLONIAL OFFICE.

SIR,

Foreign Office, July 19, 1889.

WITH reference to your letter of the 3rd instant,\* on the subject of the messengers sent by Queen Zambili of Amatongaland to the Zululand Government, I am directed by the Marquess of Salisbury to state, for the information of Her Majesty's Secretary of State for the Colonies, that his Lordship concurs in Lord Knutsford's proposal to approve the reply made by Sir Arthur Havelock.

I am, &c.

The Under Secretary of State,  
Colonial Office.

(Signed) T. V. LISTER.

No. 120.

THE EDINBURGH CHAMBER OF COMMERCE to COLONIAL OFFICE.

(Received July 26, 1889.)

MY LORD,

The Edinburgh Chamber of Commerce.

By instructions of my Directors, I beg to enclose Petition of this Chamber in reference to affairs in Swaziland.

I have, &c.

To the Right Hon.  
Lord Knutsford, G.C.M.G.

(Signed) JAMES COLLARD.

\* No. 116.

Enclosure in No. 120.

Unto the Right Honourable the LORD KNUTSFORD, G.C.M.G., Secretary of State  
for the Colonial Department.

The PETITION of the Edinburgh Chamber of Commerce and Manufacturers humbly  
sheweth,—

That your petitioners are strongly convinced that in the present rapid development of South Africa, great vigilance should be observed on the part of Great Britain to see that the numerous openings for British trade in that country are not interfered with by the action of other Powers.

That in particular the present position of British interests in Swaziland is such as to require some steps to be taken by Her Majesty's Government for their protection.

That without suggestions, whether such action should be in the form of a Protectorate over Swaziland, or in that of the appointment of a Resident, on whom the King might rely for support and advice, or otherwise, your memorialists would strongly urge that the growing interests of British subjects in that country should receive the immediate consideration of Her Majesty's Government, and that some definite action for their free development and protection should be taken with (? without) delay, and your Petitioners will ever pray.

Edinburgh, July 25, 1889.

(Signed) JOHN WILSON, Chairman.  
JAMES COLLARD, Secretary.

No. 121.

COLONIAL OFFICE to EDINBURGH CHAMBER OF COMMERCE.

SIR,

Downing Street, July 30, 1889.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter\* transmitting a memorial from the Edinburgh Chamber of Commerce and Manufactures relating to Swaziland, and I am to inform you in reply that the affairs of Swaziland are engaging the serious attention of Her Majesty's Government, and a British officer has lately been sent into the country.

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

The Secretary to the Chamber of  
Commerce and Manufactures, Edinburgh.

No. 122.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received August 5, 1889.)

TELEGRAPHIC.

Following telegram received from Martin :—

*Begins*: South African Republic officials inform me that they have received information that they will be nominated members of Commission, and their Government wish them to remain until arrival of Commissioner, or at any rate until my departure. Will this affect my movements? *Ends*.

I replied that Martin should not leave country unless South African Republic officials do so also; he should confer with them as to most convenient date for joint departure. There is no need for South African Republic Commissioners to await in Swaziland arrival of British Commissioner, as the appointment to Commission has not been yet made.

No. 123.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

August 9, 1889. In answer to your telegram of 5th August,† your orders to Martin approved. I propose to appoint him Secretary of British Commissioner, who will be

\* No. 120.

† No. 122.

accompanied by legal adviser. Inform Government of South African Republic that, as there will be only one British Commissioner, it would be desirable that there should be only one Commissioner of South African Republic, and as British Commissioner not appointed some length of time before arrival.

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No. 124.

LIEUT.-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received August 12, 1889.)

TELEGRAPHIC.

Having communicated to Government of South African Republic last part of your Lordship's telegram of 9th August,\* President of South African Republic replies as follows:—

*Begins*: I must infer from your telegram that Her Majesty's Government does not wish to appoint Colonel Martin as Commissioner on their side. This Government has no objection like Her Majesty's Government to appoint only one Commissioner.  
*Ends*.

No answer received from Colonel Martin as yet, but unless there is reason to the contrary I think President of South African Republic might be told that British Commissioner will be accompanied by Secretary and legal adviser, and that appointment of Secretary has been offered to Colonel Martin.

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No. 125.

LORD KNUTSFORD to LIEUT.-GENERAL H. A. SMYTH.

TELEGRAPHIC.

14th August, 1889.—In answer to your telegram of 12th August,† proposal approved.

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No. 126.

SIR C. B. H. MITCHELL to LORD KNUTSFORD.  
(Received August 26, 1889.)

Government House, Pietermaritzburg,  
Natal, July 28, 1889.

MY LORD,

REFERRING to your Lordship's Despatch of the 12th ultimo,‡ conveying to me your approval of Sir Arthur Havelock's action regarding the demarcation of the northern boundary of Zululand, and requesting to be informed of the progress that is being made in the matter, I have the honour to report that Mr. C. R. Saunders, Resident Magistrate for the district of Eshowe, who was selected for the duty, started from Eshowe, on the 22nd instant to carry out the general instructions with which the Resident Commissioner has been directed to furnish him.

2. Mr. Saunders takes with him a copy of your Lordship's Despatch under reference, and of the several documents therein enclosed, relating to the concessions claimed by the Mapootaland Syndicate and the Amatongaland Exploration Company, Limited.

3. I think, with the Resident Commissioner, that the statements made in support of these alleged concessions could best be dealt with after Mr. Saunders has furnished a full report of the inquiries he will make on the spot.

4. Messengers have been sent to the Queen of Tongaland to request her to send representatives to accompany Mr. Saunders in his delimitation of the boundary.

I have, &c.

(Signed) C. B. H. MITCHELL.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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\* No. 123.

† No. 124.

‡ No. 104.

No. 127.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received August 26, 1889.)

Government House, Cape Town,  
August 6, 1889.

MY LORD,  
I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from the Governor of Natal, covering three despatches from Colonel Martin, the officer appointed to meet the Transvaal officials in Swaziland.  
I have, &c.  
(Signed) H. A. SMYTH, Lieut.-General,  
Administrator and Acting High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.

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Enclosure in No. 127.

Sir C. MITCHELL to Lieut.-General SMYTH.

Government House, Pietermaritzburg,  
Natal, July 27, 1889.

SIR,  
I HAVE the honour to transmit to your Excellency despatches addressed to you which have been forwarded to me under flying seal by Lieutenant-Colonel Martin.  
I have, &c.  
(Signed) C. B. H. MITCHELL.

His Excellency Lieut.-General Smyth, C.M.G.,  
&c. &c. &c.

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Colonel MARTIN to ACTING HIGH COMMISSIONER.

Indimba Hotel, Swaziland,  
July 19, 1889.

SIR,  
I HAVE the honour to report, for your Excellency's information, that I arrived here on the 15th instant.  
On the 16th I had an interview with General Smit and Dr. Krause, and as directed in a telegram dated 28th June 1889, from his Excellency the Administrator of Natal, allowed them to peruse my letter of instructions, and they both expressed their desire to act with me and assist in every way to preserve order in the country. They also informed me that they had paid several visits to the King, and had assured him of the friendliness of the mission, but said that, owing to his illness, they found it most difficult to carry on any conversation with him or get a satisfactory answer to their questions.  
I then drew their attention to the subject of the meeting of the 29th July, and suggested for their consideration whether, as representatives of Her Majesty's Government and the Government of the South African Republic were now in Swaziland, and as Her Majesty's Government was now considering the advisability of appointing a joint Commission to ascertain the wishes of both Europeans and Natives, it would not be advisable to suggest a postponement of the meeting, or, at any rate, the discussion as to the re-arrangement of the government of the country. At first the Transvaal officials did not appear to take the same view of the situation as myself, but after further discussion they agreed that the course I proposed might be advisable, and we agreed that the matter should stand over until the following day.  
Mr. Ferreira, of the Little Free State, acts as interpreter for the Transvaal officials, and is present at the meetings.  
I had in the morning forwarded a letter to the King Umbandeni announcing my arrival, a copy of which I enclose, also the letter received in reply.

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At 3 o'clock p.m. I proceeded to the King's kraal, accompanied by my secretary and interpreter (Mr. Jackson), Mr. Miller, Mr. Thorburn, and Mr. Rathbone. I found the King in his hut, and have no doubt, notwithstanding the reports to the contrary, that he is in a bad state of health.

I told him that I had come with a message from Her Majesty's Government to inform him of the proposed Joint Commission to inquire into the differences of opinion amongst the Europeans, and also to hear the wishes of himself, his Chiefs, and the Europeans. I told him I was sent by Her Majesty's Government to meet General Smit and Dr. Krause, that I might, with them, by our advice and influence, prevent any disturbance in the country.

I further told the King that I had not come to ask him to sign any documents, and that all I should ask was that he should tell his people to keep quiet. The King appeared pleased to see me, and before I left asked when he could send a beast for me, and gave instructions that a place should be selected for my camp.

I also, while at Embekelweni, had conversations with Messrs. Thorburn and Rathbone, both of whom gave opinions as to the present unsatisfactory state of the Government, and expressed their pleasure at the proposal of a Joint Commission.

In the evening Mr. T. Shepstone and Mr. Penfold paid me a visit.

At 11 a.m. on the following day General Smit and Dr. Krause met me at the Indimba Hotel, and in reply to several questions put by them as to our mission in Swaziland, and the advisability of taking evidence, I pointed out to them that by the London Convention, 1884, Her Majesty's Government only had the right to appoint Commissioners in Swaziland, and the question as to whether a Commission should be appointed was still under consideration. I also referred them to my letters of instruction as to acting in concert together, and by our joint influence and advice preventing any disturbance in the country; with regard to the question of calling witnesses and taking evidence, I was of opinion that my instructions did not give me the power to do so, and that from conversations I had had with some of the members of the present Committee and several leading members of the various parties in Swaziland, I had already formed an opinion that the country was in a very unsettled state.

The question as to the postponement of the meeting of the 29th was again discussed, but as General Smit did not appear inclined to agree to my proposal, and appeared to think that the meeting should take place, and that we should then ask them to adjourn, we again let the matter stand over till the following day.

We, however, agreed to send a telegram, a copy of which is enclosed, stating that we considered the country in a very unsettled state, and advised that we should be able to announce that a Commission would be held, as, from what we could gather, the announcement that the question was under consideration did not appear to be satisfactory to some of the people, who feared delay, and were anxious to know how the country would be governed in the meantime.

On meeting the Transvaal delegates at Embekelweni the following day (the 18th inst.) I requested that only General Smit and Dr. Krause should be present, besides Mr. Jackson and myself. I then stated that I understood that the meeting on the 29th July was to discuss not only the future government of the country, but certain concessions granted by the King giving rights to collect revenue, &c., which concessions would come into force on the 31st August, on which date the present Committee's term of office would expire. I further stated that I had been informed that the meeting was expected to be a very large one, as all the farmers would be present, also that the discussion would lead to much ill-feeling being shown on all sides, which might lead to disturbances, the end of which it was quite impossible to foresee. I strongly urged the Transvaal delegates to join with me in advising that the meeting should not take place.

Eventually it was agreed that we should together advise that the meeting be postponed, and that all grievances be kept until the sitting of a commission, also that we should suggest to the Committee the advisability of postponing the elections, and that the King, who has power to do so, should extend the term of office of the present committee. Before leaving, Dr. Krause read a letter just received from the State Secretary to the effect that, if we thought the independence of the Swazi nation in danger, the Government of the South African Republic would be willing to take over all responsibility with regard to the country, consistent with the liberty of the Swazies and white residents. I pointed out that in my telegram of the 17th inst. I had informed Her Majesty's Government that I considered the country was in a very unsettled state, and that it was advisable a Joint Commission should be held, but that it was for Her Majesty's Government and for the Government of the South African Republic to decide

if the independence of the Swazie nation was in danger and that the Government of the South African Republic could only act with the consent of Her Majesty's Government.

I have received a letter from Mr. Cohen, notifying his appointment as representative of the Swazi King, which I enclose. After consultation on the 20th instant with the Transvaal officials it was agreed that we should meet Messrs. Miller and Cohen at the office of the King's Agent. On arrival there a message was given us that Umbandeni would like to see us himself. We therefore proceeded to the King's kraal and, after waiting some time, the King came out and said he had had no notice that we were to meet him that day, and wished the meeting postponed.

I, however, in the presence of General Smit and Dr. Krause explained to Messrs. Miller and Cohen the object of our mission. The King, I believe, is very suspicious as to the object of our visit to Swaziland, and I do not think at present understands that the proposed Commission is for his benefit and that of the Swazi nation.

I enclose for your Excellency's information a letter, in which a Mr. Meikle gives his opinion as to the future government of Swaziland. On this subject I have heard several opinions expressed: 1st. That if it is the question of a protectorate under Her Majesty's Government or under the Government of the South African Republic, then the Europeans would rather have a British protectorate, but if Swaziland is to come under the direct rule of either Government, then the choice would be in favour of the Government of the South African Republic, as that Government is thought to understand the government of Natives better than Her Majesty's Government. 2ndly. The South African Republic Government is preferred by many, as it is feared Her Majesty's Government would not recognise or allow many of the concessions. 3rdly. The Dutch state openly that owing to its geographical position, the country must come under the rule of the South African Republic and no other. 4th. That the British interests in the country are so great, that English inhabitants are strongly opposed to any Government other than that of Her Majesty.

The manager of Forbes' concessions (Mr. Deering) complained to me as to the nature of the various concessions granted by the King, such as right to collect customs and revenue, railway, steam, electricity, &c., and stated that if concessions of that nature came into force, they would be fatal to the mining interest in the country. Mr. Deering expressed much pleasure at the proposed Joint Commission, which he hoped would sit as soon as possible.

Many of the inhabitants agree with the Transvaal delegates and myself that it would be better to postpone any discussion of differences at the meeting of the 29th, and I have every reason to hope that the presence of the Transvaal officials and myself in the country will prevent any disturbance taking place.

I have, &c.  
(Signed) R. E. R. MARTIN,  
Lieut.-Colonel, 6th Dragoons.

His Excellency the Acting High Commissioner,  
Cape Town.

Colonel MARTIN to UMBANDENI.

KING,

Embekelweni, July 16, 1889.

I WRITE to tell you that I arrived here last night. I have been sent by the Government of the Queen of England to see you, and have a message from the English Government to give you.

I shall be with the Transvaal officials this morning if you will send word when I can see you.

I remain, &c.  
(Signed) R. E. R. MARTIN,  
Lieut.-Colonel, 6th Dragoons.

The King of the Swazies,  
Embekelweni.

Mr. MILLER to Lieut.-Colonel MARTIN.

Office of Resident Secretary and Agent, Swazie King,  
Embekelweni, July 16, 1889.

SIR,

I HAVE the honour on behalf of King Umbandeni to acknowledge the receipt of your communication of this date, informing him of your arrival at Embekelweni.

The King instructed me to deliver to you the following message ;—

“ Tell Colonel Martin I am pleased that he has come. He says he wants to see me. Say to him that, when he visits me, he will be visiting a sick man. Ask him not to expect too much of me, for I am sick and cannot talk ; I will see him this afternoon.”

I trust that this afternoon you will visit the King, when I shall have the honour, together with Mr. John Thorburn and Mr. T. B. Rathbone, of accompanying you to the kraal.

Yours, &c.  
(Signed) ALLISTER M. MILLER.

Lieut.-Colonel Martin, 6th Dragoons,  
Representing the Government of Her Britannic Majesty Queen Victoria.

TELEGRAM, 17th July, from Colonel MARTIN, sent on by GOVERNOR, Natal.

17th July. Please inform Acting High Commissioner I have no doubt country is in most (un?)settled state. King has very little influence, and committee divided. Meeting on 29th to discuss general matters and future Government. Strongly advise I may announce Joint Commission will be appointed without delay, and advise meeting to postpone discussion if (of?) differences. Transvaal officials agree and send same as above to their Government. Messenger waits answer. Ends.

TELEGRAM, 18th July, from Colonel MARTIN, sent on by GOVERNOR, Natal.

18th July 1889. Have just seen Transvaal officials. We agree that, pending the appointment of the Joint Commission, we should advise that no discussion should take place on 20th (29th?), further that as present committee's term of office expires on 31st instant, and that as we have reason to believe that concession, granting right to collect revenue, would come into force on that date, we should also advise that present committee's term of office be extended, and no election take place at present. I hear that a large number of farmers are expected at meeting on 29th. I wired yesterday via Barberton that I considered country very unsettled, and that I might be allowed to announce that a Joint Commission would be appointed. I have just seen letter from State Secretary of South African Republic to the effect that if I consider with the Transvaal officials that independence of Swazi nation is in danger, they are willing to take over all responsibility so far as is consistent with the liberty of the Swazi nation, and of the white residents. I have pointed out that it will be for the Governments to decide on our reports as to whether the independence of the Swazi nation is in danger, and that the Transvaal Government could only act in conjunction with Her Majesty's Government. Ends: Will you send instructions direct to him.

Mr. MEIKLE to Lieut.-Colonel MARTIN.

HONOURED SIR,

Swazieland, July 17, 1889.

PARDON the liberty I take, as one who is largely interested in the future welfare of Swazieland, to present a few views and opinions on the various political aspects of the country, which I hope may be received in the same spirit in which they are written, and be useful in the settlement of the many important and embarrassing questions on the eve of discussion.

On the 6th June of last year I submitted a memorandum of agreement to the Swazieland Committee, soliciting from King Umbandine a certain deed to the following effect :

Establishing the Committee with full control over the white population of the country, to make laws, impose duties, make official appointments, and otherwise act in accordance as they might deem necessary or essential to the realisation of the country's progress. To institute a complete reform of the financial system, *i.e.*, to collect all moneys coming to the King, taxes, licences, &c., and in consideration of which the Committee to guarantee the King a certain cash payment per annum. That the Committee should have authority to treat in all matters affecting the country in its relations with other states or neighbouring countries, binding the King to grant no further right, monopoly, or concession without advice and consent of Committee, and generally to exercise discretionary power, and direct its course in accordance with events as they might arise, consistent with the increasing demands of the social, political, and commercial welfare of Swaziland.

This did not meet with the consideration or support from the Committee members which I thought the scheme deserved.

Not having succeeded in this, I recognised the imperative necessity of a Joint Commission; I therefore used all the means at my command towards this end. Having been directed by the King to solicit an interview with His Excellency Sir A. E. Havelock anent the Lebomba incident, I took advantage to discuss this question, and received the satisfactory assurance from His Excellency that, upon the King intimating his wish for such, "it would be immediately attended to." Upon my return here I endeavoured to convince the King and Indunas, as well as the members of Committee, the necessity of taking advantage of the promise thus freely and generously given, but without avail.

Thus an opportunity was lost, which directly affected the good of the country, for establishing relations practicable for white and black to live in peace and with mutual advantage.

What followed is easily recognised by all acquainted with the circumstances: opinions so diversified, private differences, and unworthy intrigues took the place of this opportunity. The unhappy King became an easy prey to jealousies and intrigues; the killing of many of his Headmen and Indunas followed; and the granting of monopoly schemes, the nature and effect of which would inevitably ruin the important and stable industries of any country.

Much now depends on the course adopted by the honourable members of the present Commission, whether the country shall be endangered by further complications or a satisfactory settlement shall be arrived at. As regards this, two objects have to be distinctly kept in view: the just treatment of the natives, and the recognition of legitimate rights and concessions granted by the King.

I will not offer any opinion as to the inevitable disposal of native countries and the expansion of civilising influences; I trust I shall rather succeed in putting the true state of affairs before you, and submit a few ideas which may be serviceable in effecting the future good government of Swaziland.

As it has become patent to every one that a change in Swaziland affairs must take place, the question arises how best to conserve the Swazi King's independence, and, at the same time, to effect the necessary reforms.

This cannot be accomplished without interfering with the arbitrary power of the King, and it will require firm yet judicious treatment to bring about that end. As a means to that end I would respectfully recommend the following:—

I. To arrange a meeting of all the Councillors, Chiefs, and Headmen of the country, and make them thoroughly acquainted with the position: that the King has, from time to time, with the consent of his Councillors, parted with the mineral, agricultural, and grazing rights of the country, and to make it incumbent on them to acknowledge these rights.

II. To inform them that, for the preservation of law and order in the country, a new departure to that hitherto in force must be established for promoting that particular object. (Might they not willingly contribute towards the expenses of maintaining a force sufficient to cope with the requirements, to be relieved from the constant dread of the assegai?)

III. The Hlavela is, I consider, a constant menace to the reforms proposed, and I would suggest that suitable members be induced to enrol themselves in a proper native police organisation.

IV. That an elective committee should govern the country for the time being.

V. I consider it absolutely necessary that a resident or commissioner be appointed, who should sit as president of the said Committee, make official appointments, and generally undertake the duties of the executive to the governing body.

VI. That the aforesaid form of government should exist so long as King Umbandine lives.

VII. That those monopolies which interfere with the vital interests of the mining and agricultural rights should be annulled, and the costs for obtaining same refunded; the amounts to be determined by the Honourable Commission or by arbitration.

As it is obvious that the majority of these monopolies were obtained for speculative purposes, and are detrimental to all legitimate interests, it is but right they should be condemned by all who have the advancement of Swaziland in view.

VIII. That upon the death of the King, or any unforeseen event which might endanger the lives and property of the natives or white residents, either the Imperial Government, or the Government of the Transvaal Republic, should proclaim a protectorate over, or annex, Swaziland so as to secure a firmly established form of administration.

And this leads to a question which I would much rather not touch upon, as the matter, no doubt, is engaging the consideration of those of both governments high in authority. But as I have given the question considerable thought, I may as well briefly tender my opinions.

These are in favour of Swaziland becoming in time an integral part of the Transvaal Republic, and for the following reasons :

1. That a division of the country would be a portentous mistake, fraught alike with much danger to all classes.
2. That the geographical position of Swaziland should be considered, bounded as it is on three sides by the Transvaal Republic.
3. That the Transvaal burghers have from time to time laid the foundations of successfully managing native territories, and all that remains is for the Transvaal Republic to convince the Swazie natives of the sincerity to promote their welfare, and thus inaugurate a settled form of government in room of a disorganised one.
4. That in individual rights obtained from the King, the Transvaal burghers far outnumber those of all other nationalities.
5. That in the event of any rupture taking place with the natives, the Transvaal Government can promptly and effectually restore order.
6. And considering the progressive march of the Government of the Transvaal Republic, and the tendencies towards unconstrained political privilege, and as many advanced politicians on South African affairs have the reputation of seriously considering the question of a great Federal Union of the different South African States, the destiny of Swaziland would naturally be involved in any scheme of this nature.

Feeling assured that whatever recommendations the Honourable Commission find it necessary to formulate, they will meet with the views and requirements of all those whose first consideration is for the good of Swaziland.

To Lieut.-Col. R. E. R. Martin, C.M.G.

Honoured Sir,  
I have, &c.  
(Signed) ALEX. MEIKLE.

No. 128.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received September 9, 1889.)

Government House, Cape Town,  
August 20, 1889.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from the Governor of Natal, covering reports received from Lieut.-Colonel Martin, respecting the affairs of Swaziland.

It would appear from the tenor of these reports that the appointment of a Joint Commission has become an obligation which cannot prudently be postponed.

I have, &c.

(Signed) H. A. SMYTH, Lieut.-General,  
Acting High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.  
&c. &c. &c.

## Enclosure in No. 128.

Sir C. MITCHELL to Lieutenant-General SMYTH.

Government House, Pietermaritzburg, Natal,  
August 12, 1889.

SIR,

I HAVE the honour to transmit to your Excellency despatches, addressed to you, of the dates noted on the margin, which have been forwarded to me, under flying seal, by Lieut.-Colonel Martin.

His Excellency Lieut.-General Smyth, C.M.G.,  
&c. &c. &c.  
Cape Town.

I have, &c.  
(Signed) C. B. H. MITCHELL.

30 July  
1889.  
30 July  
1889.  
2 August  
1889.  
3 August  
1889.

SIR,

King's Kraal, Swaziland, July 30, 1889.

I HAVE the honour to acknowledge the receipt of your Excellency's telegrams of the 20th (2) and 24th July.

I am glad to be able to report that the meeting of the 29th instant, of which I have sent a separate report, passed off quietly. The King also extended the term of office of the present Committee for three months, or until the proposed Commission had concluded its sitting. A copy of the King's order is enclosed. I have been informed that the Government of the South African Republic now hold railway, telegraph, and postal concessions, and that a telegraph is now open at Steynsdorp, and I hear an office will shortly be opened here.

On the 27th July Captain Ewing brought me a document to read, which it was proposed to ask the King to sign, and which was a request from Umbandeni to the Government of the South African Republic, provided the consent of Her Majesty's Government was obtained, to take over the Government of the white inhabitants in Swaziland. Captain Ewing said General Smit and Dr. Krause had seen it, and would not have anything to do with it, without my consent. I informed Captain Ewing that I would not have anything to do with documents of that description; and if Mbandeni signed it while I was in the country, and without my advice, I should enter a protest against it.

The King, this morning, sent to say he wished to see me, and on my arrival at the Kraal, I found the King had ordered his Chiefs to be present. I asked the King what he wanted to say, and he replied that he wished me to repeat what I had told him, which I did. The King then said he had sent a message to the Queen, but had received no answer, and did not know whether it had been received. I replied that I thought the reason of the appointment of the Joint Commission was because messages had been received from the King and others, but I would let Her Majesty's Government know that the King wished to know if his message had been received, and that he would like an answer. I then left him to consult with his Chiefs.

I beg to add, for your Excellency's information, that reports are frequently circulated, which are likely to endanger the peace of the country. Last week the King was told a large impi was coming from the Transvaal to take the country, and a few days previous a report was spread that the King was going to send an army to kill all the farmers. The country is, in fact, in a most unsettled state, and there can be no doubt but that it is most advisable that the Joint Commission should sit as soon as possible.

Both English and Dutch inhabitants are most anxious for information as to when the Commission will sit, and daily ask for information on the subject.

I have, &amp;c.

(Signed) R. E. R. MARTIN,  
Lieut.-Colonel 6th Dragoons.

His Excellency the Acting High Commissioner,  
Cape Town.

BE it hereby made known, that we, Umbandine, of our sovereign will and pleasure, and with the full advice and consent of our Headmen and Chiefs, do hereby order, in consequence of the arrival in Swaziland of representatives of Her Majesty the Queen of England, and of his Honour the President of the South African Republic, and their

recommendation that a Joint Commission should assemble to settle affairs in this country, that our Swaziland White Government Committee do continue in office without further election until such Commission shall have assembled and given their decision regarding the settlement of the country.

As witness,	(Signed)	UMBANDINE	his × KING
(Signed)	ANDREW EWING.	(L.S.)	mark and seal.
	J. THORBURN.	T'KUBA	his × mark.
	ALLISTER M. MILLER.	HELEME	his × mark.
		M'TSHASA	his × mark.
		JOSEBOMOU	his × mark.
		INKOCA	his × mark.

We hereby certify that the contents of the above document were well and truly interpreted by us to the Swazie King and to his Indunas.

Embekelweni, 29th July 1889.

(Signed) DAVID FORBES, jun.  
T. B. RATHBONE.

King's Kraal, Swaziland,

July 30, 1889.

SIR,

I HAVE the honour to inform your Excellency that the meeting which had been announced for the 29th July was held yesterday, as it was found impossible to postpone it.

I enclose minutes of a meeting held at Bremer's Store on the 28th July; also a letter requesting me to address meeting. General Smit, Dr. Krause, and myself, after consultation, agreed that we should inform people that it would be better not to discuss matters, but await arrival of Commissioners, and explain that neither Government could act on any resolution passed, but that all questions must await arrival of Joint Commission.

There were many opinions expressed as to the result of the meeting. Several people informed me that the Dutch farmers would proclaim a New Republic, as they had done in Zululand; others that the South African Republic would be requested to assume the government of the country at once, and all parties agreed that much ill-feeling would be shown, and that it was quite likely serious disturbances might take place.

The meeting was held at 11 a.m., Mr. A. Ferreira, chairman, about 200 people being present. I enclose notes made by Mr. Anderson, which I have corrected. The King sent down to say he would not recognise anything passed at the meeting. The Dutch farmers, however, carried the resolutions which I have already telegraphed to his Excellency the Administrator of Natal, and of which I now beg to enclose a copy.

The representatives of the South African Republic and myself agreed that the second resolution was only an expression of opinion, and we so informed the members of the Swaziland Committee present, who requested our views on the matter.

After we had expressed our views and given our advice, very little more interest was taken in the meeting by the majority of the people, and then only by the Dutch farmers, who were anxious to carry their resolutions.

The representatives of the Governments were well received, and a vote of thanks passed for their attendance, and the meeting dispersed quietly at 2 p.m.

I have, &c.

(Signed) R. E. R. MARTIN,  
Lieut.-Colonel 6th Dragoons.

His Excellency the Acting High Commissioner,  
Cape Town.

*Colonel Martin.*—First of all, I must thank you for the opportunity you have given me of helping me over a difficulty, and my difficulty since I have been here has been to convey to the public of Swaziland my message, and the object for which I have been sent. Since the resolution was passed at the last meeting of the Committee, things have changed to a certain extent. Information has been received by the English and

South African Republic that the people of Swaziland were not satisfied with the position of affairs in Swaziland; and my mission was to meet their Honours the Representatives of the South African Republic and discuss matters with them and report to our respective Governments as to the appointment of a Joint Commission. We have come to the conclusion that it is advisable that the Commission should be sent without delay, for the sake of the whites as well as the Natives. The object of this meeting was to discuss the position of Swaziland, and the object of the Commission will be to consider the position and settle the future of Swaziland. The Government of the South African Republic and the British Government are working hand in hand in this matter. As you will hear from the Representatives of the South African Republic, we have had several conferences, and we are of opinion that all discussions and differences of opinion should stand over until the Commission meets. I have conveyed my opinion to my Government, and I believe they coincide with me in what I have suggested, and I have had a wire from the High Commissioner, who approves of the steps I have taken, and advises the people to await the arrival of the Commission. Now I want to point out to you what would be the result of any resolution passed at this meeting. I know there are many people here who would wish to see the country governed entirely by the South African Republic. There are other people here who wish to see the English Government, and there is the question to settle of the King and his Chiefs. The Government of the South African Republic and the British Government are bound to maintain the independence of the King and his Chiefs, and if you came forward and said that this country should be under the English, or said that it must come under the South African Republic, all that the Governments could do would be to say that they could not do it. Therefore, all you could do would be to ask for a commission to inquire into grievances, and to settle affairs; and I claim for both Governments that we have anticipated your wishes by the appointment of this Commission. My advice to you—and I have authority to give advice—is that you all should bring your views and your wishes before the Commission, and let things remain until the Commissioners arrive. I have said all I wish to say, and thank you for giving me a patient hearing. I will now leave the Representatives of the South African Republic to give to you their advice.

*General Smit.*—Friends, the object of the mission has already been explained to you by Colonel Martin. It has been proved, by what Colonel Martin has said, that we have but one object, and that is to meet the wishes of the inhabitants of this country, and to maintain the independence of the Swazi King. To plough over the same ground which Colonel Martin has travelled would be unnecessary; I would merely say the same thing as the Colonel. One thing I cannot refrain from, however, and that is to say that the matter is already in the hands of both Governments to decide as to what shall be done with the whites and the Swazis. I hope that this meeting will leave the matter in the hands of the two Governments to decide as to what shall be done, and I think that the people are people of law and order and that they will abide by what has been said.

*Dr. Krause* then said.—It would seem, if I don't say a word, that I don't coincide with what has been said by my colleagues. We have been sent here by the Government of the South African Republic, on complaints that have been made to that Government, and on information that has been given regarding the deplorable state of affairs that exists in this country. It is our desire to prevent the dangers that are threatening not only the independence of the King but the safety of the whites. Since our arrival the British Government have sent Colonel Martin into this country, and since his arrival we have worked hand-in-hand. The South African Republic, so to say, put the King upon the throne—

A voice: No.

*General Smit.*—His father, Mswazi.

*Dr. Krause.*—His father upon the throne, and since then the Government of the South African Republic has maintained the independence of the King. There are difficulties which we hope have been removed, and I believe that all difficulties will be removed by the efforts of the people who are parties to the London Convention.

The Commissioners then left, and discussion followed. Various resolutions, amongst them one recommending the prolongation of the Committee (without re-election) for three months, or until such time as the Joint Commission had held its deliberations, but all were lost excepting a two-fold one submitted by the Dutch element, who, by an overwhelming majority resolved that the Committee should cease to exist, and that Swaziland should be governed entirely by the South African Republic:

This public meeting being convened by the Government Committee for the purpose of considering the advisability of rearranging the government of the whites in Swaziland.

Being convinced that said Committee has proved to be insufficient, that the members thereof are divided amongst themselves, and that this institution cannot meet the requirements of the white inhabitants. Resolve, that it is the opinion of this meeting—

1. That no new members of the Committee be elected, and that said Committee thus cease to exist.
2. That in order to obtain a proper government over the white inhabitants, the Government of the South African Republic be requested and empowered to establish and take upon themselves the government of these whites under condition that the independent position of Umbandini as Swazi King, and his right over his native subjects be recognised, and that all legally acquired and consistent rights be acknowledged and guaranteed.

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MINUTES of a MEETING, held at BREMER'S STORE, UMZUNNENE, of white persons having interests in Swaziland, 28th July 1889.

Present, Messrs. Bremer, Penfold, Acton, Wilson, Cohen, Ewing, Scott, McCubbin, Thorburn, Meikle, Steyn, Van Rooyen.

Mr. Bremer was asked to preside, and took the chair.

The Chairman said that Mr. Cohen had proposed that the present meeting should take place, in order that a programme should be drawn up as to what action those present thought fit to be best pursued at the public meeting on the 29th instant.

Mr. Cohen said that he had been induced to call the meeting, as it had appeared to him that no steps had been taken to prepare a programme, and while enquiry into the affairs of the country was about to be made by the outside Powers, it was vital that something should be done to secure the rights of those interested in the country. He had two resolutions to propose, the first being "that it was necessary at the present meeting to arrange for the appointment of a fit person to take the chair at the public meeting," and secondly, "that the King should be asked to prolong the sitting of the present Swaziland Committee for a further period of three months."

Two gentlemen were thereafter nominated as fit persons to occupy the chair, namely, Messrs. Frank Watkins and J. J. Ferreira. And it was resolved to submit both names at the public meeting.

Mr. Cohen then formally proposed the second resolution, namely, "That the King should be asked to prolong the sitting of the present Swaziland Committee for a further period of three months;" this was seconded by Mr. Wilson, and carried unanimously.

Thereafter it was proposed by Captain Ewing, and seconded by Mr. Bremer, "That prior to any discussion at the public meeting, the representatives of the two governments, parties to the London Convention, be asked to be present and to address the public meeting as to the object of their visit, and as to the instructions they have received from their respective governments."

Thereafter it was resolved, on the motion of Mr. Penfold, seconded by Mr. Bremer, "That a sub-committee should be appointed at the public meeting, to appear at the sittings of the proposed Joint Commission, whose duty it would be to watch the interests of white persons interested in the country, and to give such information as may be desired."

It was further arranged that copies of the minutes of the present meeting be sent to the representatives of Her Majesty and his Honour the President.

A. BREMER,  
Chairman.

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SIR,

Bremer's Store, Swaziland,  
28th July 1889.

I HAVE the honour, for your information, to enclose copy of minutes of a meeting of white persons interested in this country, held at Bremer's Store this day, and to ask

you, in compliance with the resolution therein contained, to be present at the public meeting to-morrow, and address those present on the object of your visit to this country.

Lieut.-Col. Martyn, C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) W. M. C. PENFOLD.

SIR,

King's Kraal, Swaziland, August 2, 1889.

I HAVE the honour to inform your Excellency that several gentlemen much interested in the mining interests in Swaziland have had interviews with me, among whom I may mention Messrs. Deering, Adcock, Hampton, and Scott, and they have requested me to bring to the notice of Her Majesty's Government the enormous interest the mining concession holders have at stake in this country compared to the owners of grazing rights, whose votes at meetings similar to that held on the 29th July outnumber theirs to such an extent that it is impossible for them to carry any resolution.

Mr. Deering states that on the Forbes concession alone 3,000*l.* a month was being spent, and on two other companies at least 600*l.* a month.

I was also requested to bring to the notice of Her Majesty's Government the fact that such concessions as electricity, steam, rights to establish a mint and collect customs in the hands of individuals, must be fatal to the interests of the country, and that it was hoped that the Joint Commission would be instructed to inquire into the concessions granted, and how they affected the interest of Swaziland.

I informed them that I would bring the matter to your Excellency's notice.

I have, &c.  
(Signed) R. E. R. MARTIN,  
Lieut.-Colonel, 6th Dragoons.

His Excellency the Acting High Commissioner,  
Cape Town.

No. 129.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received September 9, 1889.)

Government House, Cape Town,  
August 21, 1889.

MY LORD,

WITH reference to my Despatch of the 6th May last,\* I have the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from the Government of the South African Republic, asking for an expression of the views of Her Majesty's Government on the proposals contained in the State President's telegram of the 3rd May last.

I have, &c.  
(Signed) H. A. SMYTH, Lieut.-General,  
Administrator and Acting High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 129.

STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER.

Government Office, Pretoria,  
August 13, 1889.

YOUR EXCELLENCY,

WITH reference to my telegram sent to you on 3rd May 1889, on the subject of the territories to the north and to the east of this Republic, I have the honour to bring to your Excellency's attention that hitherto no answer has yet been received to it.

\* No. 93.

This Government will be glad to be able to learn what is the opinion of Her Majesty's Government on the proposals made on this side.

With feelings of especial respect,

His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) Dr. W. J. LEYDS,  
State Secretary.

No. 130.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received September 9, 1889.)

MY LORD, Government House, Cape Town,  
August 21, 1889.  
I HAVE the honour to enclose, for your Lordship's information, a copy of a telegraphic correspondence which has taken place respecting the affairs of Swaziland.

I have, &c.  
(Signed) H. A. SMYTH, Lieut.-General,  
Acting High Commissioner.  
The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.

Enclosure 1 in No. 130.

TELEGRAM from ADMINISTRATOR, Natal, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

15th August, from Colonel Martin. Begins:—"Transvaal officials just been to see me *re* departure. They have received no reply to their request for instructions, and have now wired to Pretoria to leave on Friday. They, however, fear King will kill off more people when we leave. I do not think we could prevent if we remained. Also informed me do not consider Joint Commission could do more than we have, and our reports should be enough. A doubt of appointment of Commission spread in country now would do much harm, as it would open question of re-elections of new Committee. I have informed them of my opinion. If I leave Friday, a message *viâ* Ndwandwe by helio. and Zulu Police would meet me." Ends.—Will you please telegraph direct to him.

Enclosure 2 in No. 130.

TELEGRAM from ACTING HIGH COMMISSIONER, Cape Town, to COLONEL MARTIN,  
Swaziland.

15th August. Your telegram to Governor, Natal, respecting proposed departure on Friday, has been forwarded to me. You should not leave before the Transvaal officials do so, nor should you remain in Swaziland after they have left. It will be most convenient if you can leave the country together.

Enclosure 3 in No. 130.

TELEGRAM from ACTING HIGH COMMISSIONER, Cape Town, to His Excellency the  
ADMINISTRATOR, Maritzburg.

15th August. Your Excellency's telegram of to-day. I have sent the following to Colonel Martin, *viâ* Steynsdorp, begins. Will you kindly send a duplicate *viâ* Ndwandwe.

## Enclosure 4 in No. 130.

TELEGRAM FROM STATE PRESIDENT, Pretoria, to His Excellency the ACTING HIGH COMMISSIONER, Cape Town.

16.8.89. As Colonel Martin and our two Commissioners have asked and agreed in the first place to leave Swaziland, and this Government has consented, since Her Majesty's Government could not yet fix any time for a Joint Commission, and some time would elapse before this would assemble, this Government will wait for the return of its Commissioners, who are already on the way, before acting further in the matter, and trusts that your Excellency will agree to this.

## Enclosure 5 in No. 130.

TELEGRAM FROM ACTING HIGH COMMISSIONER, Cape Town, to His Honour the STATE PRESIDENT, Pretoria.

17th.—Your Honour's telegram of yesterday. I have already instructed Colonel Martin to leave Swaziland at the same time as the Transvaal officials. I have not yet received Colonel Martin's report, but, so far as I am at present advised, no further action is required, and the consideration of all questions can stand over pending the sitting of the proposed Commission.

## Enclosure 6 in No. 130.

TELEGRAM FROM ADMINISTRATOR, Pietermaritzburg, to His Excellency the HIGH COMMISSIONER, Cape Town.

18th.—Message to Colonel Martin forwarded by post and special runners via Ndwanwe yesterday.

## No. 131.

LORD KNUTSFORD TO LIEUTENANT-GENERAL H. A. SMYTH.

SIR,

Downing Street, September 14, 1889.

I HAVE the honour to acknowledge the receipt of your Despatch of the 13th ultimo,\* transmitting copies of telegraphic correspondence relating to the affairs of Swaziland.

You have already been informed† that Her Majesty's Government have decided to appoint a Special Commissioner to inquire, in conjunction with a Commissioner to be appointed by the Government of the South African Republic, into the affairs of Swaziland, and the best method of their settlement in the interests of all concerned.

I have now to inform you that Her Majesty's Government have selected as British Commissioner, Colonel Sir Francis W. De Winton, R.A., K.C.M.G., C.B., who will proceed to Cape Town early in October.

Colonel R. E. Martin, C.M.G., whose recent visit to Swaziland has been of so much advantage, will, as you were informed by my telegram of the 9th ultimo,‡ be asked to afford the British Commissioner the benefit of his services as Secretary, and it is proposed that Sir F. De Winton should also be accompanied by a legal adviser who will be selected in Cape Town.

I shall address you further as to the financial and other arrangements of the Commission, as well as on the subject of the Instructions to be given to Sir Francis De Winton.

The Acting High Commissioner.

I have, &c.  
(Signed) KNUTSFORD.

\* Not printed.

† See Nos. 122, 123, and 124.

‡ No. 123.

No. 132.

LIEUT.-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received September 16, 1889.)

MY LORD,

Government House, Cape Town,  
August 26, 1889.

I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from the Governor of Natal, covering reports by Colonel Martin respecting the affairs of Swaziland.

I have, &amp;c.

(Signed) H. A. SMYTH, Lieut.-General,  
Administrator and Acting High Commissioner.The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 132.

SIR CHARLES MITCHELL to Lieut.-General SMYTH.

Government House, Pietermaritzburg, Natal,  
August 17, 1889.

SIR,

I HAVE the honour to transmit to your Excellency despatches of the dates noted on the margin, which have been forwarded to me, under flying seal by Lieutenant-Colonel Martin.

I have, &amp;c.

(Signed) C. B. H. MITCHELL.

His Excellency  
Lieutenant-General Smyth, C.M.G.,  
&c. &c. &c.

SIR,

King's Kraal, Swaziland, August 7, 1889.

IN some of my despatches to your Excellency I have mentioned a Mr. Deering, but I now find that I have been misinformed, and that his name is Mr. F. B. Doring, manager of Forbes' Concessions.

I have, &amp;c.

(Signed) R. E. R. MARTIN,

His Excellency the Acting High Commissioner,  
Cape Town.

Lieut.-Colonel, 6th Dragoons.

SIR,

King's Kraal, Swaziland, August 11, 1889.

WITH reference to my report that the telegraph and postal concessions in Swaziland are held by the Government of the South African Republic, I have the honour to report, for your Excellency's information, that the surveyors arrived here yesterday to mark out the line to Steynsdorp. Also, that Dr. Krause in private conversation this morning told me they had applied to the King for a site for the office, and that the King objected to its being close to his kraal.

Dr. Krause also said Mr. Thorburn claimed the place selected, as it was on his concession, but would raise no objection provided the Government of the South African Republic recognised his right and paid a nominal rent.

As the erection of this office will no doubt entail the presence of a Government official of the South African Republic in Swaziland, and the working of the postal and telegraph concession may be made a pretext for sending Government officials into the country, without the consent of Her Majesty's Government, I have thought it right to bring the matter to your Excellency's notice.

I have, &amp;c.

(Signed) R. E. R. MARTIN,

His Excellency the Acting High Commissioner,  
Cape Town.

Lieut.-Colonel, 6th Dragoons.

King's Kraal, Swaziland,  
August 11, 1889.

SIR,

I HAVE the honour to report that although the country is quiet, there has been a good deal of excitement among both Europeans and Natives during the past week, owing to reports having been spread that Mr. Shepstone had been with the Swazi King for two hours, and had been reinstated. These reports were caused by the presence of Mr. Shepstone at several meetings of the Queen Regent and Council. I think it advisable to forward all the information in my possession on the subject, as it will give your Excellency some idea of the unsatisfactory state of the Swazi nation.

On Saturday the 3rd August Mr. Shepstone requested an interview with the representatives of the South African Republic and myself. The meeting took place in my tent. Present:— Col. Martin, General Smit, Dr. Krause, Messrs. Ferreira, W. Penfold, Shepstone, and Jackson.

Mr. Shepstone said: "As the delegates are aware, I have been asked by the Queen Regent and Chiefs to meet them. I inquired if the King was aware of it, and they said they had reported to him. This was on the 31st July, and I said I would meet them on the 2nd August on account of the races. Yesterday I met the Queen Regent and Chiefs. They inquired why the representatives of both Governments were here? I replied, Why do you ask me, when you have cancelled my appointment, and put two people in my place? Their reply to that was that they knew nothing of the other appointments, and did not recognise them. They said you were placed in your position by the nation, and we come to you. I inquired if the King knew I was in the kraal, and they said it was reported to him. They said they did not know any difference between myself and the King. That all differences had been settled long ago, before the whites and the nation. On return of the messengers from Pietermaritzburg (in April) I had met the nation at the King's request, and I was reinstated then, and it was so reported to the King, who said as soon as he was well enough he would sign the documents. I then said to them don't let us discuss any difference between myself and the King; the question is what you are going to do. The King sent to Pretoria, and asked that General Smit be sent here. General Smit is here. As you know, under the Convention of Majuba, the President of the Transvaal would not send without reporting to the British Government. I have myself seen the papers. The Queen then sent Colonel Martin here. I said I have no authority to ask them what they are here for, and can only tell you from what I gathered from the delegates and from what Colonel Martin asked me to mention, if I have the opportunity. They said the King denies having sent for General Smit, but I told them that the fact remained. The delegates informed us that a Commission was coming. That the Commission would inquire into the state of the country, and all Colonel Martin required them to do was not to make up their minds to anything until the Commission came, when the opinions of the King, the heads of the nation, and those whites who had interest in the country, would be heard. The two Governments saw that there were so many whites in the country that there must be some inquiry as to what should be done. If the nation request me to ask the delegates what they have come for I will do so, but unless they do so I shall be prevented by the documents referred to appointing two others in my place. They said they requested me to call on the representatives of the two Governments here and ask what their mission was. There was other talk as to what they had done wrong that the delegates should have come. I said I would see the delegates, which I have done. As I was speaking yesterday to the Queen, two Indunas came from the King (Dubinkoun and another). They said, 'Your brother has sent us to you. He says you are both from the same father. He can only just breathe. He is dying. He is glad you are with the nation. Don't let any dispute come between you at such a moment. You are sitting with the nation now, act in concert with them, and ascertain what the arrival of the great Chiefs means.' They said over and over again that the King said we were both of the same house, Mswazi's children, and they looked to me to advise them.

"These men have asked me to come and see the delegates. Can I bring them and three or four others to see the delegates to-morrow. I have already told the people that I will not be present at any meeting at which the opposition are present."

Mr. Shepstone afterwards asked us to meet the Queen Regent and people. We then requested Mr. Shepstone and others to withdraw, and after consideration we informed Mr. Shepstone that we had already informed the King and the people what the object of our mission was, and that we had nothing else to say, but as it appeared that the Queen Regent and some of the Chiefs had not heard us deliver it together we had no objection to repeat it, but must decline to have anything to do with the differences between the two parties.

Having agreed with the Transvaal officials to meet Mr. Shepstone and the nation at the Embekelweni kraal, we decided to go there on Monday the 3rd August. On the day before (Sunday) Tikuba (the Prime Minister) and other head men came to see me with a message from the King to say he wished to see me alone before the meeting took place. I informed the Transvaal officials of the King's request, and they agreed that it would be as well for me hear what the King had to say.

On Monday messengers came to say the King was ready, and while on my way to Embelakona (the kraal the King lives in during his illness), I met Mr. Shepstone, who said he had met the Nation the day before, and told them the reason the delegates of both Governments were here was that reports had been received as to the unsatisfactory state of the country, and killing off of natives, &c., and told them it was not right that men should be killed off for nothing, and just because the King coveted their flocks and women, but that white people would not object to the execution of wrongdoers. I replied that the representatives of the two Governments had never, to my knowledge, given such a message. Mr. Shepstone said no; he only told them privately that that was what he thought. Mr. Shepstone then left me.

On arrival at the kraal I found the King, Queen Regent, and Council assembled. Messrs. Thorburn and Rathbone were also present.

The King said he hoped the Commission would not sit until he was better, and able to appear in person. I assured him that his request would be sent to the Queen. I then, at their request, again repeated my message, and advised them to remain quiet. I told the King if he had nothing more to say I would go to the Embekelweni kraal to be present at the meeting above referred to, but the King and Queen Regent both said they knew nothing of it. On my return to camp I informed the Transvaal officials and Mr. Shepstone that there would be no meeting.

In the evening, as I feared some trouble might be caused by one of the two parties, I went over and consulted General Smit as to what was best to be done, and we agreed to send Messrs. Jackson and G. Ferreira to the King with a message that we had heard the Queen Regent and some of the Chiefs had not heard us deliver our message together, and were anxious for us to do so, and that we were willing to do so if the King wished. A reply came that the King was too ill to be himself present, but would call his Chiefs together to hear us, and would send word when they were ready.

On the 7th instant we were informed that the Queen Regent and Council were ready, but on our arrival at the kraal we were told that Mr. Shepstone had been sent for, and as some time must elapse before his arrival, we returned to camp, and a letter was received by Dr. Krause from Mr. Shepstone, a copy of which I enclose, stating he would not attend the meeting. In the afternoon we were again sent for. I repeated my message and advice, General Smit and Dr. Krause doing the same after me. Tikuba, during his remarks (my interpreter, Mr. Jackson, says), stated Mr. Shepstone had not been dismissed. Mr. Ferreira and others, however, say, not altogether dismissed; that is, Mr. Shepstone was not ordered out of the country. I told Tikuba that we could not discuss Mr. Shepstone's case, and that they had better let all such matters remain quiet.

He then said the Commission ought not to sit until the King was better. I replied I had already heard the King's wishes on the subject, and they would be considered. We then left.

On the 8th instant we were again called down to the Embekelweni kraal. On our way down Mr. Jackson asked the messenger why I was wanted, and he replied they wanted to say General Smit had never been asked to come. Outside the kraal I met Tikuba, and asked what they had to say fresh, and he replied, "Nothing." I then told him I had nothing to say either. I had already told them five or six times why the Queen had sent me, and did not think he was a child that he wanted to hear it again.

He replied no. He then said they wanted me to hear Mhlakwana (Shepstone). I replied that I had nothing to do with what Mr. Shepstone had to say, and had not come to hear disputes. I then saw Mr. Shepstone, who said he did not know why I was sent for. Tikuba afterwards said they only wanted to see General Smit. I left, and Dr. Krause informed me the question that was put to them was, what had they done wrong that the delegates should have come?

On the 9th Mr. Shepstone again called at my camp, and stated that he was going to another meeting.

I informed him that I thought it a great pity that these meetings were being held, as the only result would be that they would unsettle the whole of the Nation. He said he did not think there would be any more, as he believed the Chiefs all thought it advisable the Commission should sit.

I beg to forward, for your Excellency's information, copies of the under-mentioned papers, handed to me by Mr. A. Miller:—

Notice calling upon Mr. Shepstone to resign his position as Resident Adviser\*; Proclamation announcing that Mr. Shepstone no longer holds any official position; Mr. Miller's acting appointment\*; and Mr. Miller's permanent appointment as Secretary and Agent.

I have, &c.  
(Signed) R. E. R. MARTIN,  
Lieut.-Colonel, 6th Dragoons.

His Excellency the Acting High Commissioner,  
Cape Town.

The Haunted House, Piccadilly,  
August 7, 1889.

DEAR DR. KRAUSE,

WILL you kindly inform Colonel Martin and the General that two Indunas (Magogohla and Umsisi) came to me this forenoon, and said the King wished me to go in to see him. I asked, "Who sent you?" and they said "Tikuba." I replied that after the way I had been treated in the last few days I could place no reliance in their messages.

That they must go back and satisfy me that the King wished to have a personal interview with me, as I was not going to be placed in a false position again.

Yours, &c.  
(Signed) OFFY SHEPSTONE.

The Hon. the Attorney-General,  
South African Republic.

#### PROCLAMATION.

Be it hereby made known that I, Umbandini King of Swaziland and Paramount Chief of the Swazie Nation, acting with the advice and consent of my Council, do require that all official communications other than these intended for or relating to my White Committee, and all concession rents or transfer moneys, be addressed and paid direct to me as my late Secretary Mr. Theophilus Shepstone no longer holds any official position in connexion with my government of the country.

And I further notify that I have this day appointed Mr. Allister M. Miller, Secretary of the Swaziland Government Committee to be my acting secretary, and have for the time being invested him with power to register and transfer concessions and grants in my name, and otherwise to fulfil the duties of my secretary and agent.

\* See Enclosures in No. 73.

Given at my head kraal of Embekelweni, the first day of March, in the year one thousand eight hundred and eighty-nine.

	(Signed)	UMBANDINI	his × King. cross and seal.	
Witness	„	T'KUBA	his × cross.	
(Signed)	J. THORBURN.			
	„	HELEME	his × cross.	
	„	JOBBER	his × cross.	

Be it hereby made known that I, Umbandini, King and Paramount Chief of Swazieland, acting with the consent of my Indunas, have this day appointed Allister M. Miller (Umbalasinewadi) to the position of my permanent secretary and agent, and do hereby invest him with all rights and powers pertaining to such a position, and I further decree that he alone shall be authorised and empowered to register documents granted by me, transfer grants, represent me in an official capacity, and generally to transact my business with white men for the conducting of which, as in all other matters concerning my affairs, he is responsible alone to me.

And I further make known that the said Allister M. Miller, by virtue of his position as my secretary and agent shall *ex officio* hold office as one of my five (5) nominees in the Swaziland Government Committee.

It is the true intent hereof that the said Allister M. Miller shall continue to hold the position of resident justice of the peace for the district of Embekelweni, to which he was appointed and sworn in before me on the 22nd day of November 1888, and the document giving him magisterial power which I signed on that occasion shall remain valid so long as the said Allister M. Miller continues as my secretary and agent.

Given under my hand and seal at my head kraal of Embekelweni on this the ninth day of May, in the year one thousand eight hundred and eighty-nine (1889) in the presence of the subscribed witnesses.

Witnesses.				
(Signed)	J. THORBURN.		his	
„	H. E. GILBERT.	(Signed)	UMBANDINI	his × King mark and seal.
„	E. COOPER.			
„	BERTRAM B. STEWART.	„	T'KUBA	his × mark.
		„	HELEME	his × mark.
		„	MAKAHLALAGA	his × mark.
		„	T'SHASA	his × mark.
		„	JOSEBOMVU	his × mark.
		„	JOBBE	his × mark.
		„	LONTSHANGA	his × mark.

I hereby certify that the contents of this document were well and truly translated and interpreted by me to the King and Indunas.

(Signed) E. COOPER,  
Interpreter.

No. 133.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received September 22, 1889).

TELEGRAPHIC.

Following telegram received from President of the South African Republic:—

*Begins*: Press telegram reports the information, incredible to this Government, that Sir Francis de Winton is appointed Commissioner for Swaziland. This Government will be obliged if your Excellency would kindly inform it what is the truth of it. The affairs in Swaziland have already gone too far to be able to be rectified by the sending of a Commissioner. Letter follows on Monday. *Ends*.

It is evident that the Government South African Republic believe De Winton has been appointed Border Commissioner under Article III. London Convention of 1884. Please instruct me if I may inform them that De Winton has been appointed Joint Commissioner not Border Commissioner, and of appointment of Schreiner and Martin.

No. 134.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

24th September, 1889.—In answer to your telegram of the 22nd September,\* inform Government of the South African Republic that Her Majesty has been pleased to appoint De Winton British Commissioner inquire Swaziland affairs; Martin, Secretary. Her Majesty's Government will be glad to hear who will be Commissioner for South African Republic, and convenient date fixed for meeting. Her Majesty's Government consider it desirable that both Commissioners enter Swaziland at the same time. De Winton intends to sail 4th October, disembarking at Capetown to confer with you. Offer appointment of Legal Adviser Schreiner, 25*l.* a week and subsistence.

No. 135.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received September 28, 1889.)

TELEGRAPHIC.

28th September, No. 1.—Referring to your telegram of 24th September,† I have received the following from Government of South African Republic:—

*Begins*:—Referring to your telegram of yesterday regarding Sir Francis De Winton, letters referring to it go to-day. Government regard Joint Commission not any more necessary and not desirable, as it will only waste time. If Her Majesty's Government have read our letters and then think such a Commission is still necessary, this Government will be prepared to treat further regarding time and place of meeting.—*Ends*.

No. 136.

SIR C. B. H. MITCHELL to LORD KNUTSFORD.

(Received October 1, 1889.)

Government House, Pietermaritzburg,  
Natal, September 3, 1889.

MY LORD,

WITH reference to my Despatch of the 28th July last,‡ reporting the departure of Mr. Saunders to define the Northern boundary of Zululand, I have the

\* No. 133.

† No. 134.

‡ No. 126.

honour to transmit, for your Lordship's information, the enclosed copy of a Despatch I have received from the Resident Commissioner, covering a report by Mr. Saunders (dated the 19th August) of the progress he has made.

I have, &c.

(Signed) C. B. H. MITCHELL.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 136.

RESIDENT COMMISSIONER to GOVERNOR.

SIR,

Eshowe, Zululand, August 30, 1889.

I HAVE the honour to transmit, for your Excellency's information, a copy of a letter dated the 19th instant, received by me yesterday from Mr. Saunders, Resident Magistrate, in reference to the duties upon which he is now engaged, viz., ascertaining and settling the boundary line between Zululand and Tongaland.

The messenger (Bikwayo) despatched by me from Eshowe referred to by Mr. Saunders was sent with another man with a communication to Zambili inviting her to send her representatives to meet Mr. Saunders, and to be present at the making of the line. I regret the delay that occurred by the non-arrival of the representatives or of my messengers; the latter I had instructed to report to Mr. Saunders the result of their mission to Zambili.

I will direct Mr. Saunders to inform the Chiefs who expressed a desire to have a magistrate placed in their district that their request will receive the consideration of the Government as soon as practicable after his return to Eshowe when full particulars could be got from him.

I have, &c.

(Signed)

M. OSBORN,

Resident Commissioner.

His Excellency Sir Charles Mitchell, K.C.M.G.,

&c.

&c.

&c.

Natal.

MR. SAUNDERS TO RESIDENT COMMISSIONER.

Nsele Stream,

Ncamana's District, August 19, 1889.

SIR,

I ARRIVED here from Ncamana's kraal, which is about 17 miles distant, on the 13th instant, and at once despatched a messenger to inform Queen Zambili that I was awaiting the arrival of her representative to proceed with the demarcation of the boundary. No reply has been received from her, and neither of the messengers, that is the one despatched by you from Eshowe, and the one sent off by me, have yet returned. The former of these passed Ncamana's kraal about 17 days ago, and has had ample time to have returned, as the Queen's kraal is, at the outside, four days' journey from there. I think there is little doubt that the delay is at the Queen's kraal. I arrived in Ncamana's District on the 4th instant, and through the non-arrival of the messengers, have been detained 14 days without being able to proceed with the demarcation of the boundary. In consequence of this delay, I have decided to start to-morrow for Sambana's and Mbigiza's District in order to carry out my instructions with reference to them. They both occupy districts on the Bonbo, and are about 40 miles from here, I expect to be absent about five days, by which time it is to be hoped the messengers sent to Zambili will have returned.

I completed the tax collection last week, having taken about 430*l.*; this amount was paid principally by the people under Ncamana and Sibonda. Fokoti's paid a few pounds, and, although quite willing to pay for all their huts, had not received sufficient notice to prepare for the collection.

The Chiefs above mentioned and their people expressed a desire to have a magistrate appointed over them, and denied most emphatically having granted any concessions to Colonel Coope. They state he was introduced to them as the Queen's representative, and as such demanded and received taxes from them. I am informed that the same thing happened with reference to the Chiefs Umjindi and Mbigiza. I have obtained

statements on oath from the Chiefs Sibonda, Ncamana, and Fokoti, detailing the circumstances under which Colonel Coope visited them, and what took place. I shall do the same with Umjindi and Umbigiza.

His Honour the Resident Commissioner,  
&c. &c. &c.  
Zululand.

I have, &c.  
(Signed) C. R. SAUNDERS.

No. 137.

LIEUT.-GENERAL H. A. SMYTH to LORD KNUTSFORD.  
(Received October 1, 1889).

MY LORD, Government House, Cape Town,  
September 10, 1889.  
I HAVE the honour to enclose, for your Lordship's information, copies of further telegrams respecting the affairs of Swaziland.

I have, &c.  
(Signed) H. A. SMYTH, Lieut.-General,  
Administrator, and Acting High Commissioner.  
The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure 1 in No. 137.

TELEGRAM from ADMINISTRATOR, Pietermaritzburg, to His Excellency the HIGH COMMISSIONER, Cape Town.

Colonel Martin expected on Friday. As soon as he arrives will send you all the information he may have on the subject. I have none.

Enclosure 2 in No. 137.

TELEGRAM from ADMINISTRATOR, Pietermaritzburg, to His Excellency the HIGH COMMISSIONER, Cape Town.

6th September. Colonel Martin reached here this afternoon. Your telegram of 4th. Martin has news from King's Kraal dated 26th. All quiet there. Thinks rumours of killing probably invented or exaggerated by Ferreiras, who, as you know, were interpreters and advisers of Transvaal Commission. Killing off in Swaziland does not necessarily mean such disorders as Transvaal Government wish to imply. It has been going on more or less for years past, and this new-born solicitude in regard to it if (of?) the Transvaal Government indicates desire to make it excuse for interference. I think it important that your Excellency should cause it to be officially announced that Commission will certainly be appointed as Martin (?) reports are being spread that none will sit, and consequently the efforts to supersede Committee in order to bring concessions into force will be renewed.

No. 138.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

1st October 1889.—In answer to your telegram of the 28th September,\* Government of the South African Republic should be reminded they have agreed to appointment of Commissioners acting in concert, and that the Mission which they lately sent to Swazi-

\* No. 135.

land was an inconvenient interference with arrangement made. They should be told that it appears impossible that the inquiry can be considered no longer necessary or a waste of time, since any settlement of country must follow careful examination of views and needs of all sections of inhabitants. Arrangements made after full communication cannot be now altered or postponed, and Her Majesty's Government hope that Commissioner of South African Republic will be quite ready to meet British Commissioner on arrival. Full attention will be nevertheless given to any representation contained in their letters.

No. 139.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received October 7, 1889.)

TELEGRAPHIC.

GOVERNMENT of South African Republic report fresh disturbances at Swaziland, and, in view of the bloodshed and murder in Swaziland, they again urge Her Majesty's Government [to] consent to the intervention of the Government of South African Republic to put a stop to this. I replied that I would communicate the telegraphic correspondence to you, but referring them to your Lordship's telegram of 1st October,\* and adding that persons in personal danger might be advised to leave the country until the Commissioners have considered the whole question.

The reports of the threatened murders are probably founded on fact. These are the ordinary incidents of native government, though the illness of the King may have increased the number of accusations of witchcraft, but I think it undesirable to permit any accomplished facts which would hamper the freedom of the Commissioners. I think that Government of South African Republic might be informed that no intervention by them can be permitted in anticipation of Report of Commissioners, and that Article II., London Convention, 1884, vests right of intervention solely in Her Majesty's Government.

No. 140.

SIR C. B. H. MITCHELL to LORD KNUTSFORD.

(Received October 8, 1889.)

Government House, Pietermaritzburg, Natal,  
September 9, 1889.

MY LORD,

I HAVE the honour, in continuation of my Despatch of the 3rd instant,† to forward herewith copy of a correspondence (with enclosures) I have had with the Resident Commissioner.

It will be seen that Mr. Brühem, as representing Zambili, the Queen Regent of Tongaland, protests, in her name, against the northern border of Zululand being drawn north of the Mkusi river.

It is, however, tolerably evident that the tribes of Sibonda, Ncamana, Ufagoti, Umginti, Sambana, and Mbegeza were regarded by Cetywayo and his predecessors, if not as forming an integral part of the Zulu nation, at any rate as feudatories to the King of Zululand.

As regards the last two tribes, I am somewhat doubtful, from such evidence as I can procure, whether their relations to Zululand have been closer and more intimate than has been their connexion with Swaziland. I have sent Mr. Osborn a telegram, copy of which I append, directing him to instruct Mr. Saunders, before leaving the country, to procure, if possible, evidence on this subject.

I enclose copy of a letter which I have directed Mr. Osborn to address to Mr. Brühem, in reply to his communication.

\* No. 138.

† No. 136.

See  
[C.-3466],  
p. 294.

The insertion of the words, "country it is proposed to give back to the Tongas," in the map made at the close of the Zulu war by Major Alleyne, on the part north of St. Lucia Lake, was, I think, the original cause of this claim on the part of the Tongas. I remember inquiring, at the time of the issue of the map, as to the authority for the insertion of these words, but I could never discover why or at whose instance they were inscribed.

As regards the territory north of the Pongola under Sambana, it will be seen that Mr. Saunders has been met by a protest from Joachim Ferreira—a Free State Boer—who, with his brother, has been much mixed up with Swaziland affairs, and who acted as Adviser to the Transvaal Commissioners during the recent conference.

Colonel Martin has, since his return from Swaziland, given me a copy of a paper—copy enclosed—which purports to be a request from Sambana to be annexed to the South African Republic, and which is said to have been obtained from him by the brothers Ferreira by pressure. I defer making any definite suggestion on the subject of bringing Sambana's and Mbegeza's territories within the boundary we are about to define until I have more information on the subject, but as your Lordship may possibly deem it necessary to refer this part of the question for the report of the Swaziland Commission about to be appointed, I am sending a copy of this despatch to the Acting High Commissioner.

I have, &c.

The Right Hon. Lord Knutsford, G.C.M.G., (Signed) C. B. H. MITCHELL.  
&c. &c. &c.

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Enclosure 1 in No. 140.

RESIDENT COMMISSIONER to GOVERNOR.

SIR,

Eshowe, Zululand, September 4, 1889.

I HAVE the honour to transmit, for your Excellency's information, the following two documents (in original) received by me this day. They were forwarded by Mr. Saunders, as being in connexion with the duty he is now engaged upon, viz., ascertaining and defining the boundary line between Zululand and Tongaland.

1st. A letter addressed to me, bearing no date, signed by a Mr. Brüheim, written, he states, at the instance of the Regent Zambili, in answer to a letter I wrote inviting Zambili to send her representatives to Mr. Saunders. In that letter it is stated that Zambili protests against the making of a line by which any portion of territory situated to the north of Umkusi River will be included in Zululand, as the Umkusi, she alleges, forms the southern boundary of her country.

2nd. A letter, dated the 22nd August 1889, addressed to Mr. Saunders, signed by H. F. Van Dordt for T. Ferreira, in which the writer alleges that Mr. Saunders and some of the police with him had trespassed on ground which he alleges belongs to the South African Republic, and also within the borders of that Republic, adding that he would report the matter to his Government. In the postscript of his letter the writer charges Mr. Saunders with having tried to influence the natives against the South African Republic within its own borders.

I have to state that I have Mr. Saunders' assurance that he did not trespass within the borders of the Republic, and I have no hesitation in saying that the allegation of his having done so is untrue.

His Excellency Sir Charles Mitchell, K.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) M. OSBORN,  
Resident Commissioner.

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To the Resident Commissioner of Zululand, M. OSBORN, Eshowe.

SIR,

ZAMBILI, Regent of Amatongaland, asks me to write to you that she has the honour to acknowledge (*sic*) the receipt of your letter of the 18th of July, 1889, in which (*sic*) his Excellency (*sic*) the Governor of Zululand, had given (*sic*) instructions to Mr. Saunders to make a boundary line between Amatongaland and Zululand. She observes also that his Excellency (*sic*) requests her to send Indunas from her country to witness the marking of the boundary, observing that he is sure she will take (*sic*) an interest

(sic) in this procsiding (sic). Out of respect for the Repepresentative (sic) of Her Majesty's Government in England she will send some Indunas to witness what is being don (sic) on this occassion, but she takes this opportunity of saying that in doing so she dos (sic) not obmit (sic) the ligallity (sic) of his Exellency's (sic) act in any request; on the contrary she begs most solemnly to protest against this injustice of a new boundary line being lait (sic) down, since for ages past the southern boundary of her country has been and is still the Umkusi River. She begs respectfully to add that the Umkusi River has hitherto been recognised by the Natal Government as the northern boundary of Zululand and the southern boundary of Amatongaland, the Zulu kings and people have always done the same.

She therefore reserves to herself the right of appealing to the English nation against the act of injustice that its Government, wrongly informed of the facts, contemplate inforcing (sic).

She considers this act of injustice if carried out by a great nation like England, the more harsh and cruel, as she entered into a treaty of amyty (sic) with England.

I have, &c.

(Signed) G. W. BRÜHEIM.

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— SAUNDERS, Esq., Representative of the BRITISH GOVERNMENT in ZULULAND.

SIR,

Njano's Hill, August 22, 1889.

I AM sorry to say that a couple of days ago two of your armed police have been trespassing on ground belonging to the South African Republic, as they state, by your orders.

To-day, I see that you yourself are also trespassing within the borders of the South African Republic with an armed body, accordingly I consider it my duty to report you to my Government.

I remain, &c.

p.o. J. FERREIRA.

H. F. VAN DORDT.

P.S.—I also have now reason to believe, and feel confident, that you have been trying to influence the natives against the South African Republic within its own borders.

VOOR J. FERREIRA.

H. F. VAN DORDT.

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Enclosure 2 in No. 140.

GOVERNOR to RESIDENT COMMISSIONER.

TELEGRAM.

7th.—Please direct Saunders to ascertain, before his return, the latest period, if ever, that Sibonda, Ncamana, Fogoti, Umginti, Sambana, and Mbegeza konzad or paid tribute to Tongaland. Also the latest period, if ever, that the two last-named paid tribute or konzad to Swaziland. Please also furnish me with any information you have on the subject.

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Enclosure 3 in No. 140.

RESIDENT COMMISSIONER to Mr. BRUHEIM.

SIR,

I FORWARDED your letter, which bore no date, but which was handed to Mr. Saunders by the Indunas appointed by the Queen Regent, Zambili, to witness the demarcation of the boundary between Tongaland and Zululand, to his Excellency the Governor of Zululand, and I am directed by him to inform you, in reply thereto, that Mr. Saunders' mission is to define the northern line of the territory which acknowledged allegiance to Zulu kings, paid tribute to them, and whose people were called out and went to form part of the army of the Zulu kings, and which, ever since the annexation of Zululand by Her Majesty, have been called out to aid, and have so aided, the force

assembled by Dinizulu, son of Cetywayo, in armed resistance to the Government of the Queen in Zululand.

The Governor desires me to add that there is no intention of infringing the rights of the Tonga nation, or of departing in any way from the engagements of the treaty of amity made with the Queen Regent by the British Government.

I have, &c.  
(Signed) M. OSBORN,  
Resident Commissioner.

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Enclosure 4 in No. 140.

Zululand, February 24, 1889.

" I, the undersigned, Zamban, the chief living east of Swazieland, west of Matongaland, together with my council of indunas.

" This is to certify that I have several times asked the Government of South African Republic, together with all my people and all my territory to be put under the protection of the South African Republic, and I put myself with all my people and all my territory as subjects under the protection of the South African Republic."

I declare hereby that I am independent chief. I neither belong to Tongaland, neither under Zululand, neither under Swazieland; that I have asked no other Government for protection, and that I shall never do such.

Given this day, 24th February, in the year 1889, in Zamban kraal, in the Lebomba.

ZAMBAN his × mark.

Indunas.

INYOSTER his × mark.  
JINGI his × mark.  
MUCHENE his × mark.  
LOGOONER his × mark.  
INTONGER his × mark.  
UNDABUKO his × mark.  
SEGOOTOSER his × mark.  
KOWASER his × mark.

Witnesses :

CHYSELWAYKO his × mark.  
MANZLAMADUMA his × mark.

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No. 141.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

9th October, 1889.—In answer to your telegram of 7th October,\* inform Government of the South African Republic that, in view of the London Convention of 1884, Her Majesty's Government cannot consent to intervention Government of the South African Republic. Her Majesty's Government consider that any intervention at this moment would complicate question referred to Inquiry Commission. British Commissioner will reach Swaziland in a few weeks; he, with Commissioner for Government of the South African Republic, should be able to prevent disturbances.

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No. 142.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

SIR,

Downing Street, October 9, 1889.

I HAVE the honour to acknowledge the receipt of your Despatch of the 21st of August† last, transmitting a copy of a despatch from the Government of the

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\* No. 139.

† No. 129.

South African Republic, relating to the territories on the east and also on the north and north-west of the Republic.

I request that you will inform the Government of the South African Republic, in reply, that Her Majesty's Government have not overlooked the proposals made by them on this subject, but that it appeared probable that the questions relating to the territories on the east could be best considered after the receipt of the report of the Commissioners now proceeding to Swaziland.

With reference to the suggestion that small alterations in the north and north-west borders are desirable for the sake of securing the greater contentedness of the natives, Her Majesty's Government are not aware to what points of the boundary this can refer, but you should invite the Government of the South African Republic to state specifically what small alterations it has in view with this object.

The Acting High Commissioner.

I have, &c.  
(Signed) KNUTSFORD.

No. 143.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received October 10, 1889.)

TELEGRAPHIC.

Shepstone reports, through his father, death of Umbandene. Press telegrams contain similar report.

No. 144.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received October 12, 1889.)

TELEGRAPHIC.

12th October. Referring to your telegram of 9th October,\* President of South African Republic telegraphs report of death of Umbandine. President of South African Republic will value it as a mark of favour if De Winton can stop at Pretoria *en route* for Swaziland. President of South African Republic adds that is shortest and most suitable way, and that another advantage is gained, both Commissioners being able to enter Swaziland at the same time. I see no objection to course proposed, if it should suit convenience of De Winton.

No. 145.

SIR C. B. H. MITCHELL to LORD KNUTSFORD.

(Received October 14, 1889.)

Government House, Pietermaritzburg. Natal,  
September 17, 1889.

MY LORD,

IN connexion with my despatch of the 9th instant,† I have the honour to submit, for your Lordship's information, a copy of a despatch received by me from the Resident Commissioner covering a report by Mr. Saunders concerning the political relation to Zululand of the Chiefs Sibonda, Ncamana, Fokoti, Umginti, Sambana, and Mbegeza, residing on the northern borders of Zululand.

It will be seen from this report that none of these chiefs have ever "konzad" to the Amatonga sovereign, and that only the last has ever acknowledged the chieftainship of the Swazi king, who, however, appears recently to have rejected an appeal for help sent him by Mbegeza on the ground that that chief was a Zulu subject.

\* No. 141.

† No. 140.

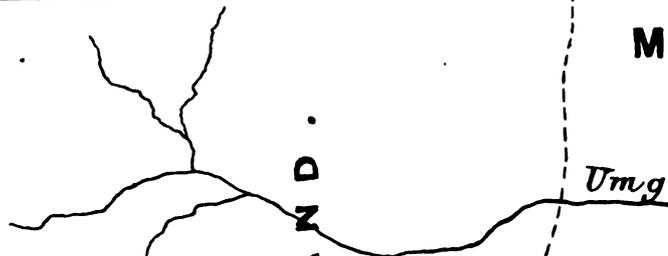


SKETCH MAP TO AC

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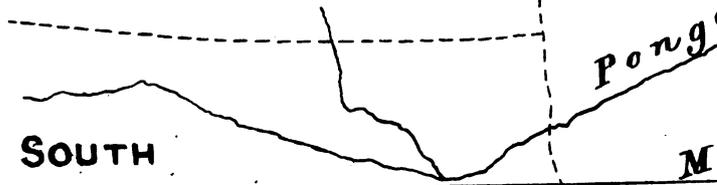


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Z U L

On the whole I incline to the opinion that the limit of Zululand should be proclaimed as including the territories of these two chiefs, Zambane and Mbegeza, and that the line should be taken as north from the Pongola along the watershed of the Lebombo mountains until it meets the Usutu river, thence by the course of this river eastward to its junction with the Pongolo, thence southward along the Pongolo to the northern boundary of Umginti, then eastward to the sea along the northern limit of the territories of the chiefs Fagoti, Umcamana, and Sibonda.

I await Mr. Saunders' detailed report, on the receipt of which I shall probably address your Lordship by telegraph, as I believe this matter to be one that should be settled without delay.

I enclose a rough tracing that will serve to give your Lordship a general idea of the position of these tribes. It is probably extremely inaccurate, from a geodetic point of view, having been taken from that furnished by the Mapootaland Syndicate. No good map has yet been made of the country, which is unsurveyed.

I have, &c.

(Signed) C. B. H. MITCHELL.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 145.

RESIDENT COMMISSIONER to GOVERNOR.

SIR,

Eshowe, Zululand, September 12, 1889.

I DULY transmitted to Mr. Saunders a copy of your Excellency's telegram of the 7th instant, and directed him to obtain and furnish the required information as soon as practicable. I also requested him to ascertain the time up to which the Chiefs named in the telegram paid tribute, or otherwise "konzad," to Zululand.

I have this day received Mr. Saunders' reply, dated the 10th instant, a copy of which is annexed hereto for your Excellency's information. He gives a full account of the Chiefs named, in regard to their political connexion with Zululand.

I have, &c.

(Signed) M. OSBORN,  
Resident Commissioner.

His Excellency  
Sir Charles Mitchell, K.C.M.G.,  
&c. &c. &c.

Mr. C. R. SAUNDERS to His Honour the RESIDENT COMMISSIONER.

Somkeli's District,

SIR,

September 10, 1889.

YOURS of the 7th enclosing copy of a telegram from his Excellency reached me here last evening. It will be observed from the above address that I am on my return journey to Eshowe, and some days distance from the districts occupied by the different chiefs mentioned. I had, however, ascertained the information required by his Excellency whilst in these Chiefs' districts, which is as follows:—Sibonda, Ncamana, Fokoti, Umgindi, and Umbigiza never *konzad* or paid tribute to Tongaland.

The history of these tribes shortly is as follows:—

Sibonda's tribe was formerly a portion of the Impukunyoni tribe under Somkeli, but, shortly after the Indandabusuka battle, severed its connexion with him, and migrated to the district it at present occupies north of the Umkuzi River. They still remained Zulu subjects, but instead of paying tribute through Somkeli, paid it direct to the Zulu Kings, and have continued to do so until the late disturbance broke out after the annexation of Zululand in 1887.

2. Ncamana's tribe was formerly an independent one, but was defeated by Tshaka, and since then has paid tribute to the Zulu Kings, and continued to do so until the late disturbances broke out.

3. Fokoti's, Umgindi's, and the late Manaba's (the latter of whom is not mentioned in his Excellency's telegram) people are sections of the Amatshabam tribe, which previous to Tshaka's devastation of the country was an independent tribe under one Chief, and konzad to no one. Since their defeat by Tshaka they have "konzad" to the Zulu Kings and continued to do so; the two former until the late disturbances, and the latter until the Zulu war, subsequent to which he konzad to Zibebu, and in consequence of this, after that Chief's overthrow, was killed, it is stated, by Ndabuko's order. The late Manaba was the hereditary Chief of the Amatshabam.

4. Sambana has always been a Zulu subject, and it was by his people that Dingana was killed, after his overthrow by the Boers and Pande. Sambana, although he had konzad to both Tshaka and Dingana, after killing the latter, transferred his allegiance to Pande, and has continued to konza to the Zulu Kings up to the annexation of Zululand.

5. Umbigiza's tribe, the Umgomezulu, was, until its defeat by Zioidi, an independent one, and konzad to no one. After its defeat the chief and members of the tribe had to flee north with the Amandwandwe, who were also defeated. The Swazi King interceded on their behalf, and the tribe under the late Lubelo was allowed to return to their old district, north and south of the Tugwavuma River, and they have continued to occupy it ever since, paying tribute to both the Swazi and Zulu kings—to the former in consideration of the services rendered in interceding on their behalf, and to the latter as their victors. To the latter they konzad through Mapita, and after his death through Usibebu. They continued to konza in this manner until Usibebu's overthrow, when the tribe, it is stated by Ndabuko's order, was attacked by Sambana and forced to retire north of the Ingwavuma River. When attacked by Sambana the Swazi King would render them no assistance on account of their being Zulu subjects. The present Chief Umbigiza continued, however, to konza to the Swazi King, and does so now. Since Usibebu's restoration he has again konzad to him as well. It will be observed from the above that none of the chiefs named ever konzad to Tongaland, and that only one of them, Umbigiza, konzad to Swaziland, and this only in consideration of services rendered to his tribe; on the other hand, they have all konzad to the Zulu kings, and, with the exception of Umbigiza and Manaba (who konzad to Sibebe subsequent to the Zulu War and up to the time of his overthrow), continued to do so up to the time the late disturbances broke out.

I may state that the Tonga Indunas, whom I met at the demarcation of the boundary, admitted that none of these Chiefs had ever konzad to them, and that the only claim they had to the country occupied by the Chiefs Ncamana, Sibonda, and Manaba, was that the Zulu kings had allowed them to locate a few kraals in these districts in consideration of the Tongas paying tribute to them.

His Honour  
The Resident Commissioner,  
&c. &c. &c.  
Eshowe.

I am, &c.  
(Signed) C. R. SAUNDERS.

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No. 146.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

15th October, 1889.—In answer to your telegram of the 12th October,\* inform Government of the South African Republic that her Majesty's Government desire to consult wishes as far as possible, and at once will endeavour to alter arrangements in accordance with suggestion.

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\* No. 144.

No. 147.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

18th October, 1889. Referring to your telegram of 10th October,\* report of death of Swazi King makes Joint Commission more than ever necessary. Inform Government of the South African Republic, unless you consider it undesirable, desiring them prevent as far as possible any interference of South African Republic citizens in Swaziland. Desirable that De Winton proceed to Pretoria by way of Pietermaritzburg. So inform Governor of Natal, De Winton.

No. 148.

LORD KNUTSFORD to SIR C. B. H. MITCHELL.

TELEGRAPHIC.

21st October, 1889.—Referring to your Despatches of 9th and 17th September,† inform Sambana and Mbegeza Her Majesty's Government will not advise Her Majesty the Queen to take steps with regard to territories adjacent Swaziland until Commissioner who is going to Swaziland has reported. Inform De Winton and High Commissioner.

No. 149.

THE ABORIGINES PROTECTION SOCIETY to COLONIAL OFFICE.

Aborigines' Protection Society, Broadway Chambers,  
Westminster, S.W., October 23, 1889.

MY LORD,

I HAVE the honour, by direction of the Committee of the Aborigines Protection Society, to forward to your Lordship the following copy of a resolution passed at its meeting on the 22nd instant:—

“That this Committee regards with alarm the rumours which have been circulated as to the probable transfer of Swaziland to the Transvaal Government; and earnestly hopes that Her Majesty's Government will take advantage of the special mission on which Sir Francis de Winton is now engaged, to secure in that country, under the Convention of 1884, the protection of its natives from such Boer aggression as threatens to have far more disastrous results than even those already apparent in the appropriation of their land and its natural resources, and in their moral and physical deterioration.”

I am further directed to represent to your Lordship that, as the steadily growing troubles in Swaziland, which have now reached a crisis compelling British intervention, clearly show that the agents and protégés of the South African Republic have been enabled to encroach on the independence of its people, in violation of the spirit, if not the letter, of the Convention of 1884, it is, in the opinion of our Committee, a matter of great importance, in the interests of the natives, that these unjustifiable encroachments should not now be sanctioned, and that in the new arrangements which events have rendered necessary, the natives should receive from Her Majesty's Government the assistance they have persistently sought against intruders and adventurers.

Our Committee cannot but view with extreme uneasiness the prospect of a surrender to Boer domination of the large tract of country west of the Lebombo mountains, peopled by about 60,000 natives, who would thus be exposed to great risk of bondage or expatriation; and it ventures to urge that the dangers of the situation are aggravated

\* No. 143.

† Nos. 140 and 145.

by the certainty that any extension of the South African Republic to those limits must soon lead to the absorption, either by the Government of the Transvaal or by that of Portugal, of the adjacent districts held by the Tongas and other tribes, whose condition is rendered all the more perilous by their contiguity to the disturbed districts in northern Zululand.

Whatever action Her Majesty's Government may take, in view of the advancement of order and prosperity in the Crown Colony of Zululand, our Committee deems it essential to the well-being of that Colony that British influence should be wisely used on behalf of the neighbouring and, to a large extent, kindred communities further north who are anxious to be rescued from the national extinction that is imminent.

I have, &c.

(Signed) H. R. FOX BOURNE,

Secretary.

The Right Hon. Lord Knutsford, G.C.M.G.,

&c. &c. &c.

Her Majesty's Principal Secretary of  
State for the Colonies.

No. 150.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received October 29, 1889.)

TELEGRAPHIC.

President of South African Republic telegraphs invitation to De Winton to be the guest of the State as long as he stays at Pretoria. He replied that the friendly and courteous invitation of the President of South African Republic would be communicated by me to Her Majesty's Government. British Agent in South African Republic also invited De Winton, but it would be impossible that he could accommodate so large a party. Please instruct De Winton as to reply to be sent to President of South African Republic.

No. 151.

SIR C. B. H. MITCHELL to LORD KNUTSFORD.

(Received October 30, 1889.)

(Extract.)

Government House, Pietermaritzburg, Natal,  
September 25, 1889.

I HAVE the honour to report that Mr. Saunders returned to Eshowe from the mission on which he was sent as stated in my Despatch of the 28th July last,\* and his report reached me yesterday. I enclose a copy of it. The map which accompanied this report, a tracing from which is enclosed, will be found of great assistance to a grasp of the report, and to a comprehension of the effect of the recommendations made therein. It differs very considerably from other maps to which I have access—notably from that of the Mapootaland Syndicate, a tracing from which accompanied my last despatch on this subject of the 17th instant.† Fogoti's territory in the last-mentioned map is made to stretch as far northwards as Ncamana's does, while in Mr. Saunders's map two other territories, those of Umjindi and (the late) Manaba, are placed between Fokoti's northern boundary, and the line of Ncamana's. This is however explained by Mr. Saunders's statement that these districts belonged not long ago to the same tribe, but have been separated since (*see* paragraph 3 of his report). I have no doubt, however, that Mr. Saunders's map, which has been made from actual observations on the spot, approaches more nearly to accuracy than does any other I have seen.

\* No. 126.

† No. 145.

There appears to me to be a reasonable certainty that the tribes on the right bank of the Pongolo down to within about ten miles of its junction with the Usuto were vassals of Cetywayo—not merely tribute payers, as were the Tongas, and that they fought for him against us in the war of 1879, and have assisted him, Dinuzulu or Usibebu, in the fighting that has taken place since then.

But as regards the tribes under Umbegiza and Sambana, there is by no means so clear a proof of vassalage to the Zulus. They appear to be Swazis by origin, but to have been much mixed up with the Zulus, to whom they have undoubtedly paid tribute at times, and whom they have also, apparently, assisted in war, especially of late years; but they have done this, so far as I can make out, while at the same time paying tribute to Umbandine as their King.

On the 8th September 1885 (vide Blue Book, ¶ C. 4645, enclosure 5 in Despatch No. 26, page 42), Sir Henry Bulwer, in reply to a report made by a Mr. L. F. Spring, of Boer encroachments sent by the High Commissioner to Sir H. Bulwer, stated that he had heard of attempts having been made by Messieurs Krogh and Joubert, as reported in Sir H. Bulwer's despatches to the High Commissioner of the 26th May and the 27th June 1885, to obtain a grant of land from Umbandine, the Swazi King; moreover, that the Swazis had complained to Colonel Cardew, then Sub-Commissioner at Nqutu, Zululand, of Boer encroachments and ill-treatment. The sketch which accompanies this correspondence shows no encroachments on Sambana's country, but a very decided one on Southern Swaziland. Mr. Spring also mentioned a raid made by Sambane on Umbegiza at the instigation, so it was said, of Mr. Grant, on pp. 59-61, of the same Blue Book. A statement from Mr. Ferreira, contradictory of the above accusation of Mr. Spring, was sent by the Secretary of the South African Republic to the High Commissioner, with a report by Mr. Joubert (the same Mr. Joubert who, with Krogh had been, himself, said to have been endeavouring to obtain a grant from the Swazi King (*see above*)) in which it was sought, by a Minute of a conversation Mr. Joubert said he had with him four years previously, to show that this Mr. Spring was unworthy of credit. It is noteworthy that in his statement Mr. J. Ferreira speaks of the boundary line going from Beacon XIV. to Beacon XVI., making no mention of XV. A reference to the map given on page 45, B. B., C. 3947, will show that a certain encroachment is made even by the assumption of this line. It will be seen by reference to Mr. Saunders' report of his interviews with Sambana, that that Chief asserts that he has paid Ferreira hut tax for the past four years. This, it is possible, as I have no doubt will be asserted, means that Ferreira merely collected from Sambana the hut tax for such of his kraals as were actually within the boundary line of the South African Republic, but it will be noticed that Ferreira's note to Mr. Saunders, dated the 22nd August, claims the country about, and to the northward of, Sambana's kraal (the country Mr. Saunders was then traversing), eastward of the Lebombo, as Transvaal territory.

In January 1886, I find that I reported to the Secretary of State that Ferreira (the Transvaal Commissioner) had been exacting taxes from Sambana for the previous year. Sambana is spoken of by Colonel Cardew in his letter as "a subject of the Zulu King," but, whether he was or was not, he certainly was no subject of the Boers. The Transvaal boundary line to the eastward was the Lebombo mountains (*see map at page 45 B. B., C. 3947*). Sambana's territory, apparently, lies entirely to the eastward of these mountains, although it is quite possible, as asserted by Ferreira, that some few of Sambana's kraals are to the west of the Lebombo, and, consequently, within South African Republic territory.

In January 1887, Sir Arthur Havelock drew attention to the danger arising from Boer encroachments from the New Republic in the direction of Tongaland. Although Sambana is not a Tonga, I understand that the allusion was meant to apply to his as well as to Fogoti's territory on the opposite bank of the Pongolo.

On the 9th of February 1888,\* your Lordship, in your Despatch, relating principally to the proposed assumption of a British protectorate over the Tongas, spoke of the case of Sambana as requiring separate consideration, as, Zambili having been recognised by Her Majesty's Government as Regent and paramount Chief over all the country as far as the Swazi line to the westward, it would not be open to Her Majesty's Government now to look upon Sambana as an independent Chief. I submit, however, that Mr. Saunders has ascertained that, although not an independent Chief, Sambana never owed allegiance to the Chief of the Amatongas, but rather to both the Swazi and the Zulu Kings. There is, therefore, I submit, no reason why, if Umbandine relinquishes any claim to Sambana's allegiance, Zambili should be considered as having any rights in that territory.

I now beg to draw your Lordship's attention to a correspondence between the South African Republic and the High Commissioner, beginning with a letter dated 30th January,

\* No. 24A.

1888, from Mr. Bok, State Secretary of the South African Republic, to the High Commissioner, in which it is claimed that the definition made in the Treaty of Friendship between Great Britain and the Tongas of the western boundary of Tongaland (viz., the Swazi country) is inaccurate, inasmuch as between Tongaland and Swaziland there intervened the territories of two independent Chiefs (viz., Sambana and Umbegiza), who were desirous of being brought within the territory of the South African Republic. The High Commissioner replied to the State President, South African Republic, on the 7th February, 1888, "the territory described in the treaty with Zambili is regarded by Her Majesty's Government as exclusively within the sphere of British influence, and it is my duty therefore to state frankly to your Honour that I have no expectation that the assent of Her Majesty's Government will be given to the agreements referred to in your letter, as they would be considered to be in conflict with the interests of Great Britain and Her Majesty's possessions in South Africa."

Your Lordship, in your Despatch of the 14th March, 1888,\* approved of the reply made by Sir Hercules Robinson to the South African Republic.

On the 17th February 1888, Sir A. Havelock, in a Despatch to the High Commissioner, enclosed an extract of a report from Mr. Saunders, then recently returned from a mission to Zambili's kraal, in which that officer states that Sambana claimed to be a British subject as he had paid taxes to the Zulus; moreover, that Ferreira had been for three years collecting taxes from Sambana, representing himself to be the agent to demand tribute on behalf of the *British* Government.

I attach little importance to the latter statement, as it is just what a native Chief would say, who, believing that a rivalry existed between Boer and British, wished to keep well with both parties.

On the 9th of March 1888, Mr. Osborn reported the result of a message sent by the Assistant Commissioner, Ndwandwe District to Sambana to ascertain the truth of the above-mentioned statement of Mr. Saunders. Sambana replied that "he had nothing to complain of, and that he had not gone or sent to the Government at any time about his troubles." He said nothing about having paid taxes to Ferreira, although his induna, Sigunga, appears to have told the messenger that taxes in kind had, in fact, been paid by Sambana to Ferreira during the previous winter, and the Assistant Commissioner adds to the messengers' statement a deposition made by a native named Unkamba to the same effect.

See Ferreira's statement enclosed in High Commissioner's despatch to Sir A. Havelock, 21st June 1888.

It is possible, however, that Ferreira may have only collected taxes from such of Sambana's people as had their kraals within the South African Republic boundary line as settled by the London Convention.

It is noteworthy that, so late as March 1888, Mr. Osborn was of opinion that Sambana was a Swazi Chief—see paragraph 4 of his letter of 9th March 1888, enclosed in despatch to the High Commissioner, of 23 March 1888.

In your Lordship's Despatch of 9th February 1888,† paragraph 6, allusion is made to Sambana's position as regards the Tonga Regent, Zambili, and in paragraph 4 of his despatch of the 26th March, 1888,‡ Sir A. Havelock informs your Lordship that Sambana is a Swazi Chief, but that there is some evidence of his having paid tribute to the Zulu Kings and of his having considered himself a vassal of Cetewayo.

Umbegiza seems to have occupied much the same position as did Sambana towards the Swazi and Zulu Kings; his tribe is not powerful, and he appears to have been in December 1884—it was said by a Mr. Spring, at the instigation of the Usutu party in Zululand and of Mr. Grant—attacked, defeated, and driven to the northward by Sambana.

On the 17th February, 1888, Sir A. Havelock addressed the High Commissioner on the subject of Ferreira collecting taxes from Sambana, and on the 21st June, 1888, Sir H. Robinson encloses the reply of the South African Republic Government, which covers a sworn deposition from Mr. J. J. Ferreira, Native Commissioner for the District Piet Retief (formerly Wakkerstroom) that he had only collected hut tax on behalf of his Government from such of Sambana's kraals as lay within the boundary line of the South African Republic.

On the 17th August 1888, the Secretary for Native Affairs, Natal, addressed a letter to Mr. Theophilus Shepstone, C.M.G., then adviser to Umbandine, asking to be informed as to the Swazi King's relations to Sambana and Umbegiza, and, on the 4th December 1888, Mr. Shepstone wrote, by direction of Umbandine, "that both Umbegiza and Sambana are Swazi subjects, and both acknowledge the Swazi King." He added that "Some of Sambana's people pay taxes to the Transvaal being, under the Convention lines, in Transvaal territory." "Sambana also for many years paid tribute to the Zulu King, but this was done for diplomatic reasons, as he was on the border of Swaziland adjoining the Zulu country."

\* No. 28.

† No. 24A.

‡ No. 40A.

In his Despatch of the 26th July 1888,\* Sir A. Havelock forwarded to your Lordship a report from Colonel Martin, who had recently returned from a special mission to Zambili, the Tonga Queen Regent, in which he states that the Tongas claim these two Chiefs, "Sambana and Umbegiza," as being within Tonga territory, but that these Chiefs do not acknowledge Zambili, but pay tribute to Umbandine, who has recently granted concessions in Umbegiza's territory.

Sir A. Havelock, in paragraph 3 of this Despatch, states that this report appears to corroborate generally the views conveyed in his Despatch of the 26th March 1888,† and that these Chiefs are not independent.

On the 1st May 1889,‡ in his Despatch, the Governor enclosed a memorandum drawn up by the Secretary for Native Affairs, Natal, clearly showing, on the evidence of Tonga messengers, that while Sibonda, Ncamana, and Fogoti were Zulu subjects, Sambana, and Umbegiza owed allegiance to the Swazi King.

In my Despatch of the 9th instant,§ I enclose a copy of what purports to be a document, signed, it is said, under pressure of the brothers Ferreira, by Sambana, dated 24th February 1889, placing himself and his people under the protection of the South African Republic.

For Sambana's own account of this document, see Mr. Saunders' report.

As I write this Despatch a letter has reached me, copy of which is enclosed, from Mr. Miller, Secretary to the Swazi King, writing on behalf of Umbandine, reporting that Umbegiza has sent his indunas to the King's kraal to complain that a brother of J. Ferreira's (probably the same man who met Mr. Saunders at Sambana's kraal, see Mr. Saunders' report), had visited the different kraals in Umbegiza's district demanding, on behalf of the Border Commissioner, a tax of a cow per hut, and threatening, on refusal, to bring a "commando" of Boers to enforce the tax. I have referred this question to the High Commissioner.

Mr. Miller to  
Governor.  
12 Sept. 1889.

I have thus far confined my remarks entirely to the territories of Sambana and Umbegiza, and I have done so because I feel sure that the only satisfactory way of settling this question will be to fix the British boundary at the line of the Lebombo mountains from the point where the Pongolo river cuts those mountains, as fixed in the London Convention of 1884, northwards, to the Portuguese frontier on the Usuto river. The allegiance hitherto owed by Sambana and Umbegiza has been, I think the preponderance of evidence shows, to the Swazi King, although they have both, I think, at times paid tribute and rendered war service to the Zulu King, but never, so far as I can find, to the Tonga King, who himself paid tribute to the Zulus.

As regards the territories of the Chiefs eastward of the Pongolo, of which those of Sibonda and Ncamana have already been annexed to Zululand by Government Notice, No. 32, 1888, issued on the 9th December last, I venture to submit that the territory between the Pongolo and Uncamana—now divided under the Chiefs Luvico (late Manaba) Umjindi, and Fokoti—appears to have stood in exactly the same relation to Zululand as did those of the two other Chiefs already annexed. That the three Chiefs of this territory have been divided amongst themselves during the recent disturbances—Manaba (who was killed) having supported Usibebu, and Umjindi and Fokoti having aided Dinuzulu—only strengthens the proof that these tribes were, in effect, vassals of the Zulu King. None of these Chiefs have, for many years, paid tribute to the Tongas, whereas they have all "konzad" to the Zulu kings, and have held themselves bound to obey their call to reinforce the Zulu armies whenever required to do so.

As regards the northernmost portion of Luvico's (late Manaba) territory, Dinuzulu seems to have granted to the Tongas leave to establish kraals there in consequence of Manaba having been the supporter of Dinuzulu's enemy Usibebu.

The Pelandaba military kraal has, according to Mr. Saunders, been, within the last four years, built there. I notice that the map put forward by the Mapootaland Syndicate places this kraal outside the boundary line.

Mr. Saunders appears to have determined the position of this northern boundary line as much from the admissions of Zambili's indunas as from the statements of the Chiefs themselves; and, if it was proved by one side and admitted by the other that the southern boundary of Tongaland, up to the time of Usibebu's overthrow in 1884, was that inserted by Mr. Saunders on his map, and beaconed in certain places by him—and I think that this line was so proved and admitted—then I venture to think that the line so fixed should now be declared to be the northern boundary of Zululand.

In conclusion, I venture to think that Mr. Saunders has performed his very difficult task with much tact, ability, and discretion, and that he has contributed materially to our knowledge of the country in question.

\* No. 51.

† No. 40A.

‡ No. 96.

§ No. 140.

## Enclosure 1 in No. 151.

RESIDENT COMMISSIONER to GOVERNOR.

SIR, Eshowe, Zululand, September 21, 1889.

Governor to  
Resident Com-  
missioner of  
3rd June 1889,  
and 126 of  
15th July 1889.

WITH reference to his Excellency Sir A. Havelock's Despatch of the 4th May last, containing instructions for the demarcation of the Zulu-Tonga boundary line, and to the subsequent despatches on the same subject, as noted in the margin, I have the honour to report that Mr. Saunders has completed the work of demarcation and returned to Eshowe. I now enclose, for your Excellency's information, a copy of the report furnished by him of the duties carried out under the instructions stated.

2. I have much pleasure in bringing to your Excellency's notice the very satisfactory manner in which Mr. Saunders discharged the duty entrusted to him, of ascertaining and settling the boundary line between Zululand and Tongaland.

I have, &amp;c.

His Excellency Sir Charles Mitchell, K.C.M.G.  
&c.

(Signed)

M. OSBORN,  
Resident Commissioner.

## Mr. SAUNDERS to RESIDENT COMMISSIONER.

SIR, Eshowe, September 21, 1889.

IN accordance with instructions contained in your Letter of 18th July last, I started for the northern boundary of Zululand on the 22nd of that month, and travelling via the Lower Umfolozi Magistracy and Somkeli's district, arrived at Ncamana's on the 5th August.

I camped there on a healthy spot, and made arrangements to collect taxes from the tribes of Sibonda and Ncamana. The latter of these Chiefs met me on my arrival in his district, and the former the following day. I ascertained from them the boundaries of their respective districts, which are as follows: Sibonda's district extends from St. Lucia Bay along the coast in a northerly direction to a lake called Sibai, which, although close to the coast, has no outlet to the sea; Sordwana Bay, or Lake, is about midway between St. Lucia Bay and this lake; on the west his tribe joins Ncamana's, the boundary line between the two being a small stream called Imlazwane; the lake referred to covers a large extent, being about 15 miles in length and 10 miles broad. The Insele river or stream runs into this lake. Ncamana's district extends from the Umkuzo river to about 10 miles north of the Insele stream, and is bounded on the east, as already stated, by Sibonda's, and on the west by the Umfuzi. These two Chiefs and their people were prepared to pay taxes, and did so readily, Ncamana on the 9th and Sibonda on the 12th. The total amount collected by me was 432*l.* 12*s.*, out of which a few pounds were paid by Fogoti. I had several interviews with them and their Indunas, at which they expressed entire satisfaction with the decision of the Government in including their districts in Zululand, and stated all they wished for and claimed was British protection; they both denied most emphatically having granted concessions of any nature to Colonel Coope or anyone else, and as their statements on this point seem to me so important, they were taken down on oath, and copies are attached hereto, that of Sibonda being marked A, and that of Ncamana and his chief induna, named Palitshe, B.

A

B

It will be seen from these that these two Chiefs paid taxes to Colonel Coope on his visit to them in 1888.

Whilst in Ncamana's district I met the Chiefs Fogoti and Mjindi, and the late Manaba's heir "Luvico." These Chiefs or headmen are in charge of sections of the Amatshabane or Munukuza tribe and occupy three districts adjoining each other, and extending from the Umkuzo river along the eastern banks of the Pongolo river to Tongaland, and bounded on the east by Ncamana's district.

I ascertained that they were undoubtedly Zulus, and were living within Zululand, and in accordance with your instructions claimed hut-tax from them; although quite willing to pay they stated they had received no notice, and the Chiefs Fogoti and Mjindi pleaded that they had already paid taxes to Colonel Coope, or his representative, known to them by the name of Charlie (C. Dupont). Fogoti, however, paid a few pounds. Luvico, Manaba's heir, stated that his tribe had been dispersed after Usibebu's overthrow, and all the property they possessed looted by the Usutu party. It appears that the Chiefs Fogoti and Mjindi were

adherents of Dinuzulu, whilst Manaba recognised Usibebu. On inquiry as to the boundary of Manaba's district, I found it extended beyond where one of the Tonga military kraals is now erected and known as Pelandaba; these Chiefs and their people expressed great satisfaction on their districts being included in Zululand, and stated that they had always been Zulu subjects and as such, after the Zulu war, became British.

I accepted the excuses advanced by them for not paying the hut-tax, and they promised to be ready with it by next year's collection.

I took statements on oath from the Chiefs Fogoti and Mgindi with reference to what took place on Colonel Coope visiting them in 1887. These statements are attached; that of the former and his induna Kaye being marked C and of the latter D.

It appears that during the late outbreak in Zululand the Chiefs Sibonda, Ncamana, and Fogoti supplied men, as they state, in consequence of threats from Dinuzulu to swell his army, and in doing so attacked Usibebu's people. After Usibebu's overthrow at Indunu, he retaliated and raided their districts, and in consequence of this raid the Chiefs and their people took up positions in strongholds in their districts; this was about September 1888. Just about this time Colonel Coope, accompanied by six other Europeans, all of whom were armed with guns and mounted on horseback, appeared without any warning in Ncamana's district; from there he went to Sibonda's, and then on to Fogoti and Mgindi; what took place at his interviews with these Chiefs is fully detailed in their statements already referred to, and it does not appear to me necessary to recapitulate these, but I wish to draw special attention to the exceptional hardships that the Chiefs Fogoti and Mgindi have been subjected to through the visit of Colonel Coope; the system of extorting money and cattle which, in their case has been carried on to within a few weeks of my visit to their districts, has certainly been the outcome of representations made by Colonel Coope or those who accompanied him.

It might be as well at this stage to give a history of the tribes referred to so far, viz.: those of Sibonda, Ncamana, Fogoti, Mgindi, and the late Manaba.

1. Sibonda's tribe was formerly a portion of the Impukunyoni now under Somkeli. Soon after that Chief's appointment to the position he held under the Zulu kings, Umgongobali, Sibonda's father, was accused of witchcraft, and, to save his life, fled to the district he at present occupies, and the tribe has remained there ever since, but never ceased to be Zulu subjects. After leaving Somkeli's district, instead of konzaying through him Umgongobali konzad direct to Tshonkwani, Cetywayo's brother, who took a leading part in, and was killed at, the Indodabusuku battle; after this he konzad direct to Cetywayo, and has never ceased to be a Zulu subject. The district he and his tribe occupy appears to have been uninhabited when Umgongobali moved to it from Somkeli's.

2. Ncamana's tribe is a portion of the Amabaso tribe, which before Tshaka's conquests lived west of the Bombo, between the Pongolo and the Umkuzo rivers, and konzad to the Umtetwa; the portion of the tribe now under Ncamana migrated to the district they now occupy in consequence of a tribal fight, having attacked and defeated the Mayimbane tribe, who up to that period lived there. The Chief of this tribe was killed, and what numbers escaped konzad to the Amabaso, and became a portion of that tribe, and the Mayimbane as a tribe has become extinct; two of the Chiefs of the Amabaso, Tshwembene, and Umniciwana, died in this district, and were buried north of the Imsele stream; the latter of these is Ncamana's father, and the former his grandfather.

Tshaka attacked and defeated this tribe, and for a time allowed a few of the Maputa, under the late Nozingili, to occupy a portion of it, in consideration of that tribe paying tribute, or konzaying to him. Up to this period the northern boundary of the district occupied by the Maputa was the Usutu or Maputu river, and that tribe has only migrated south since Tshaka's conquests, he having dispersed the [?] living in what is now known as Tongaland. Shortly after Tshaka had given permission to Nozingili to locate a few kraals (it is stated less than 10) in the Mabaso district, the Chief of the Mabaso gave in his submission to the Zulu nation, which by that time had been created. Tshaka allowed them to return to their old district, and the people under Nozingili had to return to their own country to make room for the Mabaso, who have occupied it ever since, and paid tribute to the Zulu kings up to the annexation of Zululand. As already stated, their district extended in a northerly direction about 10 miles north of the Imsele stream. Since Tshaka's conquests the Maputa or Tonga race have gradually migrated south, and at the time of the Zulu war their tribe adjoined Ncamana's and Manaba's, the southern boundary of Tongaland being at least 10 miles north of the Imsele stream. This was a recognised boundary of Tongaland until after Usibebu's overthrow and Manaba's death; it must be borne in mind that the Maputa never ceased to pay tribute to the Zulu kings until the British annexation of Zululand in 1887. After Usibebu's overthrow the Maputa encroached on Ncamana's district, forcing all his people living north of the Imsele stream to either become members

C.  
D.

of the Maputa or remove their kraals south of the Imsele. Some elected the former, and others the latter, alternative; the Maputa being the more powerful tribe Ncamana's people could not resist this intrusion, but appealed to Ndabuko and Dinuzulu, with whose consent it is stated the Tongas encroached in this manner. Ndabuko and Dinuzulu denied to Ncamana's representatives that they had given any such permission, and promised to inquire into and adjust the matter. About this time, however, Zululand was annexed and the late disturbances broke out, and the Maputas or Tongas have continued to occupy this portion of Ncamana's district; the occupation commenced in 1887. A military kraal, Palandaba, has been erected on or close to the spot where the Chiefs Tshwembeni and Umnciwane were buried.

3. Fogoti, Mjindi, and the late Manaba. The tribes at present under these Chiefs were originally under one Chief, and are sections of the Amatshabane or Manukuza, and, as far as they can trace back, occupied their present districts. Before Tshaka's conquests they were an independent tribe and konzad to no one; but being defeated by him, gave in their submission and remained Zulu subjects ever since. The late Manaba was the hereditary Chief of this tribe, but sections of it refused to recognise him, and went under the headmen Fogoti and Mjindi, but although they severed their connexion with the hereditary Chief of their tribe they continued to occupy the districts they had previously. The tribe was in this position at the outbreak of the Zulu war in 1879. After that period Manaba konzad to Usibebu, and remained one of his staunch allies up to the time of his overthrow. The other two, Fogoti and Mjindi, threw in their lot with the Usutu faction, and took part in Usibebu's overthrow; in consequence of Manaba's allegiance to Usibebu, he was also attacked by Sambane and killed, his tribe being forced to seek protection from the Tongas, and Sambane's people. Manaba's heir, Luvico, went under Sambana; great numbers of those who had been promised protection by the people mentioned were, however, treacherously massacred. The Tongas took no part in either Usibebu's or Manaba's overthrow, but on the latter's tribe being dispersed, the Queen Zambili sent representatives to Dinuzulu and Ndabuko to ask for and obtain permission to occupy his district; this permission was given in consideration of Zambili paying tribute or konzaying to Dinuzulu, and they were only allowed to occupy this district in reality as Zulu subjects.

The five Chiefs above mentioned denied most emphatically having ever paid tribute to or through the Tonga kings; in the case of Sibonda, Ncamana, and Luvico this denial was made in the presence of the Tonga indunas or representatives sent by Zambili to be present at the demarcation of the boundary, and the indunas admitted their statement to be correct.

I remained in Ncamana's district until the 20th, waiting for the arrival of Zambili's representatives to proceed with the demarcation of the boundary, but as they had not arrived on that date, and it was necessary for me to visit the Chief Sambana and Mbigiza, who reside on the Bombo range, I decided to start for their district, having, during my stay at Ncamana's, gained all the information necessary, as far as the Chiefs who I had ascertained were in Zululand could give with reference to the boundary. I had travelled all through the districts occupied by these Chiefs, and it only remained for me to meet the Tonga representatives in order to proceed at once with the demarcation of the boundary. Accompanied by Commandant Mansel, six police, and my clerk, I started from the Imsele on the 20th and arrived at Sambana's kraal on the Bombo on the 22nd; I had previously sent on two messengers to inform Sambana of my intended visit, who had also instructions to proceed to Mbigiza with the same object.

In travelling through Sambana's district, I met several of the headmen of the tribe, who, without being invited, expressed a strong desire to come under the English Government, saying they had always been Zulus. I ascertained that their reason for expressing this wish to me, as a representative of the Zululand Government, was in consequence of the presence in Sambana's district of some Boers who, it was stated, claimed the country, and were at that time forcing the people to pay taxes; in many instances, I was informed that where people refused to pay these Boers went to their kraals and selected cattle, which they took away by force; all the headmen of the tribe I met before my arrival at Sambana's kraal complained against this Boer intrusion, saying they never wished to become Boer subjects, and had in no way given in their submission to them, that they had been defeated by the English during the Zulu war and were therefore British subjects.

On arriving at Sambana's I met him with several of his indunas on a hill near his kraal; he was sitting by a newly erected beacon, consisting of a pile of stones, which I was subsequently informed had been placed there by the Boers. A kraal was pointed out to us to rest in, and Sambana said he would come down himself later on. We off-saddled at the kraal, and there met the two messengers I had sent on to inform Sambana and Mbigiza of

my intended visit ; they reported that they had been prevented by a Dutchman, known by the name of Maveu (L. Ferreira), who was then at Sambana's, from proceeding to Mbigiza ; they stated they informed this Boer they were proceeding to this Chief by order of a representative of the Zululand Government and persisted in proceeding ; the Dutchman, however, threatened them with punishment, which they understood to imply they would be shot, and they were forced to remain at Sambana's.

After resting some time at the kraal pointed out to us, I sent my induna Muti to inform Sambana that my engagements would not allow of my remaining there that night, and I should be glad of an interview with him. Muti returned with a message from Sambana that he was ready to have an interview with me, but was threatened by the Dutchman Ferreira and two others (who were near his kraal), and warned on no account to have an interview with me except in their presence, and on account of this threat he must inform the Dutchman that he was about to have an interview with me. Shortly after this Sambana arrived with his indunas, accompanied by three Dutchmen, one who introduced himself as Mr. Ferreira, the second Mr. Vandort, Mr. Ferreira's secretary, the third was not introduced and took no part in the proceedings. I informed the assembly that I was a representative of the Zululand Government and, under instructions, was visiting the Chief Sambana for the purpose of gaining certain information, and that I could only gain this information at a private interview with him and his indunas, and not in the presence of strangers. Mr. Ferreira, through the interpretation into English by his secretary, said he had great interest in the country and at being present at the interview, as he had concessions from the Chief, and at the Chief's request was acting as his agent. I replied by declining to proceed with the interview unless Mr. Ferreira and his party retired ; he then said in Zulu, evidently addressing Sambana, that if it was the Chief's wish he would withdraw. Finding that Mr. Ferreira spoke Zulu fluently the conversation from this stage was carried on in the Zulu language. Sambana did not reply to this ; Mr. Ferreira went on to say that he was in the position of one of the chief's indunas, and it was at his request he was in the country. I stated again that it was impossible for me to carry out my instructions in their presence. Mr. Ferreira then requested me to inform him of what took place at the interview in case he withdrew ; I declined to do so. Mr. Ferreira then withdrew. Sambana did not dispute what Mr. Ferreira stated with reference to his position as one of his indunas.

After Ferreira departed, I asked Sambana for an explanation as to why my messengers were not allowed to proceed to Mbigiza ; he said he had nothing to do with it, and that they had been stopped by the Dutchman Ferreira, who, although he represented himself only as an induna, was more, as he and his brother Mtshakela (J. Ferreira) had claimed and taken his country, and had collected tribute from him for four years ; he stated he had never requested them to come into the country, but they came there and demanded taxes from him, and forced him to pay. I reminded Sambana that he had not disputed Ferreira's statement with reference to his position in the country, and it was now too late to throw the blame on his shoulders, and I looked to him for an explanation, and, failing satisfaction, should represent the matter to the Government of which I was a representative. No further explanation was given : he went on then to say that he was a Zulu subject, and had never asked to be taken under the Dutch Government, as he and his people always belonged to the Zulu nation, and had only paid taxes to the Boers after Sebebu's defeat in 1884, when he was forced by them to do so. He stated, some months previous to my visit some Boers had visited him, and he was compelled to sign a paper, the contents of which were not explained to him beyond that it was to keep everyone but the Boers out of his country ; he denied most emphatically having made any request when signing the paper to be taken over by the Boers.

I then took leave of Sambana and started to push on towards Mbigizaa district. After proceeding a little distance, I was overtaken by a native runner, who handed me a letter signed by the Dutchmen Vandort, pro T. Ferreira, informing me that I had trespassed within the borders of the South African Republic with an armed force, and that he had reason to believe I had been trying to influence the Natives against the South African Republic within its own borders ; this letter, with the envelope in which it was enclosed, is attached hereto, marked E. I did not reply to this letter ; it contained nothing indicating that the writer was authorised by, or officially concerned with, the Government of the South African Republic. I did not trespass on ground belonging to the South African Republic, and as to attempting to influence the Natives against the South African Republic within its own borders, I deny this most emphatically.

That night we slept at the kraal of one of Sambana's indunas. On our way to this kraal several people came out from kraals we passed and voluntarily said they on no account wished to be under the Dutch Government, and as they had always been Zulu subjects they now considered themselves British. The young men especially protested in the strongest terms against going under the Dutch, saying they had never been defeated by them, and

only recognised the English as their conquerors by the conquest of Zululand in 1879. They went so far as to say they would not submit to the Boers without fighting, and, if Sambana agreed to go under them, he would have to go alone, as they would never agree to do likewise.

Sambana's tribe has, since Tshaka's conquest, formed a portion of the Zulu nation, and, up to the time of the annexation of Zululand, konzad to the Zulu kings. It was by this tribe that "Dingana," Tshaka's brother, was killed after his overthrow by Panda and the Boers. Sambana then transferred his allegiance to Panda, and has remained a Zulu subject. Sambana admitted that when called upon he had to supply people to fight for the Zulu kings, and that during the Zulu war he had done so, and that at Usibebu's overthrow, and even during the late disturbances, members of his tribe joined and formed part of Dinizulu's forces. There can be no doubt that this tribe has no wish whatever to go under the Boer Government. Sambana himself, it is apparent, has been so intimidated by the Boers that he will sign any paper he is directed to by them, and when they are present in his country he is entirely under their influence. Sambana's district extends along the western banks of the Pongolo, and joins Mbigiza's at the Umhlahlana gap, the boundary on the east and south being the Pongolo river, on the west, the western slopes of the Bombo or Swaziland, and on the north Mbigiza's district. His tribe is one of the most wealthy in Zululand, and consists of from 2,000 to 3,000 fighting men. The next morning I went on to Mbigiza's, and on my way there ascertained that a mounted man had been despatched to that Chief by Mr. T. Ferreira after my departure from Sambana's. I sent in two messengers to inform Mbigiza of my intended visit, and the following day he met me with his indunas, and I had an interview with him. He and his head men denied most emphatically having expressed any wish to go under the Boer Government: he stated that since [?] Boers had come to him and forced him to sign a paper, the contents of which were not made known to him, and that in signing this paper he did not, in any way, convey a request to be taken under Boer protection. He stated further that Ntshakela (J. Ferreira) had come there and claimed taxes from him, but he refused to pay, and that he had informed Mr. Ferreira that he was not a Dutch subject, and would not recognise that Government of his own free will. I ascertained from him that the mounted messenger I have referred to as being despatched by Ferreira after my departure from Sambana's had come to him to repeat the demand for taxes. Mbigiza and his head-men were most emphatic as to their relations with the Dutch, saying they on no account wished to be under them. He stated, however, that, in his present position, he was entirely at their mercy, and fully expected to be killed by them, as his tribe was a small one, and he could not resist an attack, but, at the same time, he would not submit willingly to the Boers.

The history of this tribe, as given by the Chief himself, is as follows:—During Zwidi's reign, his tribe, the Mgomezulu, was independent, and konzad to no one. Zwidi attacked and defeated them, and they konzad to him. After Zwidi was killed by Tshaka they konzad to him, but their submission was not at first accepted, and they had to flee north with the Amandwandwe (Zwidi's tribe). The Swazi king interceded on their behalf, and the tribe, under Lubelo, the present Chief's father, was allowed to return to their old district, that which they at present occupy. In consequence of the Swazi intercession on their behalf they konzad to them as well as to the Zulus. In konzaying to the Zulus, they did so through Mapita, Sibebu's father. At the time of this flight to and return from Sotshangane's country, Mtyelekwana and his people were under Lubelo. Mtyelekwana, after his return, severed his connexion with Lubelo, and migrated south of the Umkuza river, and konzad to the Zulu king through the headman Mbopa. He soon became dissatisfied with the Zulu rule, and returned to the district he and his people had occupied under Lubelo. This was during Panda's reign. An impi was sent to attack him, and he and his people were driven across the Usuto or Maputa river. Mbigiza's people were then allowed to occupy Mtyelekwana's district, and did so until after the Zulu war (1879), when a portion of Mtyelekwana's tribe returned to their old district, and still reside there. During the reigns of the Zulu kings, the Usuto or Maputa to its junction with the Pongolo river was the northern boundary of Zululand at this point. Mtyelekwana, after his flight across the Usuto, konzad to the Swazis, and has continued to do so. Mbigiza konzad to both the Zulus and Swazis, to the former as his victors, and to the latter out of regard for the services rendered in obtaining permission for him to return to the district they had been driven from after his defeat by Zwidi. After the Zulu war, Mbigiza konzad to Usibebu, and in consequence of this, on Usibebu's overthrow, was attacked by Sambana's people, under instructions, it is stated, from Ndabuko and Dinuzulu, and forced to retire into strongholds on the Mgwayuma river. Previous to this, his tribe adjoined Sambana's at the Mhlahlana gap, the boundaries of his district at the time being, on the north, the

Usuto or Maputa river, on the south, the Mhlahlana gap, which is about six miles south of the Ingwavuma river, on the west, the western slopes of the Bombo or Swaziland, and on the east the eastern slopes of the same range. Mbigiza's is a small tribe, consisting of about 300 fighting men. After Usibebu's overthrow, he continued to konza to the Swazis, but since Sibebu's restoration, has again konzad to him. He stated that he considered himself a Swazi subject, and as such was also a British subject. He stated, however, that when he was attacked by Sambana, Mbandeni, the Swazi king, declined to render him any assistance. This point is worthy of signification, as showing they were not Swazis.

He denied most emphatically having granted concessions of any nature to Colonel Coope, or anyone else; he stated that that gentleman had come to him accompanied by several other Europeans, saying he was a representative of the Queen, and intended to occupy his country with a detachment of troops. Mbigiza was then directed to sign a paper, and did so, thinking the Colonel was what he represented himself to be, but in signing this paper, he simply gave in his submission to the English, and had no intention of granting concessions of any nature, and did not do so.

The history of Mtyelekwana's tribe is included in that of Mbigiza's, they being offshoots of the same tribe. Mtyelekwana, however, was not a Zulu subject, but a Swazi; his is a small tribe, consisting of about 300 fighting men, and, up to the Zulu war, occupied a district extending along the northern banks of the Usuto river.

After my interview with Mbigiza, we started on our return journey to the camp, which was between 50 and 60 miles from the Bombo range. Arriving there on the 25th, I found Zambili's representatives had arrived. The following day, the 26th, I had an interview with them. The Indunas sent by the Queen of Tongaland to be present at the demarcation of the boundary were: (1) Ubaye, chief Induna and Councillor of the Maputa tribe; (2) Dhlozi; (3) Mjubugele; (4) Inhaka; (5) Matshengeli, the latter of whom is the Induna of the Pelandaba kraal. These Indunas were accompanied by the two messengers, Kwezi and Masololo, who are the accredited messengers to the Natal Government. The Indunas stated they were directed by Zambili to protest against any boundary being defined, as they considered the Umkuzi river the southern boundary of Tongaland. Their reasons, or, as they stated, those advanced by the Queen for stating, were that Tshaka had allowed the late Chief of the Maputa, Nozingile, to locate a few kraals in the territory he (Tshaka) had conquered south of the Usuto or Maputa river, and that in this manner they were allowed to locate a few kraals over the Umkuzi river. This concession was granted in consideration of the Maputa tribe paying tribute to Tshaka. From what I could ascertain, it appears the Maputa konzad or paid tribute to Tshaka from the time he founded the Zulu nation. The Indunas admitted, however, that the kraals allowed to be located near the Umkuzi, in Ncamana's district, had been forced to return to their own country, when Ncamana's people were allowed to return to the district they had been driven from by Tshaka. They admitted also that, up to the time of Usibebu's overthrow by the Boers, the northern boundary of the district occupied by the tribes of Sibonda, Ncamana, and Manaba, was as follows:—

From a gap between the Sandu and Ngomane hills, on the coast, to a point of Lake Sibai, which is the nearest point to which that lake approaches the sea, and about two miles wide; thence along the northern bank of the lake to where a small stream bearing no name joins that lake; thence to an eminence between two bushes, where there is an open space or gap known as Sidhlagadhla, in a north-westerly direction to another prominence named Ingadu; from thence along the border of the district occupied by the headman, Mapotsho, who is one of the Maputa. They admitted having encroached upon Ncamana's district since Sibebu's defeat in 1884, their only reason for doing so being that Tshaka at one time allowed them to locate a few kraals there. Their reason for occupying Manaba's district, they stated, was that Ndabuko and Dinuzulu had given them permission to do so after his defeat by Sambana, after Usibebu's overthrow, and that the Pelandaba military kraal had only been erected since 1886; they admitted having always konzad to the Zulus, and it was in consideration of this that Ndabuko and Dinuzulu had allowed them to occupy Manaba's district. Kraals belonging to the Maputa are scattered throughout this district, and the remnants of Manaba's tribe who remained in it were forced to become Tonga subjects.

The Indunas admitted that, as Zulu tributaries, the English Government, after the Zulu war, had a perfect right to have taken over the whole of their country as a British possession.

The next morning I proceeded to define the boundary crossing the Imseli stream, where I met the Tonga Indunas. I defined the boundary so as to include the whole of the districts occupied by the five Chiefs, Sibonda, Ncamana, Fogoti, Mjindi, and the late Manaba, the northern boundaries of which tribes are stated above.

The points mentioned form a well-defined boundary, and on the Siglhagadhla and Ingatu prominences I erected beacons.

From the Ingatu the boundary line runs almost due east to west, in a straight line with the Umgwavuma gap to the Pongola river; the distance between the various points are approximately as follows:—

From the coast to the point of Lake Sibai, about two miles; from thence to the next point where the stream runs into Lake Sibai, about 10 miles; from thence to the Sidhagadhla, about seven miles; from thence to the Pongola, about 25 miles. I might here mention that the only means I had of calculating the various distances was by the time it occupied travelling there. I think, however, they will be found to be approximately correct.

Attached is a sketch map giving an outline of the territory north of the Umkuzo river to the boundary line defined by me of Tongaland, also the Bomba range from the Umkuzo port to the Usutu river. I have endeavoured to show, as accurately as possible, with the means at my disposal, the districts and boundaries of the various tribes occupying the territory, and the boundary line between Tongaland and Zululand as laid down by me is also shown, as well as the various points mentioned with reference to that line. The route taken by the waggons accompanying us is also shown. I concluded the demarcation of the boundary on the 25th August, and, after taking leave of Zambili's Indunas, started the following day on our return journey, and arrived at Eshowe on the 14th instant.

Before starting on my return journey, messengers from the Chieftainess Mdhlalino, widow of the late Memezi, came to me to state that she wished her district annexed to Zululand; this tribe is a small one, consisting of from 100 to 200 fighting men, and occupies a district along the banks of Ingwavuma river extending to the Pongolo river adjoining Mbikiza's tribe on the west and Sambana's on the south. They were always Zulus, and, after Cetywayo's defeat at Ulundi by Usibebu, were attacked by Umbikiza, and Memezi was killed.

The tribe before this was larger than at present, but, after Memezi's death, numbers of it had to konza to Sambana and others. The Indunas stated that, during the last few days, a native named Mandhlamaduna, who is known as Mtshakela's (J. Feirrer's) Induna, seized, as he stated, by his master's orders, 50 head of cattle to replace certain cattle that the European, Charlie (Charles Dupont), already mentioned as associated with Colonel Coope's party, had seized from Sambana's tribe, and driven through Mdhlaleni's district. Mdhlaleni's messengers are expected here daily, with the object of representing personally to your Honour the wishes of their tribe.

I have since ascertained that the man referred to as Charlie, is a man named Charles Dupont, and resides on the Bomba range, north of the Usutu. From what I was informed, there is a settlement there of several European desperados, who carry on a system of levying blackmail, and stop at nothing, even to committing murder, and I am informed that a warrant of arrest for murder is in existence against Dupont.

With reference to the history of the various tribes, as given by me, I would invite your attention to a letter written by Colonel Coope to Mr. Elkington, and dated Rondebosch, 27th March 1889, and which was an enclosure in the Secretary of State's Despatch to the Governor, dated 12th June 1889, which was handed to me for my information. It will be observed that the history of the various tribes as given by me, although obtained from entirely different sources, corresponds, in almost every particular, with that given by Colonel Coope in the letter referred to, while at the same time a letter written by the Maputaland Exploration Company to the Right Hon. Lord Knutsford, and dated 82, Hatton Garden, London, E.C., 3rd June 1889, which is also an enclosure in the same despatch, seeks to prove that these tribes were Tonga vassals.

It might be as well to give a short description of the nature of the country we passed through in travelling, viâ the Lower Umfolozi Magistracy, which it is not necessary for me to describe, as that part of the country must be well known. We entered Somkeli's district which extends from the Umfolozi to the Hluhluwe river. This district, except for a few miles inland along the coast, is open country and more like what is known as high veldt.

In the upper districts it is a wonderfully fertile district, and cattle thrive there. From the Hluhluwi along St. Lucia Bay the country is thickly wooded, from there along the coast to the northern boundary of Zululand there is a narrow strip of dense bush covering a range of high hills along the coast, this is in Sibonda's district. From there to the western boundary of his district the country is open, and one mass of palm trees known as vegetable ivory. The remainder of the district, which is occupied by the Chiefs Ncamana, Bogoti, Mjindi, and Manaba's heir is mostly thorn country with open glades here and there. The Bomba range rises suddenly about 10 miles west of the Pongolo river, and extends from north to south for a considerable distance, the southern limit being near the Hluhluwi river. The country in this range is mostly high veldt, with here and there considerable wooded

tracts. All the lowland we passed through has the reputation of being a fever district at certain times of the year, but the highlands, and especially the Bomba range, are said to be exceptionally healthy for man and beast, being well watered; and 2,000 feet or more above the level of the sea. All the country we passed through was said to be very fertile, and I have no doubt several spots might be found which are out of the fever zone. The tribes referred to as now included in Zululand claim protection, and urged that magistrates might be placed over them without delay, as, without that, they state they will still be subjected to abuse of people like Dupont and others. If I might be allowed to suggest it, at least two magistracies should be established south (north?) of the Umfolozi river, as it is impossible for the magistrates of either Lower Umfolozi or Ndwauidwe to exercise any supervision over these districts on account of the distance they are from them. These magistracies must be nearly 100 miles from the northern boundary of Zululand.

With reference to the tribes of Sambana and Mbigizâ they should be included in Zululand, as they are undoubtedly Zulu subjects, and do not wish to be under the Boer rule. They would have British protection and submit willingly to any laws enforced. Should it be decided to include this district in Zululand a well defined boundary might be defined, as follows:—

From the Pongola Poort, along the western slopes of the Bomba, or Swaziland, to the Usutu or Maputa river, along the Maputa river to its junction with the Pongolo, and along that river to the point where the boundary line as defined by me touches it.

I have, &c.

His Honour the Resident Commissioner,  
&c. &c. &c.

(Signed) C. R. SAUNDERS.

Zululand.

#### A.

#### SIBONDA'S DEPOSITION.

Before me, C. R. SAUNDERS, J.P., Zululand.

Ncamana's District, August 12, 1889.

Appeared Sibonda, Ka Mogongobali, Chief of the Aba-Kwa-Zikali tribe, who, being duly cautioned to speak the truth, states,—I and my tribe occupy the district bounded on the south by the Umkuzi river, on the north by the Imsele river and Lake Sibaye, on the east by the Indian Ocean, and on the west by Ncamana's district. The Inkovuka (Sordwana) Bay is in my district, between the Umkuzi river, or rather St. Lucia Bay, and Lake Sibaye. I and my tribe were originally part of Somkeli's tribe, but about the time of the Indondabusuka fight between Cetywayo and Umbu'azi, my grandfather's brother, Umlomo, was accused of witchcraft, and had warning that Somkeli intended to kill him. In consequence of this our tribe migrated to the district we at present occupy, and continued to reside here ever since. Although we separated from Somkeli, we continued to remain Zulu subjects, and were always under the Zulu kings, Paade, Cetywayo, and subsequently Dinuzulu, but instead of being under Somkeli were under my father, Umgongobali, until his death, and since then I have had charge of the tribe. After the Zulu war, and on hearing that Mr. Dunn had been appointed a Chief by the English Government, Umgongobali sent to konza to him. He did this on account of Mr. Dunn's appointment under the English Government. Our tribe was always a portion of the Zulu nation, and after our defeat by the English we became British subjects, and have continued to remain such. I have considered that I and my tribe were under the British Government ever since the Zulu war. When Dinuzulu defeated Usibebu we had to go under him, and during the late disturbances had to provide men to fight for him. I was not willing to provide these men, but was threatened and had to do so. We made an attack on Usibebu's people, and they retaliated and raided Ncamana's and my district. Shortly after the Mandhlagazi had made this raid, seven Europeans came down to me; two of them were introduced to me by name, one as Colonel, who was said to be the head of the party, and the other by the name of Charlie, who was the Colonel's interpreter. I do not know the names of the others. The Colonel could not speak our language, and all our conversations and interviews were through the interpreter Charlie; I do not know where the Colonel lives, but was told he had come from Swaziland. The interpreter Charlie and the rest of the party were said to live on the Bombo across the Usutu River. The man Charlie is a European, rather short and of ordinary stature; he wears a moustache, and shaves the rest of his beard; he is a young man, what we would call an Insiswa. On coming down to my district, the Colonel was introduced to me as the Queen's representative, and I was told I must pay taxes. I believed this, and paid 15% and 40 head of cattle. This money and the

cattle I paid to the interpreter Charlie, who then handed me a breech-loading rifle, which he said was a present to me from the Queen. The Colonel and his party came to me from Ncamana's, and remained in my district a few days. When he returned by the route he came, I handed the 15*l.* to Charlie, whilst the Colonel was at my kraal, but the cattle were handed to Charlie after the Colonel's departure. Charlie remained with me a day or two after the Colonel left, saying, he had been left by the Colonel to collect the taxes, and the cattle were handed to him. I was told in the Colonel's presence by his interpreter that he had been sent here by the Queen to occupy our district, and bring in ships to the Inkovuka (Sordwana) Bay. I believed he was a representative of the Queen, and on this account paid the taxes I did. I was told I must sign a paper acknowledging I was a British subject, and did so. I swear that in signing this paper I did not grant concessions of any nature whatever to the Colonel or anyone else. I did not understand the writing on the paper, and signed it thinking it was what the Colonel, through his interpreter, represented it to be, simply an acknowledgment that I was a British subject, and as I considered myself this before the Colonel's arrival here, I could not see what harm there was in signing it. A month or so after the Colonel returned to Swaziland, I heard that a ship had arrived at the Inkovuka (Sordwana) Bay, and heard the Colonel had returned to my district. I did not see the Colonel on this occasion. I went down to the bay as soon as I heard of his arrival, but found the Colonel had gone. There were some white men there who had built a small store, and said they had done so by the Colonel's orders. On my arrival at the bay the ship had gone, and the party that had built the store had only a boat. This party remained only a short time (less than three months); one of their number, a European, died, and the remainder eventually left in the boat. The store they built is still standing, and there are still some goods in it. A paper was given to me by the Colonel, on his first visit, but this was subsequently taken by the party who built the store, and not returned to me. I swear the statement I have made is the truth. I know that I may be punished if I state anything that is not true after having been cautioned in the manner I was when commencing this statement, and with that knowledge I swear my words are true in every particular.

(Signed) SIBONDA, his  $\times$  mark.  
C. R. SAUNDERS,  
R.M. and J.P.

Witnesses

(Signed) SIJULU, his  $\times$  mark.  
MUTI, his  $\times$  mark.

#### B.

#### NCAMANA'S and PALITSHE'S DEPOSITION.

Before me, C. R. SAUNDERS, J.P. for Zululand.

Ncamana's District, August 7, 1889.

Appeared Ncamana, Chief of the Amabaso tribe, who being duly cautioned to speak the truth, states:—

I am Chief of the Amabaso tribe and occupy a tract of country bounded on the south by the Umkusi river, on the north by Tongaland, on the east by Sibonda's district, and on the west by the Chief Fogoti and the late Manaba. Just about this time last year a white man, known to us by the name of Colonel (Col. Coope), came into our district. He was accompanied by six other white men; one of these, who is known to us by the name of Charlie, was the Colonel's interpreter. The others are not known to us. These people came to us overland, and said they had come from the Swazi country. At this time I was hiding in the bush, having had to flee there, in consequence of a raid Usbebu had made into my district. The Colonel and his companions were brought to me by my chief induna Palitshe, and our first interview was at the Imsebene river. On meeting me he (the Colonel) introduced himself as the Queen's representative, and said he had been sent by the Queen to occupy my country, and that no one would in future interfere with us. He said that the district he had been directed by the Queen to occupy and govern was bounded on the south by the Umkuzi river, and that we were to pay no attention in future to any message or order that we might receive from the authorities either in Zululand or Natal. The Colonel then handed me 5*l.*, which he said the Queen had directed him to give me as a proof that I was one of her subjects, and that the district occupied by me was part of her dominion. The Colonel then told me I should receive from the Queen a like sum annually. I accepted the money thinking that the Colonel and his party were really representatives of the Queen, and that the money had come from Her Majesty. The Colonel then told me I must make my mark on a piece of paper, which he said would show that I had really given in my allegiance to the Queen. I objected to sign any paper, except in the presence of my chief indunas and councillors, as at this time the only one present was my induna Palitshe. The Colonel then said that if I refused to sign the paper he

should go on to Usibonda and return to me and punish me and my people. The Colonel and his party were all armed and mounted; they were armed with breech-loading guns. When he threatened to punish me I became afraid, and agreed to sign the paper, thinking at the time I was simply signing a paper which declared my allegiance to the Queen of England. The paper I signed was written on, but I did not know what the effect of the writing was. It was not read over and explained to me. In signing this paper I was not told I was granting concessions of any nature whatever to the Colonel and party, and I swear I never granted them any concessions of any description whatever. I was forced by threats to sign the paper I did. The Colonel said if I did not sign it he would turn me and my tribe out of the district, and allow other people to occupy it. I was then told by the Colonel that I must pay taxes to the Queen. I told him my people were all scattered, and it was impossible for me to collect taxes from them. He then said he was going on to Usibonda's district, and on his return I must be prepared with my taxes, that those who had no money must pay with cattle, and that if we paid up our taxes properly this time no more taxes would ever be demanded from us. That afternoon I handed to the Colonel's interpreter 10*l.* (ten pounds). Two days after this the Colonel and his party went on to Usibonda, and after a few days returned. On his return the taxes were again demanded. I said I had not been able to collect cattle from my people. I was then threatened again. The next morning the Colonel and three of his attendants went on to Fokoti's district, leaving his interpreter and two others with me to collect the taxes. I then handed them thirty-three head of cattle, which they took. I did not see the Colonel himself on his return from Sibonda's. The demand for the taxes was made by his interpreter Charlie, and the cattle were handed to him. The Colonel's party returned from Sibonda's district with forty head of cattle which they said had been paid to them as taxes by Usibonda. The Colonel could not speak our language, and all our conversations were through the interpreter Charlie. The interpreter told me in the Colonel's presence that I was to pay taxes, and said it was the Colonel who said so. I cannot say whether it was really the Colonel who demanded the taxes, as I could not understand what he said, but he spoke to the interpreter in his own language and the interpreter spoke to us in ours, and said he was repeating the Colonel's words. The interpreter then handed to me the paper, which I now produce, marked A. He did not explain the contents of this paper to me, but said I must retain and show it to any white man who came into my country. I had no knowledge that this paper states that I granted certain concessions to Colonel W. Jesser Coope, and if it states that, it states what is utterly false. I never gave in my submission through Colonel Coope to the English Government. When first he came to me I told him I was a British subject, and had offered my submission to the Queen through the Zululand authorities, and at that time my messengers were at Eshowe. After leaving us the Colonel returned with his attendants to Swaziland, taking the cattle. The man Charlie, who acted as the Colonel's interpreter, lives across the Usuto river. I have not seen the Colonel or any of his party since they left my district on that occasion. I know that if I made a false statement, after being cautioned to speak the truth, I may be punished, and with that knowledge I swear the statement I have just made is correct in every particular. I swear I never granted concessions or leased any of the district occupied by me to Colonel Coope or any one else. My only wish was to come under the protection of the English Government, and I am quite satisfied now that I and my people are to be acknowledged as such.

(Signed) NCAMANA, his X mark.

Before me,

C. R. SAUNDERS,

J.P. for Zululand.

Witnesses,

(Signed)

SIJULU, his X mark.

MUTI, his X mark.

Before me, C. R. SAUNDERS, J.P. for Zululand.

Ncamana's District, August 7, 1889.

Appeared Palitshe-ka-Nkamba, chief induna of the Amabaso tribe under the Chief Ncamana, who, being duly cautioned to speak the truth, states:—

"I remember the Colonel (Colonel Coope) and six other Europeans coming into our district about this time last year (September 1888). It was repeated to me by one of our people that seven white men had come into the district, and wished to see our Chief Ncamana. I went up and saw them at the Imselepe river, and, on explaining who I was,

they demanded an interview with Ncamana. For two days I refused to point out the place where Ncamana was hiding. The interpreter Charlie said the Colonel, who was pointed out to me, had come into our country as the Queen's representative, and that if I refused to take him and his party to where Ncamana was hiding, they would go and search for him themselves. I then agreed to do so, and took them to our Chief. I was present during the interview between the Colonel and Ncamana. I was the only induna present with Ncamana. I swear that no concessions of any nature whatever were granted to Colonel Coope at this interview, or at any other time with my knowledge or consent. I was present when the taxes were demanded, and I handed to the interpreter Charlie 10% on the day the first interview took place. The interpreter told us in the presence of the Colonel that it was the Colonel who demanded the taxes on behalf of the Queen, and as Her Majesty's representative. The Colonel handed Ncamana 5*l.*, which he said came from the Queen, as a proof that we were her subjects, and that our country formed part of her dominion. Nothing was said to us about our granting concessions. We were simply told our country belonged to the Queen, and that the Colonel and his party were to come here and occupy it on the Queen's behalf. Ncamana signed a paper by Colonel Coope's orders in my presence. At first we objected to sign any paper, except in the presence of our headmen and councillors, and the colonel then told us we would be turned out of our country if we did not do so. Ncamana and I then signed the paper. After this, the Colonel went on to Usibonda's district, saying he would return in a few days, and that we must be ready to pay our taxes on his return. A few days after he and his party returned. The taxes were again demanded, and I handed to the interpreter Charlie 33 head of cattle on behalf of our tribe. I could not understand the Colonel when he spoke; our conversations with him were always through the interpreter Charlie, but he said he only repeated the Colonel's words to us.

(Signed) PALITSHE, his × mark.  
Before me,  
C. R. SAUNDERS,  
J.P. Zululand.

Witnesses,  
(Signed) SIJULU, his × mark  
MUTI, his × mark.

A.

In NCAMANA'S DEPOSITION.

(Signed) C. R. S.

To whom it may concern.

This is to certify :

1st. That the independent Chief Umgwaman, son of Ngwan, did on the 25th September 1888, and in the presence of witnesses, sign, together with his councillors, a concession granting unto Colonel W. Jesser Coope, on behalf of the Mapootaland Syndicate, Limited, the lease of a certain portion of his territory for a period of 99 years, with the option of renewal for purposes set forth in the deed.

II. That in consequence of the recent raids perpetrated on him by Usibepu, Umquaman has offered his submission to the British Government, through Colonel Coope, who has taken the necessary steps to give the same effect and give the tribe protection.

(Signed) F. TANCRED QUIN,  
for Colonel Coope.

27th September 1888.

C.

Copy of FOKOTI and KAYE'S DEPOSITIONS.  
Before me, C. R. SAUNDERS, J.P. for Zululand.

Ncamana's District, August 10, 1889.

Appeared Fokoti ka Mangaliso, Chief of the Manukuza tribe, who being duly cautioned to speak the truth, states :—

I am Chief of the Manukuza tribe, and occupy a district bounded on the south by the Umkuzi river, on the east by Ncamana's district, on the north by Umjindi's district, and on the west by the Bombo. Three kraals belonging to my people are on the south bank of the Umkuzi river. About this time last year (October 1888) a European, who said he was a colonel (Colonel Coope), and is known to us by that name, came into my district accompanied by six other Europeans. One of these, who is known to us by the name of Charlie, son of Mjipa, was the Colonel's interpreter, as the Colonel did not understand our language. The Colonel and his party came to me from Ncamana's district, and were all

armed with guns and mounted on horseback ; they had also several Native servants with them. Shortly before the Colonel's arrival Usibebu had raided our district, and in consequence of this raid I and my people were hiding in the bush. On hearing of the Colonel's arrival I came out of the bush, and met him at my kraal. He told me he had come from the Queen to take me out of the bush, and for his services in doing so I must pay him taxes, and that all my people must come out of the bush. He said he had just returned from Ncamana's and Usibonda's districts, where he had been on a similar mission, and that they had both paid taxes to him on account of the Government (Hulumeni). I thought the Colonel and his party were representatives of the Queen, and paid 20*l.* as taxes. I handed this money to the interpreter Charlie, but not in the presence of the Colonel. It was shortly after my interview with the Colonel ; and the interpreter told me it was the Colonel who demanded it. I was then told that my district was to be placed under the Colonel, as the Queen's representative, and the paper which I now produce was handed to me. This paper was handed to me by the Colonel himself, and he said that in future we were to look upon the Umkuzi river as the boundary of Zululand, and any grievance I or my people had, we were to report to the interpreter Charlie, who resides on the Bombo Mountains, across the Usutu river. Nothing was said to me about my granting concessions of any nature to the Colonel, and if the paper I now produce states I did, it is not true. I never offered my submission to the British Government through the Colonel. I was always a Zulu subject, and as such after the Zulu war, when we were defeated, became an English subject, and have never considered myself anything else since the war I mention. I believed the Colonel when he said he had come from the Queen, and it was only as Her Majesty's representative that I agreed to pay him taxes. The amount of taxes demanded from me and my tribe was 20*l.*, but I could only collect 15*l.*, and when I informed the interpreter of this, he said the Colonel would give me 5*l.* to make up the amount due by me. That sum was handed to me by the interpreter, and subsequently paid back by me with the 15*l.* I had collected. I swear nothing was said to me about my granting concessions to the Colonel, neither was the 5*l.* handed to me in consideration of my having done so. I had no power as a British subject to dispose of the land occupied by my people, as it did not belong to me. I knew it to belong to the Government of which I was a subject. The Colonel and his party remained with me three days, and left saying he was going on to Umjindi's district. In accordance with the Colonel's instruction that any grievance I had was to be reported to the interpreter Charlie, I sent to him about two months ago to complain that the Chief Sambana, residing on the Bombo, retained possession of some girls and cattle he had captured from my people when he attacked the Chief Manaba, after Usibebu's overthrow by the Boers. The Chief Sambana was a Zulu subject, and always furnished men to fight for the Zulu kings. Even during the late disturbances he provided a contingent to swell Dinuzulu's army. Manaba and I were Zulu subjects, and the latter was under the induna Masipula during Pande's reign. We had to pay Charlie 3*l.* 10*s.* when our complaints were laid before him, and two of my people each named Ndumo, paid 1*l.* Charlie then came down to my district, accompanied by three other Europeans, and several Natives, all armed with guns. From there he went on to Sambana, and succeeded in recovering eight of the girls, and 19 head of cattle captured from my people. He brought these girls and cattle down to my district, and said the parents of each girl would have to pay him five head of cattle to redeem them, and my people had to do so. One man, Wombe, paid Charlie 10 head of cattle, and redeemed two girls. A man, Hlembene, paid him five head of cattle, and redeemed one girl. A man, Mankomgu, paid five cattle and redeemed two girls ; one of the men named Ndemo, paid five head of cattle and 5*l.*, and redeemed two girls. The other Ndemo paid two oxen and 3*l.*, and redeemed 10 head of cattle. The eighth girl's parents live at present among Umtyenkwanas's people, and she was not redeemed. All these girls, excepting two, viz., one of Mankomfu's and one of Ndumo's, were children. After the cattle to redeem these two girls were handed to Charlie, he turned to me and said he intended to marry the girls and would return the five head of cattle handed to him as their ransom to their parents as lobola. I remonstrated most strongly with him, and said I had not gone to him for redress to have the daughters of my people taken by force and against their wills as wives. He then threatened to take away all the children and cattle he had recovered from Sambana. I said, if he insisted upon taking the girls the least he could do would be to allow them to return to their parent's kraals, and be married, according to our customs, from there ; but he would not listen to this, and the girls never returned to their kraals. I then asked these two girls whether it was with their consent that the man Charlie was taking them to wife. They said no, and that they had no wish whatever to go with him, but they were entirely in his power, as he would kill them if they did not go with him. Charlie then turned to me and said I must pay him for the services he had rendered my people. I asked him what services he had

rendered, as all the parents of the children he had recovered from Sambana had to ransom their children, and that two of the girls, although ransomed with five head of cattle each, were being taken away by force to be made his wives. I said if he would allow these two girls to return to their parents I would willingly pay him for his services. He would not listen to this, and I paid him 9%. The girls informed me that the man Charlie had taken them to wife before he brought them down to my district from Sambana's. The whole of the time he was with me these two girls were guarded by some of the Native attendants, and we were not allowed access to them, except in the presence of these attendants. After remaining four days with us Charlie and his party left, saying he was returning to his home on the Bombo. It is now a little over a month since he left. He took with him the two girls, and cattle paid to him as ransom for the others, and we have not seen them since. This man Charlie is said to be of a most desperate character, and is talked of as a person who would shoot anyone that attempted to interfere with him. We were entirely in his power, as he had fully ten Natives with him, all armed with guns. He is only known to us as Charlie, son of Mjipa, and he and his father both live across the Usutu river with several other Europeans. My first introduction to him was when he came to my district last year with the Colonel, and it was on account of the order received then that I went to him for redress in the matter of the girls captured by Sambana. As I say, all my conversations with the Colonel were through Charlie, as the Colonel did not understand our language. I cannot say whether it was the Colonel who really demanded taxes from me. He spoke to Charlie in his own language, and Charlie then spoke to me in ours, and said he was only repeating the Colonel's words. A herd of cattle were brought by the Colonel's party to my district, and I was informed these were what Ncamana and Sibonda had paid as taxes. I cannot say whether these cattle had been paid to the Colonel, but they were brought into my district in his presence, and were said to belong to him. I know that if I state anything that is not true I may be punished, and with that knowledge I swear the statement I have just made is true.

(Signed) FOKOTI, his X mark.  
Before me,  
C. R. SAUNDERS,  
J.P. for Zululand.

Witnesses,  
(Signed) SIJULU, his X mark.  
MUTI, his X mark.

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A. in FOGOTI'S DEPOSITION, August 10, 1889.

WHOM it may concern,

This is to certify :--

Ist. That the independent Chief Fugoot, son of Mangaleese, son of Jol, did on the 5th day of October 1888, and in the presence of witnesses sign, together with his councillors, a concession granting unto Colonel W. Jesser Coope, on behalf of the "Mapootaland Syndicate, Limited," the lease of a certain portion of his territory for a period of 99 years, with the option of renewal for purposes set forth in the deed.

II. That in consequence of the recent raid perpetrated on him by Usibepu, Fugoot has offered his submission to the British Government through Colonel Coope, who has taken the necessary steps to put the same into effect, and give the tribe British protection.

(Signed) F. TANCRED QUIN,  
for Colonel Coope.

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Before me, C. R. SAUNDERS, J.P., Zululand.

Ncamana's District, August 10, 1889.

Appeared Kaye, Ka-Manliso, who, being duly cautioned, states: "I am a brother of the Chief Fokoti, and remember seven Europeans coming into our district about this time last year. One of them we were informed was named Colonel (Colonel Coope), and was introduced to us by a man named Charlie, who was the interpreter, as a representative of the Queen. We were told he had come to take us out of the bush, where we were hiding in consequence of a raid Usibebu had made into our district, and we were told by the interpreter we had to pay taxes. My brother, Fokoti, paid 20*l.*, 5*l.* of which was given to him by the Colonel through the interpreter. I was present during all the interviews between my brother and the Colonel, and swear that no concessions of any nature whatever were granted to the Colonel by my brother, or any of

“ our tribe. We were simply told that the Colonel had been sent here as the Queen’s representative, and that in future we would be under him, and were on no account to report anything to the Zululand authorities. We were told to produce the paper which my brother has handed in when he made this statement to anyone who came into our district, and that we would not be interfered with. We have been British subjects ever since the Zulu war, and as such knew well we had no power to cede the country or lands we lived on to anyone ; this power is alone vested in the Government. We never gave in our submission to the British Government through the Colonel. Why should we do this when we are already British subjects ?

“ (Signed) KAYE, his × mark.

“ Before me,

“ Witnesses—

“ (Signed) C. R. SAUNDERS, R.M. and J.P.

“ ” SIJULU, his × mark.

“ ” MUTI, his × mark.”

#### D.

UMJINDI’S DEPOSITION, Ncamana’s District.

Before me, C. R. SAUNDERS, J.P. for Zululand.

August 31, 1889.

Appeared Umjindi, Ka Magakati, Chief of a portion of the Manukuza tribe, who, being duly cautioned to speak the truth, states:—I reside with my tribe on the east of the Pongolo river, and occupy a district between Fokoti’s and the late Manaba’s people. I and my tribe are Zulus, and have been under the Zulu kings ever since Tshaka became King. Since that time I have never konzad to anyone else. About this time last year seven Europeans came to me. One of these was introduced to me as Colonel (Colonel Coope) and another as Charlie (Charles Dupont); the latter acted as interpreter. I do not know the names of the others. The Colonel spoke to me through the interpreter and said he had come to me as the Queen’s representative to take over and occupy my district. He said that all the tribes from the Pongola to the coast on the north of the Umkuzi river and south of Tongaland had been placed under him, and that he was to erect a magistracy in my district. I was then told I must sign my name to a piece of paper to show that I was one of the Queen’s subjects, and I did so. The contents of the paper were not made known to me, I was simply told to sign it and I did so, thinking that the Colonel and his party were really representatives of the Queen. Nothing whatever was said to me about granting concessions of any nature whatever in my district, and I swear I granted none to the Colonel or anyone else. After I had signed the paper I was told by the Colonel, through the interpreter, that I must pay taxes. The Colonel was present when I was told this, but I cannot say whether it was he who demanded the taxes. I could not speak to the Colonel except through an interpreter, but the man Charlie said he only repeated to me in our own language the Colonel’s words. I paid 13*l.* to the interpreter Charlie in the Colonel’s presence. I was told this was not sufficient, and on assuring them I had no more money the interpreter said the Colonel would give me 5*l.* to make up the sum due by me; 5*l.* was handed to me and I paid it back as taxes, making in all, with what I had already paid, 18*l.* The Colonel and his party came into my district from Fokoti’s, and had a herd of cattle which I was informed had been collected from Ncamana and Sibonda as taxes. They only remained at my kraal part of a day and went on to Sambana’s district, and I have not seen the Colonel since. No paper was handed to me. The man Charlie I hear lives on the Bombo across the Usutu river. I was told that in future I was to report all matters concerning my tribe to him, and that if I went anywhere else to report any grievance they would shoot me. The Colonel and his party were all mounted on horseback, and armed with guns; they had several Natives with them, who were also armed. I saw nothing more of any of the party until about two months ago, when the man Charlie returned to my district accompanied by three other Europeans and several Natives, all of whom were armed. Charlie said he had come to me to collect taxes. I remonstrated and said I had already paid and I believed him to be an impostor; he then assaulted me with his fists, he knocked me down and then kicked me in the chest, saying if I did not pay him taxes he would shoot me and seize all my cattle. I was then forced to hand him 23 head of cattle and 8*l.*, which he took away. Shortly after this he left my tribe and returned to the Bombo. After his departure I got notice from the Resident Magistrate of Lower Umfolozi that I had to pay taxes to the Zululand Government. I sent two of my men to Charlie on receiving this notice to ask him why he had forced me to pay taxes, as I ascertained he was not a representative of the Government. The two men I sent are not here. These men returned with a reply to the effect that as the Zulu nation had been defeated by the English,

Charlie was helping himself to the share of booty: that he was not a representative of any Government, and all he had taken from me and my people he had taken by force. I knew that Charlie took away with him on his last occasion two girls from Fokoti's district. He took these two girls as his wives. They were both taken by force. A week or so ago these girls escaped from Charlie and returned to Sambana's district where they had lived for some time. Umtshakela's (Ferreira's) Native induna, named Mandhlamaduna, took them back to Charlie, and I believe they are now with him at his residence.

(Signed) UMJINDI, his X mark.  
C. R. SAUNDERS, R.M. and J.P.

Witnesses—

(Signed) SIJULU, his X mark.  
MUTI, his X mark.

SIR,

Njano's Hill, August 22, 1889.

I AM sorry to say that a couple of days ago two of your armed police have been trespassing on ground belonging to the South African Republic, as they state, by your orders.

To-day I see that you yourself are also trespassing within the borders of the South African Republic with an armed body, accordingly I consider it my duty to report you to my Government.

I remain, dear Sir,

Yours obediently,

p.o. T. FERREIRA.

H. F. VANDORT.

— Saunders, Esq.,  
Representative of the British Government  
of Zululand.

P.S.—I also have now reason to believe and feel confident that you have been trying to influence the Natives against the South African Republic within its own borders.

VOOR T. FERREIRA.

H. F. VANDORT.

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Enclosure 2 in No. 151.

MAP.

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Enclosure 3 in No. 151.

Office of the Resident Secretary and Agent,

Swazi King, Embekelweni,

September 12, 1889.

YOUR EXCELLENCY,

I AM ordered by Umbandini, King of Swaziland, to acquaint your Excellency with certain matters of importance affecting the liberty of Swazi people, whose freedom, they believe, was insured to them by the London Convention of 1884.

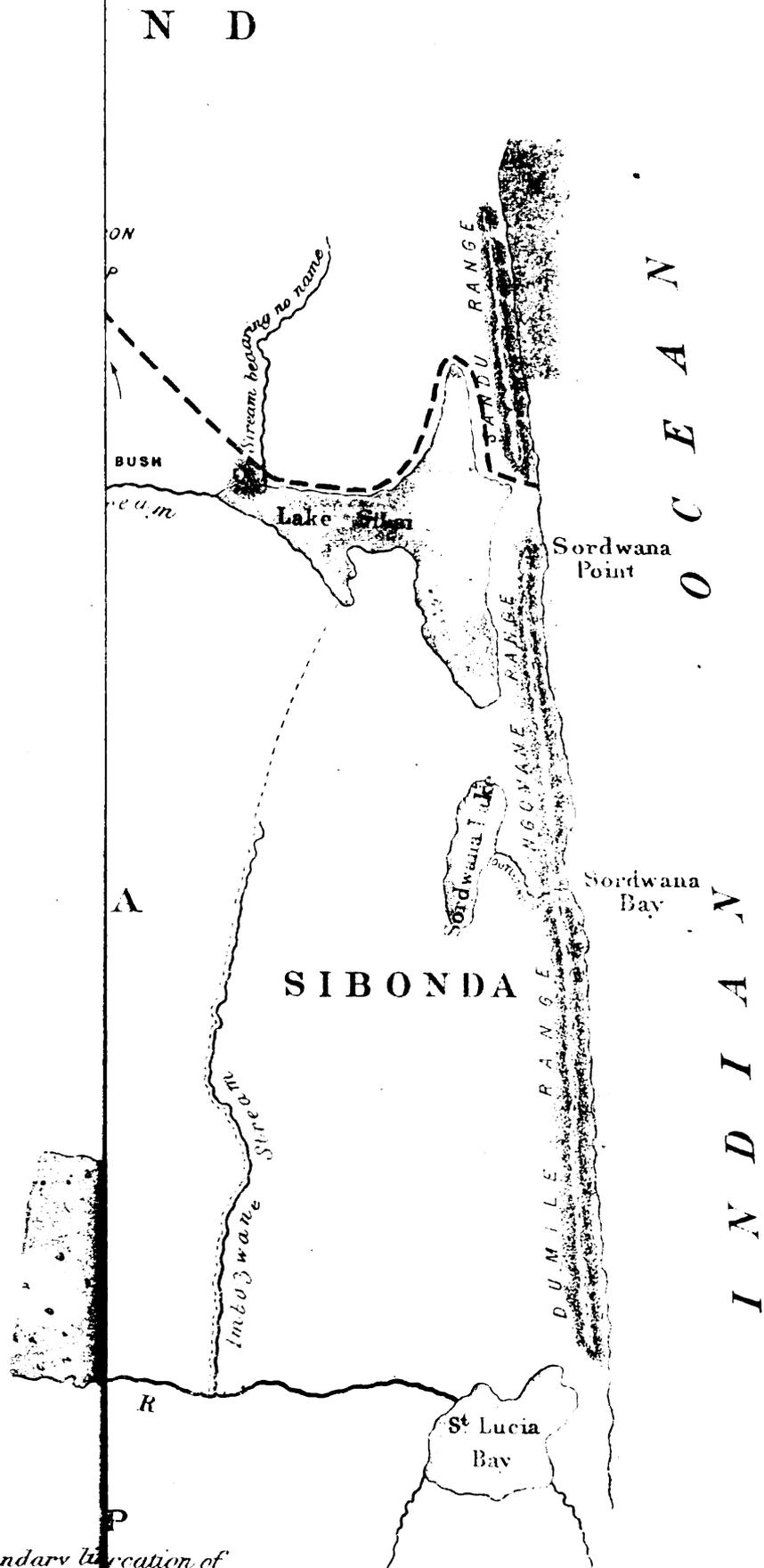
The facts of the case are these:—On the 6th of September instant, a deputation of four Indunas of the Swazi Chief Umbigisa, named respectively Umcehlana, T'sinkunzi, Umkufuna, and Ubele, waited upon the king. They stated they came from their Chief, whose district lies to the north and to the south of the Inguruma river, on the Libombo Mountains. About the beginning of the month, a white man, who, they stated, was a brother of Mr. Border Commissioner Ferreira, called at the various kraals, both on the north and on the south of the Inguvuma river, and said that he had come from the "Inkosi" on the border, and that they were to pay him a tax of a cow per hut. This they refused to do, stating that they were in Swaziland, and not in the Transvaal. The white man, in every instance, replied that he would return with others and make them pay. Umbigisa immediately sent to the king to ask for protection.

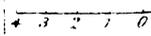
Umbandine desires me to lay this matter before your Excellency, as he is fully alive to the danger of strife and bloodshed in his country, and the consequences of armed opposition to white men. The Swazis in Umbigisa's district, however, are determined to resist any efforts to enforce taxation, and the king prays that your Excellency and his Excellency the High Commissioner will not misconstrue the motives which may prompt him to take action for the protection of his people.

I have addressed a letter to his Honour the President of the Transvaal Republic on this subject, as also a letter concerning similar encroachments on the liberties of the Swazis living on the south-west and western Swazie frontier alleged to have been committed by order of the Transvaal Border Commissioner.

**ZULULAND.**

*Enclosure 2 in Desp. of 25 September 1889.*



-  Boundary line
-  Beacons or Mark
- Scale of Distances 
-  Wagon Track of 1889
-  Boundaries
-  Thorns and



I shall have the honour to submit to your Excellency the replies of his Honour the State President to these communications.

To Sir Charles Mitchell, K.C.M.G.,  
Governor of Natal and Zululand.

I have, &c.  
(Signed) ALLISTER M. MILLER,  
Resident Secretary and Agent,  
Swazi King.

No. 152.

GRAHAM BOWER, Esq. (IMPERIAL SECRETARY) to SIR ROBERT G. W. HERBERT.  
(Received October 30, 1889.)

Government House, Cape Town,  
October 4, 1889.

SIR,

25th September 1889. State Secretary,  
South African Republic. Covering extract from report of Transvaal officers, and urging necessity of intervention in Swaziland.

IN the absence of his Excellency the Acting High Commissioner, and by his direction, I have the honour to enclose, for your information, a translation of the documents specified in the margin.

The Under Secretary of State,  
Colonial Office.

I have, &c.  
(Signed) GRAHAM BOWER,  
Imperial Secretary.

Enclosure in No. 152.

(Translation.)

STATE SECRETARY, Pretoria, to the ACTING HIGH COMMISSIONER, Cape Town.

Government Office, Pretoria,  
September 25, 1889.

YOUR EXCELLENCY,

WITH reference to the telegram of the 31st August 1889, from his Honour the State President to your Excellency, of the following import: "Our Swaziland Commission returned yesterday. This morning we received telegraphic information from Swaziland that disorders have again taken place in Swaziland since the Commissioners are away. We fear that these will not be the last unless some haste is made. Letter will follow, after the report of our Commission shall have been received."

I have now the honour in the name of this Government to communicate its views with respect to Swaziland for the information of Her Majesty's Government.

In the letter of my predecessor, dated 13th February last, it is already observed that Her Majesty's Government acknowledged the existence of a Swaziland question, and judges that a solution is necessary in the near or far-off future.

This Government believes that the time has now come for a definite settlement of the Swaziland question.

The report of its Commissioners, Messrs. Smit and Krause, shows also that no time may be lost.

In confirmation of this I have the honour to add annexed as enclosure an extract from the report of our Commission with various documents belonging to it, while I at the same time call your attention to the very important confidential memorandum which I am sending your Excellency with a confidential letter of the same date as this.

It is plainly and indisputably shown by these proofs that an immediate taking of the matter in hand and action is necessary on the part of this Government.

As I have already had the honour to inform your Excellency in the telegram referred to above, disorders took place again immediately after the departure of the Commissioners.

This condition of affairs in Swaziland cannot be allowed to continue.

And this Republic especially, which encloses Swaziland on nearly all sides, and thus experiences every trouble and all difficulties, and continually suffers under such a condition of affairs can and may not remain inactive.

Not alone that the King commits murders and atrocities which cannot be tolerated on its borders by any civilised State, but the result to this State moreover is that a large number of Swazies, afraid of being put to death by the King without any cause or form of trial, flee into the territory of this Republic, where they know they are safe, but where they at the same time bring this Republic into difficulties as regards dwelling-places, &c.

Owing to the geographical position of Swaziland it has besides become a cherished asylum for fugitive criminals from the Republic who from thence can commit crimes in the Republic unpunished.

Security of life or property exists in Swaziland neither for whites nor natives.

Not received in Capetown. In the case of Charlie Dupont, referred to by our Commission in its report under No. 6, the King permitted and asked Mr. Ferreira to use the sword in Swaziland, of which however, naturally, Mr. Ferreira has made no use.

Already, in my Letter of the 13th February last, attention was drawn to the rights, concessions, and monopolies of every kind, which were granted by the King.

I have now the honour further to forward you herewith a copy of an irrevocable procuration granted by Umbandine with advice and consent of his council to certain R. Harington.

This document speaks for itself.

It shows in the very plainest manner that Umbandine, without giving heed to his interests or his rights as Chief, gives great power into the hands of private persons.

This Government has thereby come into the necessity of securing the controlling power in this grant by great pecuniary sacrifices in order to prevent that power from falling into wrong hands.

The country is lawless, orderless, and without Government.

This is so manifest that it appears to this Government quite unnecessary, and, in view of the urgent circumstances, fatally impossible and inhuman, to confirm this state of affairs yet longer by waiting for a second and joint Commission, mention of which was made in former correspondence, which Commission would not be able to do anything more than has already been done, and could only confirm what has now been made manifest.

Under these circumstances, now that a solution of the Swaziland question must be immediately undertaken, this Government reiterates what it already declared in above-mentioned Letter, dated 13th February last, viz., that it is now ready and prepared to enter upon and carry out that solution with an eye to all legally acquired rights, not only of the subjects of this Republic but also of those of Her Majesty as well as those of the inhabitants of Swaziland and of whites as well as of coloured people.

This Government wishes to express its confidence that it will soon learn that Her Majesty's Government has no objection to this.

This Government wishes to take the opportunity once more to call attention to the proposal contained in my telegram of the 3rd May last.

Further, this Government wishes, apart from the above discussed question of all Swaziland, to recur to the former correspondence (in particular the telegram from his Excellency the High Commissioner to his Honour the State President of the 20th April last) regarding the so-called Little Free State, a small piece of land, formerly forming part of Swaziland, but of which the Swazi King has now made total renunciation, and which he does not any more regard as standing under him.

This case demands the greatest haste.

The people who have established themselves there are seeking assistance and justice.

During the presence of our Commission in Swaziland they turned to the Swazi King and appealed to him.

The latter refused, however, to concern himself with their affairs as, according to his statement, he had given them up to the Republic.

These persons also betook themselves to our Commission, but that also had no power to concern themselves with their affairs.

This Government must, therefore, earnestly urge that Her Majesty's Government should agree that this Government immediately enters upon the management of this land, as this case can brook no delay.

The documents having reference to this, proving that the Swazi King has made a renunciation of that country, are in the possession of Her Majesty's Government.

In conclusion, I have the honour to confirm my telegram dated 21st September last of the following import:—"A press telegram reports the information incredible to this Government, that Sir Francis de Winton is appointed Commissioner for Swaziland. This Government would be obliged if your Excellency would inform it what is the truth of this. Matters in Swaziland have already gone too far to be able to be rectified by the sending of a Commissioner. Letter follows Monday."

I have, &c.

(Signed) DR. W. J. LEYDS,  
State Secretary.

His Excellency the Acting High Commissioner,  
Cape Town.

EXTRACT from the REPORT of the SWAZI COMMISSION, consisting of Messrs. SMIT and KRAUSE.

As regards the condition of the country itself, your Commission has to report the following as its finding :—

1st. As regards the King himself. The latter has been ailing since October 1888; either he is really seriously ill, or else the witch-doctors make him believe that he is so.

Notwithstanding his real or asserted indisposition, he has known all along to grant concessions and leases, and to commit murders on a large scale.

2nd. It is known how the King in December 1888, without any cause or trial, caused to be put to death his Prime Minister Sandhlana and other Indunas, with their wives and children. Your Commission has succeeded in obtaining declarations regarding this from credible persons. The declarations referred to are contained in Annexure X.

Your Commission were informed that before their arrival at Embekelweni a number of Nhlawelas were sent out by the King to plunder certain kraals in the Horo's district.

Some days after their arrival they saw these Nhlawelas returning with children and cattle, which last were driven in four troops to the kraal of the King.

How many Swazies were killed in these forays could not be ascertained with certainty.

During the presence of the Government Commission, the King did not scruple to cause to be put to death one of the wives of Sandhlana secretly, with her children, because she was not disposed to marry one of the brothers of Sandhlana while she was yet in mourning for her husband.

The children carried off on such forays are distributed by the King to one or other as slaves; and there exists no doubt that at the present moment in Swaziland children can be sold as slaves for the price of 20*l.* or less.

3rd. With reference to the credibility of and reliance on the deeds of the King, it has been manifested that he says something to-day and denies the same to-morrow. More than 100 mineral and other concessions have been granted by the King without it troubling him in the least that the one concession already embraced the other or encroached on other rights already granted.

A list of these concessions granted will be handed over to the Government later on.

Grazing rights have been granted in the same way on a yet larger scale, and great danger exists that collisions will arise among the burghers of the South African Republic on account of the acts of the King, who has let lands for that purpose to three or four persons, has received the money for them, and has signed agreements for them, knowing that those lands have already been let earlier.

4th. With reference to grazing rights mentioned, there exists no doubt that over 400 burghers of the South African Republic migrate yearly during the winter with thousands of cattle to Swaziland, to occupy the lands assigned to them. It is only due to the good disposition of these burghers that no serious disturbances on land questions have yet taken place.

Every dispute on that point which they bring before the King remains undecided.

The quarrel (question) between Mr. H. C. M. Jansen van Reuseburg and others *v.* B. Oosthuizen, referred to your Commission by letter, dated 24th June 1889, accompanying this, Annexure XI., your Commission has caused to be amicably postponed until a proper Government has been established in the country.

There are many other cases of overlapping of grazing rights which neither the King nor the Government Committee will or have the power to decide.

The State Attorney, a member of the Commission, experienced himself that Mr. Josua Joubert received an order from the King commanding a certain William Joubert to vacate a piece of ground in dispute, and that when the latter refused to comply with this the King could give no further aid.

5th. The Government Committee is in such and other cases just as powerless, the members of it are divided amongst themselves, and the said body has done nothing since its establishment for the benefit of the white population.

No cases of importance are investigated and decided by it, and no execution can be given to sentences given.

6th. During the stay of your Commission they were informed that besides the aforesaid raids into the Republic, other acts of violence have been committed by inhabitants of Swaziland within and without its borders.

Evidence of this the declarations and paper under Annexure XII. It happened that when complaints were made against Charlie du Pont and others concerning their ravages and they simply refused to appear before the King and his council, the King requested Mr. J. J. Ferreira to decide cases, and if necessary to appear with an armed force.

7th. After considering everything, your Commission in conclusion is of opinion that the Government of Swaziland is in a deplorable condition, that serious and speedy measures must be taken to obviate the atrocities of the King and his councillors, to prevent collisions among the whites amongst themselves, and to establish an efficacious government, which must make provision for the decision of disputes among the whites, pass judgment upon crimes committed by them, and guard against trespasses over the borders of Swaziland, and at the same time guarantee the safety of property and life in the country itself.

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## X.

Information gathered by the Commission of the South African Republic regarding atrocities, murders, and pillagings by or at the order of King Umbandine, which information was afforded through Mr. Joachim Ferreira, Commissioner of Natives, and the former induna Thiselaba:—

1st. Captains Sandhlana, Bulana, Gubaba, Mababene, Tambo (two last-named brothers of Sandhlana), Umzwele, and a young girl and Nomotabo, are murdered.

2nd. Five kraals of Kopolo (brother of Umbandine) are plundered, and all girls and children carried off. Kopolo fled over the border of the South African Republic.

3rd. Further, the mother of Captain Bongosa was put to death, all his cattle carried off, and his children taken as slaves, which children and cattle the Commission itself saw coming in.

4th. In consequence of an attack on the kraal Ewuzeni, the people fled over the Transvaal line, and the cattle carried off to Embekelweni, which the Commission itself saw.

5th. In like manner the people of Captain Gomgomo fled over the Transvaal line, and the cattle brought to the capital under the eyes of the Commission.

6th. Report was received that the borders of the Portuguese district were trespassed over. Some Kafirs were murdered and cattle carried off to Swaziland.

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## XI.

### SWORN DECLARATION.

Appeared before me, the undersigned State Attorney and Justice of the Peace for the South African Republic at present in Swaziland, John Gama, who being sworn, declared:—

I am already seven years in Swaziland, and am of the Royal family. At the time of the war between Swaaz and Malambale my father fled with me to Natal. After my return I was with the King, and because I could write I had always to give him advice (advise him). Before the quarrel arose between Theo. Shepstone, Rathborne, and Thorborne, Umbandine did not commit such atrocities as after that time. The first quarrel arose with Thorborne when Shepstone advised the King not to grant concessions in a rash manner, and that concessions, such as the Bank concessions and others, would bring him into difficulties. After this Umbandine fell ill and sent Shepstone to the border of Swaziland about certain cattle, and meanwhile Umbandine had Bulaan Sandhlaan, Juabo Kobaba, Makabeen Sutaambo, and Kopola (with all their servants and children) killed. It was pretended that these Chiefs wished to depose Umbandine, but this was not true.

The family of Mahabeen were also killed and the cattle taken away.

After this, Umjelek was killed.

After the arrival of the Commission of the South African Republic in the month of June the brother of Nomadabo, by name Manthlenga, was killed, and then a girl of Sandlaan at Didiu's kraal (Sandhlaan's town).

Before the Commission came here the people of Sandhlaan's town slept every night in the field, for fear of being killed, but now the Commission is here all the Kafirs sleep in their kraals, are satisfied, and repair their huts.

I know the nation well, and they take notice of no other whites than only Theo. Shepstone.

Lately Jan and his wife were murdered by Emangbatueni.

(Signed) JOHN GAMA.

Sworn before me,

at Indlinembi,

on 14th August 1889,

(Signed) Dr. A. E. G. KRAUSE,  
State Attorney and Justice of the Peace,  
South African Republic.

## XII.

Appeared before me, the undersigned Justice of the Peace and Member of the Transvaal Commission at Embekelweni, on this the 15th July 1889, the person of April, alias Wuma, who being cautioned to speak the truth, declared as follows:—

I live in Natal, district Weenen, and came to Swaziland about two months ago with my younger brother Mabooi, for the purpose of bartering ostrich feathers for cattle.

Those ostrich feathers cost us 3*l*. We sold those ostrich feathers for six head of cattle.

These six head of cattle were taken from us by a certain Middleton, police agent of the Swaziland Government Committee.

Two of those cattle Middleton and a Kafir, Gidizela, who was with him sold, and I have learnt that Middleton gave the other four cattle to Gidizela for a girl.

I went immediately to the King's kraal for the purpose of making a complaint.

The King answered that he knew nothing of Middleton's appointment as police agent, and sent me with a message to the Native missionary, Daniel Mazimango, that he was to go with me and restore the cattle to me. Daniel Mazimango met Middleton at King's shop, delivered the message of the King, but received, instead of the cattle, a beating.

(Signed) × mark of APRIL, alias WUMA.

Declared before me,

(Signed) Dr. A. E. G. KRAUSE,  
State Attorney,  
South African Republic.

## DECLARATION in English by A. R. COLBORNE.

Declaration made this 2nd day of July 1889.

I, the undersigned, do hereby declare that I am resident in Swaziland, and have no protection, as by the following statement which I hereby make, as follows:—

1. On one occasion several goats trespassed on my land and destroyed my crop of forage. I detained said goats in order to get recompense. Several Swazies came armed with assegais and knobkerries, and forcibly took away said goats and defied me to do my worst.

2. On another occasion several cattle belonging to Swazi Natives trespassed on my land and destroyed my trees. We detained the cattle in order to get recompense. A Native came into my parlour flourishing his assegai, and said "I am a soldier of Umbandine's, and am a man of blood." The cattle were driven away, and in following up the Natives with the cattle with a friend, he (my friend) was struck with a stick, and I was threatened with my life.

Both matters were referred to Umbandine, but nothing was done.

3. On another occasion my house was broken into twice; windows and doors smashed.

Many other acts of molestation and theft have taken place during the last two years.

I make this declaration that it may be known what the present state of rule is in Swaziland.

(Signed) A. R. COLBORNE.

Witnesses to signature—

(Signed) RICHARD COLBORNE.  
" J. J. KOUTLICK.

Appeared before the Commission of the South African Republic at Embekelweni (Swaziland), on this the third August 1889, Kunzana, who declared:—

I live at Njao's in Zambana's land. I come to complain that Kaamba, together with Charlie du Pont, came to my kraal about a month ago, and drove off from there by force 70 of my cattle, and took away with them blankets, picks, rugs, pots, and six guns.

Family of Kaamba lives at my kraal, and they pretended that there were 10 head of cattle which pertained to him as head of that family. These 10 cattle were delivered to Kaamba, and then the plundering mentioned took place by order of Charlie du Pont.

(Signed) × mark of KUNZANA.

Further appeared Umtshoto, who declared:—

I live at Njao, in Zambana's country. I am come to complain that Kaamba does me injustice. Kaamba lives in Swaziland; and about a month ago he came with Charlie du Pont to the kraal of Zambana. Kaamba demanded 10 cattle from my father, and these were delivered up by order of Zambana; and over and above those 10, Charlie du Pont and Kaamba carried off 70 more from other Kaffirs.

(Signed) × mark of UMTSHOTO.

Further appeared Mathlambthlala who declared:—

I live under Zambana. I am come to complain about cattle which were carried off from my kraal by Charlie du Pont and three other white men, and Kaamba. 64 cattle and four guns were taken. The cattle were under my charge and belonged to Tonga. The guns belonged to Umjiloo, Booi, Bapaan, and Umnokwa. I am no relation of Kaamba, and do not know him; and I know what the reason was that the commando referred to came there and carried off the cattle. This occurred a month ago. Charlie du Pont and the others used force and threatened to shoot us, and we fled into the bushes.

(Signed) × mark of MATHLAMBATHLALA.

Declared before me at place and date stated—

(Signed) Dr. A. E. G. KRAUSE,  
State Attorney and Member of Commission.

Before the Members of the Commission at Embekelweni, on the 1st July 1889, appeared Ontwala, alias Jonas, who, being cautioned to speak the truth, declared as follows:—

I am brother of Kubaba, who was murdered on the same day as Sandlaana, by order of King Umbandine. All cattle of Kubaba were stolen. Three of the children of Kubaba (daughters) of whom two are now in the kraal of the King at Embekelweni, and one in the Inkanini kraal were also carried off. They are now used as slaves of the King. As the nearest relative of the said children, I applied for the two daughters at Embekelweni, and offered 5*l.* sterling; but the captains refused to accede to my request.

I am very dissatisfied, and complain about the acts of the King and of the captains to the Commission. I do this because I live in the South African Republic, and can get no right in Swaziland.

(Signed) × mark of OMTWALA.

Witnesses—

(Signed) J. J. FERREIRA.  
,, C. D. VAN GOEVERTEN, jr.

Declared before me at place and date stated—

(Signed) Dr. A. E. G. KRAUSE,  
State Attorney and Justice of the Peace of the  
South African Republic.

No. 153.

## COLONIAL OFFICE to the ABORIGINES PROTECTION SOCIETY.

SIR,

Downing Street, October 31, 1889.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 23rd instant,\* in which you enclose copy of a resolution passed by the Aborigines Protection Society on the 22nd instant, in regard to the affairs of Swaziland.

Lord Knutsford desires me to state, with reference to the tenour of this resolution, and to the representations made in your letter, that Sir Francis de Winton's mission to Swaziland is one of inquiry with a view of enabling Her Majesty's Government to decide what course it is most desirable to take in regard to that country in the interests of both natives and white settlers, and of South Africa generally; and that, whatever course may be ultimately decided on, the interests of the natives will be carefully kept in view, and their wishes will receive due consideration.

I am, &amp;c.

The Secretary,  
Aborigines Protection Society.

(Signed) ROBERT G. W. HERBERT.

No. 154.

LORD KNUTSFORD to LIEUTENANT-GENERAL H. A. SMYTH.

TELEGRAPHIC.

1st November 1889.—De Winton should accept invitation of President of the South African Republic.

Repeat telegram to Governor Natal.

No. 155.

SIR C. B. H. MITCHELL to LORD KNUTSFORD.

(Received November 4, 1889.)

Government House, Pietermaritzburg,  
Natal, October 5, 1889.

(Extract.)

IN connection with my Despatch of the 25th September,† I have the honour to submit, for your Lordship's further information, a copy of the statement made to the Resident Commissioner by Nkamba (induna of the Chieftainess Mhlaleni), whose expected arrival at Eshowe is referred to by Mr. Saunders towards the end of his report. This statement was forwarded to me by Mr. Osborn under cover of the minute of which I attach a copy.

In accordance with his recommendation, I have desired Mr. Osborn to warn the Chiefs Sambana and Umbegiza not to molest the induna Nkamba, and I have also directed him to send an official messenger with the latter to Mhlaleni to inform her that her messages will be communicated to Her Majesty's Government.

Enclosure 1 in No. 155.

STATEMENT of NKAMBA.

Eshowe, Zululand,  
September 25, 1889.

Appears Nkamba-ka-Majopana, who states:—

I am sent by the Chiefess Mhlaleni, whose induna I am, to the Resident Commissioner at Eshowe, to say that her tribe belonged always to Tshaka, and she considers that she

\* No. 149.

† No. 151.

and her people now belong to the English, whose Queen conquered Tshaka's heirs and all his people and country. She complains that the Chiefs Sambana and Mbegiza have seized cattle from her and her people; the latest seizure, which was made a little more than a month ago, consisted of 50 head of cattle and 40 goats. Many more cattle were seized on previous occasions.

Mhlaleni ordered me to say that, as she and her people and the country they occupy belong to the English, who conquered them when they conquered Zululand, she and her people are subjects of the Queen of the English, and they pray that as such they may be protected by the Government.

The 50 head of cattle and 40 goats were seized from our tribe by men sent by Mtshakela (Ferreira) and by Charlie (Charles Dupont), who said they made the seizures for and by order of Sambana. Our tribe do not belong to Sambana, and he has no right to take our property from us. We belong to the English only. Mbegiza seized cattle from us on previous occasions.

Our cattle, 50 head and 40 goats, were seized by Ferreria and Dupont because they had discovered that our Chiefess was about to send messengers to Eshowe to ask the English Government to protect her and her people, who are the subjects of the Government. This was the only reason they gave for seizing our property.

Sambana and Mbegiza are taking from us our tribal lands, each taking a part for himself, and we are driven to occupy corners at the outskirts, where my Chiefess Mhlaleni is now living. The strength of our tribe consists of four companies of men, who are with Mhlaleni.

Our Chiefess Mhlaleni is the widow of the late Chief Memesi, who was killed by Mbegiza shortly after the Zulu war (in 1879). She and her people are located on both sides of the Umgwavuma river.

I cannot return to my tribe unless accompanied by a messenger from the Resident Commissioner with a warning to Sambana and Mbegiza not to do me any harm. If I return without such a messenger, I shall certainly be killed by Sambana and Mbegiza for having been to Eshowe on my present mission.

Unless a messenger is sent, I must remain here, perhaps altogether, as I cannot return with the certainty of being killed on my arrival.

The 50 head of cattle and 40 goats were taken from our tribe because our Chiefess wanted to send messengers to Eshowe.

When we heard that the Resident Commissioner's messenger "Bikwayo" was at the kraal of Zambili lately, my Chiefess sent me to him with the request that he would allow me to come to Eshowe under his protection. He agreed, and I went with him to Mr. Saunders, who was engaged finding the boundary line. I then came on with Mr. Saunders' party, which Bikwayo had joined.

Before me,  
(Signed) M. OSBORN,  
Resident Commissioner,  
25.9.89.

(Signed) NKAMBA X  
his  
mark.

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Enclosure 2 in No. 155.

RESIDENT COMMISSIONER TO GOVERNOR.

MINUTE.

HIS EXCELLENCY,

I HAVE told the induna Nkamba that I would forward his statement for your Excellency's information.

I beg to be favoured with your Excellency's instructions as to what reply, if any, is to be sent to Mhlaleni, and as to any communication to be made to Sambana and Umbegiza, cautioning them not to molest the induna Nkamba, who has been to Eshowe on a perfectly lawful purpose, or any of the Queen's other native subjects residing near Tongaland.

I recommend that an official messenger be sent with Nkamba.

27.9.89.

(Signed) M. OSBORN,  
Resident Commissioner.

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No. 156.

SIR C. B. H. MITCHELL to LORD KNUTSFORD.

(Received December 10, 1889.)

Government House, Pietermaritzburg, Natal,  
November 11, 1889.

MY LORD,

I HAVE the honour to report that messengers from the Swazi nation have arrived in Pietermaritzburg to report the death of Umbandine.

2. I received them yesterday, and in answer to their request for advice, and to various questions they put to me, I spoke to them for some time. I enclose a memorandum made by the Secretary for Native Affairs of the gist of my remarks and of their statements.

3. The messengers expressed their belief that the nation would act as I had advised them, and thanked me for the interest which Her Majesty's Government took in their welfare.

I have, &amp;c.

(Signed) C. B. H. MITCHELL.

The Right Hon. the Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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 Enclosure in No. 156.

MESSAGE from HIS EXCELLENCY the GOVERNOR of NATAL in reply to the Message brought by UNKONKONI and NOMADATSHA from SWAZI PEOPLE on the 9th November 1889.

THE GOVERNOR is very sorry to hear of the death of Umbandini, the Chief of the Swazi people, and desires you to convey to the Swazi people his sympathy with them in their loss.

He wishes you to tell them that the Queen is, and always has been, very friendly towards them, and wishful for them to preserve and keep their independence, but that they have got themselves by their own acts into their present troubles; that by signing papers granting all sorts of concessions to irresponsible white people, they have parted with almost everything belonging to the nation, and that although they may say that these papers have only been signed by the Chief and one or two of the Indunas in daily attendance at the Chief's Kraal, and without the general consent of the nation, they were signed by the persons who were in authority at the time, and that the persons to whom they were given will claim that the concessions are valid, or that what they gave for them should be returned, and that they must, therefore, make up their minds to bear some of the trouble.

That all their troubles have been reported to the Queen, and that she, in consequence of her friendly feeling towards the Swazi people, sent an officer, Colonel Martin, to inquire into and report upon them, and that the result of his report has been that the Queen has sent out from England one of her great officers to see and hear and report to her upon the state of affairs in the Swazi country. This great officer has gone to Pretoria to see the President of the South African Republic, and from there he will go down to the Swazi country, accompanied by a representative of the President, to make his inquiries before reporting to the Queen.

The Governor now wishes, as a friend, to tell you that some months must elapse before any answer can arrive from the Queen, and he wishes you to convey his advice to the heads of the Swazi people as to their conduct until the arrival of the Queen's reply.

He says the Swazi people must give no cause for complaint against them by either the shedding of the blood of your own people, or by disagreements and quarrels with the white people in your country. He says, let the nation sit down quietly and await the advice of the Queen of England. And his earnest recommendation to the Swazi people is that when that advice is received they should listen to it and loyally accept it.

G g 2

The Governor accepts that which you have brought with you to report the death of your Chief, and he now says good-bye to you and wishes you to convey his greetings to Undhlovukazi, the mother of the late Chief, and to the Indunas who sent you.

The Governor has directed the Secretary for Native Affairs to get some presents for you to take back with you to the late Chief's mother.

10th November 1889.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

**HIS EXCELLENCY,**

I FORWARD the statement made by the messenger Unkonkoni, sent by the Swazi people to report to your Excellency the death of their late Chief Umbandine.

The statement has only been made by Unkonkoni, because of the illness of the other man, Nomadatsha. He was seriously assaulted by the police here, and I intend to bring the matter to your Excellency's notice in a separate paper after I have seen him.

As is the custom, the men have brought something to report their Chief's death; usually oxen are sent, in this case they have brought a sum of 24*l.* in gold. I would suggest that it should be expended in buying presents for them to take back.

They also report that there is a young son of Umbandine's, named Uunu, who has been recognised by the Swazi people as the heir and successor to Umbandine, and that, as he is at present only a boy of about seven years old, the whole of the Swazi people were collected, and it was unanimously resolved that Umhlakuvana (Mr. Theophilus Shepstone, C.M.G.) should be appointed guardian of the young Chief, and, as such, have the control of all the affairs of their country. He stated that a paper to this effect had been signed by all the headmen of the nation. The appointment appears to be practically that of regent during the minority of the young Chief Uunu.

(Signed) H. C. SHEPSTONE,  
Secretary for Native Affairs.

9.11.89.

**STATEMENT** of Unkonkoni, Induna, and Nomandatsha, who accompanied him, taken at the office of the Honourable the Secretary for Native Affairs, this 9th day of November 1889, Unkonkoni acting as spokesman.

WE have come here from Swaziland as messengers from Ndhlovukazi, the mother of Umbandine, Tikuba, and Umgogo, head Indunas of the Swazi people, and Umhlakuvana (Mr. T. Shepstone) to report the death of our King Umbandine. We report also that there is a child of Umbandine's, whom we regard as his heir, and who has been accepted and acknowledged by all the Swazi people—his name is Uunu. He is only a small boy, of the age of boys when they commence to herd cattle. We report also that the whole of the Swazi people has unanimously appointed Umhlakuvana (Mr. T. Shepstone) to watch the interests of the child Uunu, and to look after the affairs of the country.

All the headmen of the nation were assembled together, and they all held the pen to the paper appointing Umhlakuvana (Mr. T. Shepstone). After his appointment all documents and papers in connexion with the affairs of our country were handed to him; they are now in his possession.

As witness to mark,

(Signed)

S. O. SAMUELSON,

Zulu Interpreter,

Supreme Court.

(Signed)

UNKONKONI

his  
X  
mark

I have omitted to state that, in accordance with our custom when reporting the death of anyone to his superior, or his Chief, we have brought with us 24*l.*, to report the death of our King Umbandine. It is only a small matter to bring, but all the

royal cattle have been used in paying the doctors who attended our King during his illness.

As witness to mark,  
(Signed) S. O. SAMUELSON,  
Zulu Interpreter,  
Supreme Court.

(Signed) UNKONKONI ×  
his mark

No. 157.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received December 13, 1889.)

TELEGRAPHIC.

De Winton sends following:—

*Begins*: Swazis agree to proposal that three Commissioners administering Government pending settlement of Swaziland affairs. Propose, with your sanction, to appoint Martin Her Majesty's Representative. In consequence of present difficulties of whites and blacks, it is of great importance that both sides should have fullest possible confidence in Her Majesty's Representative. Confidence in Martin. Hope to arrange satisfactorily as to pay Martin [from] Swaziland revenue. Leaving on or about 18th December. *Ends*.

No. 158.

LORD KNUTSFORD to SIR H. B. LOCH.

TELEGRAPHIC.

16th December 1889.—In answer to your telegram of 13th December,\* proposal approved.

No. 159.

LIEUTENANT-GENERAL H. A. SMYTH to LORD KNUTSFORD.

(Received December 17, 1889.)

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a despatch which I have received from the Governor of Natal, covering a copy of a letter from Mr. T. Shepstone, transmitting a document which he describes as a copy of his re-appointment by the Swazi nation in the capacity of Resident Adviser and Agent.

I have, &c.

(Signed) H. A. SMYTH,  
Lieutenant-General,  
Administrator and Acting High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

\* No. 157.

Enclosure in No. 159.

Government House, Pietermaritzburg, Natal,  
November 20, 1889.

SIR,

I HAVE the honour to forward, for your Excellency's information, a copy of a letter addressed to the Secretary for Native Affairs in this Colony by Mr. Theophilus Shepstone, C.M.G., transmitting a document which he describes as a copy of his re-appointment by the Swazi nation in the capacity of Resident Adviser and Agent.

I have, &c.

(Signed) C. B. H. MITCHELL.

His Excellency  
Lieutenant-General H. Smyth, C.M.G.,  
&c. &c. &c.

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Mr. T. SHEPSTONE TO SECRETARY FOR NATIVE AFFAIRS.

Resident Adviser's Office, Embekelweni, Swaziland,  
October 28, 1889.

SIR,

I HAVE the honour to enclose, for the information of his Excellency the High Commissioner, a copy of my re-appointment by the Swazie nation, dated 21st October 1889.

Several indunas have been sent by the nation to report the matter to you.

I have, &c.

(Signed)

The Honourable the Secretary for Native Affairs,  
Natal.

THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

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TO ALL WHOM IT MAY CONCERN.

Whereas Umbandeni, King and Paramount Chief of the Swazie nation, in council assembled, did, with the advice and consent of his councillors, select Theophilus Shepstone, Esquire, C.M.G., to be his Resident Adviser and Agent, and did, on the 25th day of February 1887, execute a document in favour of the said Theophilus Shepstone, appointing him to the said offices, and conferring upon him certain powers; and whereas certain of the powers therein contained have been curtailed and are in abeyance, and whereas Umbandeni, the King, is now deceased.

Now, therefore, we, the Regent, Queen Dowager, Headmen, Chiefs, and Councillors of the Swazie nation, in council assembled, do hereby revive, in their entirety, all the powers conferred on the said Theophilus Shepstone in the said document executed by Umbandeni and the Council of the Swazie nation on the 25th day of February 1887 aforesaid, and we do hereby appoint the said Theophilus Shepstone, Esquire, C.M.G., to be the Resident Adviser and Agent of the Swazie nation in all matters in which white people are concerned in and concerning our territory of Swaziland, and to advise us in all matters concerning neighbouring states and countries.

And we further appoint the said Theophilus Shepstone to inquire into and settle all matters that may arise or be in dispute between white people in our territory, and to inquire into all concessions or licenses that may have been granted within our territory from time to time.

And we further authorise and empower the said Theophilus Shepstone to supervise and collect all the royal revenues arising from concessions, rentals, royalties, licenses, fines, and duties and stamps, or from any other source whatever, and to account to the nation for the same.

And for the proper carrying out of the duties of his appointment in a proper and efficient manner, we hereby authorise and empower the said Theophilus Shepstone to nominate and appoint, from time to time, such persons as he may deem advisable and competent to assist him in carrying out the duties of his said office.

And further we do hereby revoke, cancel, and annul, all and every proclamation, power or attorney, and appointment of white officials and employés made by the late King Umbandeni.

In making this appointment it is understood that all sovereign rights are reserved.

Thus done and executed at the Royal kraal, Enkanini, this 21st day of October 1889, in the presence of the signatories hereto, and of the witnesses, all being present together.

(Signed) THE QUEEN DOWAGER, her × mark.  
 ,, NONCOCO, Regent, his × mark.

(Signed)	UMUTUMUNI,	his × mark.	(Signed)	MAGANGUBYANA,	his × mark.
„	JAKOVU	„ × „	„	ULÛNSENİ	„ × „
„	MAUCIBANA	„ × „	„	UQUINUNDU	„ × „
„	TIKUBA	„ × „	„	N'KONKONI	„ × „
„	MAKATHLALEKA	„ × „	„	NOMANTASHA	„ × „
„	HELEMU	„ × „	„	UNDUMA	„ × „
„	U'GITSHA	„ × „	„	UMLOMO	„ × „
„	U'HULUMENI	„ × „	„	N'DAB'FITHLWAKO	„ × „
„	MAKAMBANE	„ × „	„	NOMVASI	„ × „
„	U'MALOYI	„ × „	„	UMASUKU	„ × „
„	U'GIBA	„ × „	„	U'BULANE	„ × „
„	KUSHWA	„ × „	„	UMSHENGU	„ × „
„	BAIMBAI	„ × „	„	UMHLABA	„ × „
„	N'DHLALUHLASA	„ × „	„	MASIPULA	„ × „
„	UGOMBA	„ × „	„	MASOKOLOLO	„ × „
„	UMVELAPASI	„ × „	„	U'MATSHA	„ × „
„	LEMBELELE	„ × „	„	MAHAGANE	„ × „
„	UMBULAWA	„ × „	„	UMTUSO	„ × „
„	UMPATWA	„ × „	„	U'TEKWANE	„ × „
„	USUDUKA	„ × „	„	U'MATAMO	„ × „
„	SOUJANE	„ × „	„	MAKASSANE	„ × „
„	NOUQANGA	„ × „	„	U'DABAKAOMBE	„ × „
„	BUSHUWE	„ × „	„	UZIPISI	„ × „
„	MAQUBO	„ × „	„	UZUBU	„ × „
„	U'GEMANE	„ × „	„	UZOLOSIGAGENWA	„ × „
„	KWAHLA KWAHLA	„ × „	„	UCUNUZA	„ × „
„	UMGOQO	„ × „	„	UMKOMAZI	„ × „
„	UNKUNHLA	„ × „	„	UJANGE	„ × „
„	UGOBENI	„ × „	„	U'COCO	„ × „
„	CUBUZANE	„ × „	„	UMUKAZI	„ × „
„	U'PANGWENI	„ × „	„	UNOMASHI	„ × „
„	MAQUDULELA	„ × „	„	U'JOZANE	„ × „
„	UMPASIMANI	„ × „	„	U'MEHLWANE	„ × „
„	UMHUBE	„ × „	„	UMUTYELEKWANA	„ × „
„	UMOULANE	„ × „	„	UMUBIKIZA	„ × „
„	UHAMU	„ × „	„	USIPIKI	„ × „
„	MEFIKA	„ × „	„	UHOMOYI	„ × „
„	SOSHANGANE	„ × „	„	U'MAHEBEIN	„ × „
„	USIHLELO	„ × „	„	U'JOSILIBOON	„ × „
„	MAHLANYA	„ × „	„	UMUBANE	„ × „

(Signed) UMUTIKASIBONI, his × mark.

As witnesses :—

(Signed) TOD PLAYER, his × mark.  
 „ JOHN GAMA  
 „ UBEMI his × mark.  
 „ N'DABEMBI „ × „  
 „ MABOKO „ × „

A true copy of original,

(Signed) THEOPHILUS SHEPSTONE,  
 Resident Adviser and Agent,  
 Swazie Nation.

No. 160.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received December 18, 1889.)

TELEGRAPHIC.

18th December.—De Winton telegraphs that, at request of Swazi nation, the Joint Commissioners are concerting measures for stopping liquor traffic among natives; all storekeepers desirous assist.

No. 161.

LORD KNUTSFORD to SIR C. B. H. MITCHELL.

SIR,

Downing Street, December 19, 1889.

I HAVE the honour to acknowledge the receipt of your Despatch of the 11th ultimo,\* enclosing an account of your interview with the Swazi messengers who came to report the death of Umbandine.

I approve of the observations which you addressed to the messengers as regards the importance of preserving order in Swaziland pending the report of the Commission.

I have, &amp;c.

Sir C. B. H. Mitchell.

(Signed) KNUTSFORD.

No. 162.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received December 20, 1889.)

TELEGRAPHIC.

MARTIN telegraphs :—

“19th December. Commission had an interview with Queen Regent yesterday and concluded work. De Winton and Transvaal Commissioners left in the evening for border. Proclamation appointing Provisional Government Committee signed.”

No. 163.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, December 21, 1889.

I HAVE received your telegram of the 18th instant,† from which I learn with satisfaction that the Joint Commissioners are, at the request of the Swazi nation, concerting measures for stopping the liquor traffic among Natives, and that the storekeepers are desirous to assist.

I have, &amp;c.

Sir Henry Loch.

(Signed) KNUTSFORD.

\* No. 156.

† No. 160.

No. 164.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received December 23, 1889.)

TELEGRAPHIC.

Satisfactory telegram from De Winton 21st December. He is preparing full report. Provisional Government installed, and arrangements made for collection of taxes. Each Commissioner receives four guineas per diem, to be paid by his own Government monthly, and recovered from Swaziland revenue. De Winton expects reach Newcastle 28th December.

No. 165.

LORD KNUTSFORD to SIR C. B. H. MITCHELL.

SIR,

Downing Street, January 10, 1890.

I HAVE had under consideration your despatches of the dates noted in the margin\* on the subject of the demarcation of the northern boundary of Zululand.

I desire in the first place to record my sense of the tact and ability with which Mr. Saunders conducted his inquiry and performed the duty of demarcation, and my appreciation of his elaborate and careful reports.

I am of opinion that no delay need take place in proclaiming the territories of the Chiefs Fokoti, Umgindi, and the late Manaba to be part of Zululand, as was done in the case of Sibonda and Ncamana, and in this opinion I may say that both Sir Hercules Robinson and Sir Arthur Havelock concur. It will perhaps be better to defer any precise definition of the northern boundaries of these Chiefs' territories, for, although there can be little doubt that the boundary line beacons out by Mr. Saunders in presence of Zambili's envoys is the true one, the sketch maps which accompanied your Despatch of the 25th September, as well as that which accompanied your former Despatch of the 17th September, are obviously not to be relied upon, and there does not seem to be material for a satisfactory description of the line. I request that you will take the first opportunity that offers of determining the chief points of Mr. Saunders' line in such a manner as to permit of their true position being noted on the maps.

You will also take such steps as you may think necessary for the efficient government of the territories of the five Chiefs already named.

With regard to the territories of the Chiefs to the west of the Pongola, I have already stated in my telegram of the 21st of October† that no action will be taken in regard to Sambana and Mbegesa until Sir Francis de Winton's report has been received and considered; and this decision must be held to apply also to the widow Mhlaleni, to whom your Despatch of the 5th of October last‡ referred. In the meantime the warning which you have given to Sambana and Mbegesa not to molest her messenger may, I think, be properly extended to the molesting of her cattle and other property.

I have, &amp;c.

Sir Charles Mitchell.

(Signed) KNUTSFORD.

No. 166.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, January 10, 1890.

I HAVE the honour to transmit to you a copy of a despatch which I have addressed to Sir Charles Mitchell,§ on the subject of the demarcation of the northern boundary of Zululand, together with a copy of the telegram† referred to therein.

\* Nos. 140, 145, 151, and 155.

† No. 148.

‡ No. 155.

§ No. 165.

You will note my decision as to the territories of the Chiefs to the west of the Pongola, in the event of any question being raised on the part of the South African Republic, in consequence of the proclamation of the territories of Fokoki, Umgindi, and the late Manaba as part of Zululand.

Sir Henry Loch.

I have, &c.  
(Signed) KNUTSFORD.

No. 167.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received January 27, 1890.)

MY LORD,

Government House, Cape Town,  
January 7, 1890.

I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from Sir Francis de Winton, covering a copy of the instructions which he has addressed to Colonel Martin, on his taking up the duties of British Member of the Provisional Government of Swaziland.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 167.

SIR F. DE WINTON to Sir H. LOCH.

SIR,

Lake Chrissie, S.A.R., December 24, 1889.

I HAVE the honour to enclose, for your Excellency's information, a copy of my instructions to Colonel Martin, on his taking up the duties of Her Majesty's Representative in the Provisional Government Committee in Swaziland.

I have, &c.  
(Signed) F. DE WINTON,  
British Commissioner, Swaziland.

SIR F. DE WINTON to COLONEL MARTIN.

SIR,

Dauke's Hotel, December 19, 1889.

I HAVE the honour to inform you that I have received the approval of Her Majesty's Secretary of State to my application that you should remain in Swaziland as the representative of Her Majesty's Government, pending the settlement of the future of this country. You will, in conjunction with Mr. Theophilus Shepstone, C.M.G., the Residential Adviser and Agent of the Swazi nation, and Mr. Esselen, the representative of the South African Republic, form a provisional governing committee as regards the White residents in Swaziland; and for your guidance and instruction in the performance of your duties a proclamation has been issued, a copy of which is enclosed, signed by the Queen Regent and her Council, conferring upon you the necessary powers for the duties above-mentioned. You should keep Her Majesty's Government, through his Excellency the High Commissioner, thoroughly informed as regards all that is passing in Swaziland, and you will watch over the interests of all British subjects resident in the country.

After consultation with the Commissioners of the South African Republic, pay at the rate of 4*l.* 4*s.* per diem has been fixed as an adequate remuneration for the duties you will have to perform, Mr. Esselen to receive a like amount, such a sum to cover all

your expenses, travelling or otherwise, except such travelling expenses as are incurred while you are in Swaziland on Swaziland affairs, which will be defrayed out of the Swaziland revenue, commencing on and from the 19th day of December 1889, for a period not exceeding four months. This rate of pay is high, but the Joint Commissioners had to take into consideration the excessive price of all necessaries of life at the present time in Swaziland, and that until the ripening of the crops, about April next, and the re-opening of trade with the East Coast, these present rates are not likely to decrease.

As regards this remuneration, it is intended to be paid eventually out of Swaziland revenue. That revenue is now considerably in arrear, and I shall endeavour to arrange with Her Majesty's Government that you should receive your pay out of Imperial funds, the sum so paid being afterwards recoverable from the Swaziland revenue when that revenue is properly collected and the Government of Swaziland is in possession of the necessary funds.

In conclusion, I need hardly point out to you that it will be your duty to do all in your power to preserve law and order, and that you will give all due attention to the different questions which were arranged by the Joint Mission during their stay in Swaziland.

I have, &c.  
(Signed) \_\_\_\_\_

No. 168.

ACTON'S SWAZILAND CONCESSION to COLONIAL OFFICE,

63 and 64, New Broad Street, London, E.C.

MY LORD,

February 3, 1890.

WE, the undersigned, beg respectfully to inform you that this Company, with a capital of 36,000*l.*, is possessed of large mining, grazing, and agricultural rights extending over some 150 to 170 square miles as shown on the accompanying sketch map.\* And that the Concessionaires have expended a very large sum of money in the acquisition of this property, and have been liable to pay tribute to the King Umbandine and his heirs since 1886, and are so liable for a period of 50 years therefrom, and this concession having been confirmed and registered by the successor to the late King and by Mr. Shepstone in December last, and the transfer fees thereon duly paid by this Company.

This Company therefore prays that in any negotiations for a Protectorate or otherwise over Swaziland either by the British Government, or jointly with any other European or other Government or nationality, that the rights and interests of the 350 shareholders of this Company, as British subjects, will be respected and protected.

Your petitioners also wish to state that inasmuch as they have acquired property in Swaziland in the belief that the British Government would maintain the Swazis in their independence, they humbly protest against any cession of Swaziland or any part thereof to the South African Republic or to any other Power.

We have, &c.  
For the Acton's Swaziland Concession,  
(Signed) FRANK FULLER,  
Secretary.

The Right Hon. Lord Knutsford, G.C.M.G., P.C.,  
Secretary of State for the Colonies.

No. 169.

BIRD'S SWAZILAND CONCESSION to COLONIAL OFFICE.

Bird's Swaziland Concession, Limited,  
63 and 64, New Broad Street, London, E.C.,

MY LORD,

February 3, 1890.

WE, the undersigned, beg respectfully to inform you that this Company, with a capital of 30,000*l.*, is possessed of large mining, grazing, and agricultural rights extending over some 30 to 40 square miles as shown on the accompanying sketch map.\* And

\* Not printed.

that the Concessionaires have expended a very large sum of money in the acquisition of this property, and have been liable to pay tribute to the King Umbandine and his heirs since 1887, and are so liable for a period of 50 years therefrom, and this concession having been confirmed and registered by the successor to the late King and by Mr. Shepstone in April last, and the transfer fees thereon duly paid by this Company.

This Company therefore prays that in any negotiations for a Protectorate or otherwise over Swaziland either by the British Government, or jointly with any other European or other Government or nationality, that the rights and interests of the 150 shareholders of this Company, as British subjects, will be respected and protected.

Your petitioners also wish to state that inasmuch as they have acquired property in Swaziland in the belief that the British Government, would maintain the Swazis in their independence, they humbly protest against any cession of Swaziland or any part thereof to the South African Republic or to any other Power.

We have, &c.

For Bird's Swaziland Concession,  
(Signed) FRANK FULLER,

Secretary.

To the Right Hon. the Lord Knutsford, K.C.M.G., P.C.,  
Secretary of State for the Colonies.

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No. 170.

THE HAVELOCK GOLD MINING AND EXPLORATION COMPANY  
to COLONIAL OFFICE.

11, Orange Court, Liverpool,  
February 7, 1890.

MY LORD,

As Directors of the Havelock Gold Mining and Exploration Company, Limited (Swaziland), having heard of the return of Sir Francis de Winton from Swaziland to report to your Lordship as to the condition of that country, and representing as we do some 160 shareholders, British subjects, who are all interested in the above Company as shareholders, we feel bound to approach your Lordship with their views, before Her Britannic Majesty's Government has arrived at a decision as to the future of Swaziland.

Your Lordship was informed on the 17th September 1888 of the formation of this Company, and of its having acquired a valuable concession of mining right over some 16,000 acres in Swaziland. Since that time the Company has expended about 20,000*l.* in putting up machinery, opening out a valuable gold mine, making roads and a water race, and erecting buildings.

The Company has commenced crushing quartz, and the operations show a very satisfactory result, and there is every reason to believe that the concession is a valuable one.

The white men employed at the mine are all British subjects, and number 20.

This property adjoins the Transvaal territory, and the boundary line for some seven miles on its west side divides it from that State.

The Company has a capital of 120,000*l.* (of which 110,000*l.* has been issued), and in forming the Company and in acquiring the Concession we did so on the faith of the Convention dated London the 27th February 1884, made between Her Majesty and the South African Republic, wherein the territory of that Republic was defined to be within certain fixed boundaries as stated in Article I. We find that the South African Republic has not strictly adhered to the boundary line as therein defined, and has encroached upon the land within the Company's concession, and has thereby broken Article II. of the Convention.

This provided that the Government of the South African Republic would appoint commissioners upon the eastern and western boundaries to guard against irregularities and trespassing over the boundaries, and further that Her Majesty's Government would, if necessary, appoint Commissioners in the native territories outside those boundaries to maintain order and prevent encroachments. Yet, in contravention of this explicit provision, the South African Republic have appointed a commissioner in Swaziland, that is, outside the above-mentioned boundaries.

Then again, it is provided by Article XII. as follows:—“The independence of the Swazies within the boundary line of Swaziland, as indicated in the first Article of this Convention, will be fully recognised.”

Nevertheless, in direct violation of the foregoing Article XII., the independence of the Swazie nation has been threatened and every effort is being made by the Boers to have Swaziland annexed to the South African Republic.

According to the newspaper reports, as also private information which we have of a reliable nature, we believe that the South African Republic has by its Agents and subjects used various means and spread various reports to further this annexation, and this belief is confirmed by reference to the various Blue Books dating from 1885, more especially in C. 5089, June 1887.

There are various reasons why the Government of the South African Republic wish to obtain possession of Swaziland, of which we would mention the following.

The country is very rich in minerals, the most valuable at present being gold and coal. Various English companies are working and have been formed to open up and work gold mines there. The Boers know from recent experience in their own country that the taxing of the gold mining industry is very profitable to them, and they accordingly desire to be able to put heavy taxes on an industry which at present does not belong to them, and which, it should be added, has been opened and developed so far by Englishmen and with English capital. In the Transvaal gold mines have been taxed to such an extent that these taxes and license duties amount to about as much as the value of the gold at present extracted from the mines.

Another powerful reason why the Boers desire to acquire rights over the country is that it is near to the sea coast, and if once they obtained Swaziland they would soon seize Tongaland and thus open up a trade route from the sea coast and endeavour to divert trade from its present channel through the English Colonies of the Cape and Natal where large sums of money have been spent in making railways, roads, and harbours. They would thus secure a free route right into the centre of Africa, and this would be very detrimental to British interests, and ought therefore to be opposed. The large and valuable coal deposits in Swaziland near to the Lebombo Mountains would afford a coal supply for railways and ships and assist in the formation of a harbour and port which would encourage a trade to the detriment of the English.

Furthermore, the Boers possessed of the franchise in the South African Republic have used their privileges in a manner injurious to the English settled in that country, and it is submitted that these privileges would be exercised in an equally partial way in Swaziland if the policy advocated by the Boers were carried out.

Therefore, for political reasons, as well as in the interests of British trade, the South African Republic ought not to be allowed to encroach in any way, or extend their rights over territory so valuable to Her Majesty's subjects.

Further, it is reported in the newspapers that the Swazi people object to be handed over to the Transvaal, or that their country should be given to the Dutch Boers, and having regard to this opposition, and the fact that the Swazi independence has been fully acknowledged by treaty, why should these brave people, who have fought for and with the English, be handed over to the Boers, whose treatment of the natives has never been for the benefit of the native, but otherwise.

If the Dutch get possession of Swaziland, they will, in all probability, portion it out as farms, and drive the natives away or force them to work for them, and this may lead to serious bloodshed.

We would draw your Lordship's particular attention to pages Nos. 55, 56, and 57 of Blue Book, C. 5089 of June 1887, which will remind you of what occurred in April 1887, and since then we are not aware of anything done by the Swazies to justify the handing of them and their country to the Boers.

We would further call your Lordship's attention to a report in the "Times" of the 19th March 1889, of an answer given by Baron Henry de Worms in reply to Sir W. Barttelot and others regarding Swaziland. He is then reported to have said:—"The treaty was in existence and it had not been modified up to the present time. The honourable member suggested that we should be parties to assisting the Transvaal Republic to take Swaziland notwithstanding the treaty of 1884." He said:—"Her Majesty's Government would not enter into any such agreement."

We feel that if anyone has a claim or right to annex Swaziland it is Her Majesty's Government, as the late King Umbandine offered it, and asked to be annexed or protected, and your Lordship might have been disposed to accede to that offer if it had not been for the advice tendered to you by Sir Hercules Robinson in reply to your

telegram of 17th February 1887, and which shows that he had been influenced by, or in favour of, the Boers, and which we, in all respect, venture to think was misleading.

It has been shown by others that Swaziland is perfectly accessible through Zululand and Tongaland, and also that there is a harbour at Sordwana, and a railway line could easily be made from that port through the Lebombo into Swaziland without touching Portuguese territory, and further, the Swazies are perfectly willing and able to pay all necessary expenses for Government or protection by Her Majesty.

We would therefore submit that the information given by Sir Hercules Robinson was not in accordance with the facts as we now know them.

The position of affairs in South Africa is such that England cannot afford to part with any territory she can lay claim to, or allow any other Power to encroach, and as the Englishmen are the great pioneers of trade and industry in these countries, Her Majesty's Government will, we sincerely trust, uphold what are the just rights and interests of her subjects who are opening out new markets for the trade and commerce of our country. The trade with South Africa has developed into a very large trade, and most of the exports to it are of British manufacture, thus giving employment to a large number of people at home, and the English Colonists are all loyal and conservative subjects of Her Majesty, and deserve every consideration.

For all these reasons we trust that Her Majesty's Government will not agree to hand Swaziland over to the Transvaal, but will either declare a Protectorate over it, and appoint a Governor or Commissioner to represent Her Majesty there, or annex the country to the Empire.

We would add that the representatives of this Company in Swaziland, Mr. Wm. Scott and Mr. Hugh Jas. McCubbin, waited upon, and had several interviews with, Her Majesty's Commissioner Sir F. de Winton in Swaziland, and supplied him with facts and statements on this important subject.

We are, &c.

(Signed) HUGH McCUBBIN, Chairman.  
MONTAGU HIGGINSON, Director.  
WM. E. ROBERTS, Director.  
HENRY ROOKE, Director.  
W. J. THOMSON, Director.

To the Right Hon. Lord Knutsford,  
Her Majesty's Secretary of State for the Colonies,  
London.

No. 171.

COLONIAL OFFICE to FRANK FULLER, Esq.

SIR,

Downing Street, February 8, 1890.

I AM directed by Lord Knutsford to acknowledge the receipt of your two letters of the 3rd instant,\* on behalf of "Bird's Swaziland Concession, Limited" and "Acton's Swaziland Concession, Limited," relating to the arrangements for the future administration of Swaziland.

I am to inform you in reply that the due protection of any well established rights or claims of British subjects in Swaziland will be one of the principal objects to be kept in view by Her Majesty's Government in deciding, when they are in a position to do so, upon the arrangements to be made for the future government of the country.

I am, &c.

F. Fuller, Esq.

(Signed) ROBERT G. W. HERBERT.

\* Nos. 168 and 169.

No. 172.

COLONIAL OFFICE to the HAVELOCK GOLD MINING AND  
EXPLORATION COMPANY.

SIR,

Downing Street, February 18, 1890.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 7th instant,\* expressing the views of the Havelock Gold Mining and Exploration Company, Limited, on the subject of the future Government of Swaziland.

His Lordship desires me to inform you in reply that the due protection of all well-established rights or claims of British subjects in Swaziland will be one of the principal objects that will be kept in view by Her Majesty's Government in deciding, when they are in a position to do so, upon the arrangements to be made for the future administration of the country.

The Chairman of the Havelock Gold Mining  
and Exploration Company, Limited.

I am, &c.  
(Signed) JOHN BRAMSTON.

No. 173.

F. H. FAVIELL, Esq., to COLONIAL OFFICE.

45-46, Leadenhall Street, London, E.C.,

February 19, 1890.

MY LORD,

I HAVE the honour to inform your Lordship that on Monday, the 17th instant, a meeting was held at Africa House, Leadenhall Street, of the Chairman and Directors of Swaziland Mining Companies, representing 4,301 shareholders, and 1,902,750*l.* capital.

At that meeting the Memorial which I now have the honour to enclose was read and adopted, and the following resolutions were unanimously passed:—

“That the Memorial, as now read, be adopted by this meeting, and signed by the representatives of all the Companies, giving the amount of capital and number of shareholders in each Company for the purpose of being forwarded to Lord Knutsford.”

“That as soon as Memorial submitted to this meeting is signed by the representatives in England of the Mining Companies interested in Swaziland, the same be forwarded to Lord Knutsford with a request that he receive a deputation of representatives of the different Companies before the Government takes any action which may affect their interests.”

I shall take it as a favour if you will inform me whether you accede to the request to receive a deputation, and, if so, kindly to name a date and hour which will suit your Lordship's convenience.

I have, &c.  
(Signed) F. H. FAVIELL,  
Chairman.

To the Right Hon. Lord Knutsford, G.C.M.G.,  
Her Majesty's Secretary of State for the Colonies,  
Downing Street, S.W.

Enclosure in No. 173.

To the RIGHT HON. LORD KNUTSFORD, G.C.M.G., PRINCIPAL SECRETARY  
OF STATE FOR THE COLONIES.

\* \* \* \*

[The Memorial is in similar terms to the Memorial printed as Appendix J. 4 to Sir F. De Winton's Report, [C. 6201] August 1890. In the second paragraph the figures given are 1,902,750*l.* instead of 2,225,000*l.*]

\* \* \* \*

\* No. 170.

Director's Signature.	Name of Company.	Total Capital.	No. of Shareholders.
		£	
S. Crowder - - - -	Acton's Concession, Limited - - - -	36,000	354
Alfred E. Ann - - - -	Bird's Swaziland Concession, Limited - - - -	30,000	150
Dyson Weston - - - -	Swazi Goldfields, Limited - - - -	250,000	138
Montagu Higginson - - - -	Havelock Gold Mining and Exploration Company.	120,000	160
Henry Marriott - - - -	Indimba Land Exploration Company, Limited	16,750	37
John Hawell - - - -	Henderson Forbes Gold Mining Company, Limited.	150,000	353
Edmund A. Pontifex - - - -	Swaziland Gold Exploration and Land Company, Limited.	150,000	170
F. H. Faviell - - - -	Forbes Reef Gold Mining Company, Limited	400,000	995
R. E. Farrant - - - -	Southern Forbes Reef Company - - - -	250,000	118
Arthur Chambers - - - -	Piggs Peak Estate and Gold Mining Company	250,000	1,700
S. D. Grant - - - -	Wyldsedale Gold Exploration and Developing Company, Limited.	250,000	126
		1,902,750	4,301

No. 174.

MESSRS. VENNING, SONS, AND MANNINGS to COLONIAL OFFICE.

80, Gresham House, Old Broad Street, London, E.C.,  
February 19, 1890.

MY LORD,

HEREWITH we have the honour to send, for your Lordship's perusal, the petition of our clients, the Swaziland Gold Exploration and Land Company, Limited, praying that Her Majesty's Government will protect the rights and interests of the Company, and its shareholders; and will not consent to the cession of the Swaziland territory to the South African Republic, or to any other Power or State than the British Empire.

Commending the petition to your Lordship's most favourable consideration,

We have, &c.

(Signed) VENNING, SONS, AND MANNINGS.

To the Right Hon. Lord Knutsford, K.C.M.G.,  
Secretary of State for the Colonies,  
Whitehall, S.W.

Enclosure in No. 174.

To the Right Hon. Lord Knutsford, K.C.M.G., P.C., Secretary of State for the Colonies.

The Swaziland Gold Exploration and Land Company, Limited,  
17 and 18, Basinghall Street, London, E.C.,

MY LORD,

February 19, 1890.

WE, the undersigned, beg respectfully to call your Lordship's attention to the following facts:—

1. In the month of February 1887, a grant or concession for 50 years certain, with an option of renewal for a further period of 50 years, was duly made by Umbandine, the King of the Swazie nation, in Council assembled, of valuable mining rights over a tract of land in Swaziland, about 100,000 acres in extent, together with grazing, agricultural, timber, and water rights, and other privileges, all of which have been acquired by the Swaziland Gold Exploration and Land Company, Limited.

2. The Concessionaires and the Company have expended a very large sum of money in the acquisition of this property, not including the sum of 3,000*l.* which will become payable to the King Umbandine, his heirs or successors, under the terms of the said

grant, and an annual rental of 50*l.* (to be increased to 300*l.*, on the erection of machinery upon the land), has been payable to the King Umbandine and his heirs or successors since 1887, and will be payable for the said term of 50 years certain.

3. The said grant or concession was confirmed and registered by the successor to the King Umbandine, and by Mr. Shepstone in November 1889, and transfer and registration fees thereon, amounting to a large sum, were duly paid by the Company.

4. The Company is in possession of the said tract of land, and has expended, and is under obligations to expend, further large sums of money in prospecting, mining, and improving the same, and in the erection of buildings and machinery thereon.

5. The capital of the Company is 150,000*l.*, of which upwards of 137,000*l.* has been issued, and is held by 170 shareholders, all of whom are British subjects.

6. The Company was incorporated, and the capital thereof was subscribed and issued, and the said grant or concession was acquired, in the belief that the Government of Her Majesty the Queen would maintain and uphold the kingdom or country of Swazieland in its independence.

7. There are 11 other companies domiciled in the United Kingdom, with an aggregate capital of 2,075,000*l.*, most, if not all, of which is, or will be, invested in Swazieland.

8. It is believed that 80 per cent. at least of the permanent inhabitants of Swazieland, not Swazies by birth, are British subjects; few of the remaining 20 per cent. are of Dutch origin, and, whether the area of concessions, or the amount of capital invested, or the number of individuals representing that capital, or the actual cash payments made to the King of Swazieland, be regarded, the interests of British subjects far exceed those of subjects of the Transvaal or South African Republic and other nations together.

The Swazieland Gold Exploration and Land Company, Limited, therefore prays as follows:—

1. That, in any negotiations or arrangements which may be made for a Protectorate over Swazieland by the British Government, either alone, or jointly with any other European or other Government or nationality, the rights, privileges, and interests of this Company, as a British Company, and of the shareholders thereof, as British subjects, may be respected and protected.
2. That the Government of Her Majesty the Queen will not consent to the cession of Swazieland, or any part thereof, to the Transvaal or South African Republic, or to any one Power other than the British Empire.

We have, &c.

The common seal of the Swazieland Gold Exploration and Land Company, Limited, was hereunto affixed the 19th day of February 1890, in the presence of—

(Signed) EDMUND A. PONTIFEX, Chairman.  
H. HODGES, Secretary.

No. 175.

COLONIAL OFFICE to MESSRS. VENNING, SONS, AND MANNINGS.

GENTLEMEN,

Downing Street, February 22, 1890.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 19th instant,\* enclosing a petition from the Swaziland Gold Exploration and Land Company, Limited, on the subject of their rights and interests in Swaziland.

His Lordship desires me to inform you in reply that the due protection of all well-established rights or claims of British subjects in Swaziland will be one of the principal objects that will be kept in view by Her Majesty's Government in deciding, when they are in a position to do so, upon the arrangements to be made for the future administration of that country.

Messrs. Venning, Sons, and Mannings.

I am, &c.  
(Signed) R. H. MEADE.

\* No. 174.

No. 176.

COLONIAL OFFICE to F. H. FAVIELL, Esq.

SIR,

Downing Street, February 24, 1890.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 19th instant,\* enclosing a memorial on the subject of Swaziland affairs.

With regard to the desire that Lord Knutsford should receive a deputation representing Swaziland Mining Companies, I am to state that his Lordship cannot receive separate deputations on the subject in question, but, having informed the London Chamber of Commerce that he will hear their representations in regard to Swaziland on Thursday next, the 27th instant, at 12 noon, he will be happy to receive at the same time three or four representatives of the Mining Companies, if they obtain the consent of the South African Committee of the London Chamber of Commerce to this arrangement.

I am, &amp;c.

F. H. Faviell, Esq.

(Signed) JOHN BRAMSTON.

No. 177.

LORD KNUTSFORD to SIR H. B. LOCH.

TELEGRAPHIC.

March 5, 1890. Swaziland. De Winton's Report. Her Majesty's Government adopt in principle all recommendations 1 to 9 at the end of the Report, and the recommendation as to Amatongaland which concedes the possession of Kosi Harbour, except that it is quite impossible to obtain sanction of Parliament to recommendation 3, giving to Transvaal Government the exclusive government of whites. They must be placed under a government which derives its authority both from Great Britain and Transvaal Government, and which is under control of these two Governments jointly. Discuss with Kruger details of joint government. Provisional government must be extended till arrangements completed.

No. 178.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received March 6, 1890.)

Government House, Cape Town,

February 13, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Colonel Martin, conveying a copy of the Proclamation issued by the Queen Regent appointing the Provisional Government Committee in Swaziland.

I have, &amp;c.

(Signed) HENRY B. LOCH,

Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

\* No. 173.

Enclosure in No. 178.

Colonel MARTIN to His Excellency the High Commissioner.

King's Kraal, Swaziland,  
January 16, 1890.

SIR,

I HAVE the honour to forward, for your Excellency's information, a copy of the Proclamation appointing the Provisional Government Committee in Swaziland.

A copy has been forwarded to Sir F. de Winton.

I have, &c.

(Signed) R. E. R. MARTIN, Lieut.-Col.,

His Excellency the High Commissioner, Her Majesty's Representative in Swaziland.  
Cape Town.

### PROCLAMATION.

TO ALL WHOM IT MAY CONCERN.

We, Usibati, Queen Regent of the Swazie Nation, acting by and with the consent of our headmen and councillors in council assembled, at our Royal Kraal of Enkanini, do hereby declare, proclaim, and make known as follows:—

Whereas on the 1st day of August, 1888, a certain Charter was granted by our predecessor, Umbandine, late King and Paramount Chief of the Swazi Nation, and whereas the Committee of Management, concerning the government of the whites, elected or appointed thereunder, was dissolved on the 21st day of November, 1889, and no other Committee has been elected or appointed in succession to the said dissolved Committee, nor is it now desirable that a Committee should be elected under the said Charter;

And whereas by a Proclamation under the hand of our lawfully appointed Resident Adviser and Agent, Theophilus Shepstone, Esq., C.M.G., dated at Embekelweni, the 11th day of December 1889, a certain memorandum of principles is affirmed, whereby certain power, jurisdiction, and authority has been lawfully conferred upon the Commissioners representing the Government of Her Majesty Queen Victoria, and the Government of the South African Republic, which power, jurisdiction, and authority will continue during the period of the stay in Swazieland of the said Commissioners;

And whereas it is expedient and desirable to make certain provisions for the maintenance of law, order, and government, in respect of matters in which white persons are concerned in Swazieland, after the termination of the stay of the said Commissioners;

Be it therefore made known as follows by all men by these presents:

1. From and after the date on which the aforesaid Commissioners shall terminate their stay in Swazieland, which date shall be deemed and taken to be the day on which the Commissioners, Colonel Sir Francis de Winton, C.B., K.C.M.G., and Commandant General Petrus Jacobus Joubert, shall leave our Royal Kraal, there shall be constituted a Provisional Government Committee, composed of our Resident Adviser and Agent, Theophilus Shepstone, Esq., C.M.G., as chairman, Lieutenant-Colonel Richard Edward Rowley Martin, C.M.G., as nominated representative of Her Majesty Queen Victoria, and Daniel Johannes Esselen, Esquire, as nominated representative of the South African Republic, which Committee shall, by a majority of votes, exercise and fulfil the powers and functions hereby conferred upon them during a period of four months from the

aforesaid date ; provided that, in the case of any vacancy occurring from any cause in the said Committee, we, or the Government the seat of whose nominated representative is vacant, may appoint some other person to execute and fulfil the said powers and functions during the remainder of the said period.

2. The Committee shall have power, from time to time as occasion may require, to appoint and remove such judicial, administrative, and executive officials as may be or be found to be necessary for the proper government of the white population in Swaziland, and for the proper management of all affairs in which white persons are concerned in Swaziland ; provided that the form of appointment of any such official shall, with the authority of the Committee, be signed by the chairman, Theophilus Shepstone, Esquire, C.M.G. ; and provided also that no such official shall hold office for any period longer than that during which the Committee shall exercise power and authority hereunder.

3. The Committee shall have power and jurisdiction, acting in accordance with the principles of the Roman Dutch Law as administered in South Africa, and with any laws made and approved of by us as herein-after provided, to consider, determine upon, and finally decide all questions, matters, and disputes, civil, or criminal, in which any white person or his interests or property may be concerned ; provided that such minor questions, matters, and disputes as aforesaid, jurisdiction over which the Committee may consider it expedient to confer upon subordinate judicial officers appointed as aforesaid, shall be left to the decision of such subordinate judicial officers, subject to the powers conferred upon them ; provided further, that any question, matter, or dispute, civil or criminal, may be considered, determined upon, and finally decided either by the Committee sitting as a body, or by the chairman of the Committee, if specially appointed by the other two members of the Committee, to consider, determine upon, and finally decide such question, matter, or dispute ; and provided lastly, that the Committee shall be authorised, with the full consent of all three members, to delegate to one or more of them the exercise in any part of Swaziland of all or any of the judicial powers conferred upon it where it may be deemed desirable that such powers should be exercised.

4. The Committee shall have power to frame such laws as it may deem expedient for the government of the white population of Swaziland, and for the management of matters in which white persons are concerned, but no such law shall have legal effect until duly confirmed by us.

5. The Committee shall have power to frame such regulations and issue such orders as may be necessary in furtherance of the powers and functions conferred upon it by this Proclamation, and all such regulations and orders shall be conformed to and obeyed, and shall be published by written notice at our Government offices, and shall be signed under the hand of our Resident Adviser and Agent.

6. The Committee may impose upon all white persons in Swaziland, and upon the property and rights of all white persons, such just and equitable taxes, duties, fees for licenses, and other charges as may be necessary for the proper maintenance of the government, and performance of the powers constituted by this Proclamation.

7. All moneys now or heretofore due by any person to, held by any person for, or claimable but not recovered by the Committee heretofore elected under the aforesaid Charter, and all moneys hereafter becoming due under this Proclamation, in respect of any tax, duty, license, or fine, or of such other charges as are referred to in the aforesaid Charter, may be collected and recovered by the Committee or its representatives, and applied to defraying the expenses of such Government as aforesaid, and of the due performance and carrying into effect of the powers conferred by this Proclamation ; provided that the Committee shall not be deemed to be disqualified from adjudicating upon any suit for the recovery of moneys due under this Proclamation ; and provided, further, that proper books and accounts shall be kept of all receipts and expenditure hereby authorised.

8. Nothing herein contained shall be deemed to authorise the Committee to decide the question of the initial validity of any concession, grant, or privilege, which may have been granted, or which purports to have been granted, by Umbaudine, late King and Paramount Chief of the Swazi nation.

9. Nothing herein contained shall be construed so as to confer any power or jurisdiction upon the Committee in respect of any question, matter, or dispute wherein any of our native subjects are alone concerned.

This done and passed at the Iukanini, this 18th day of December 1889.

(Signed)		Their
	THE QUEEN DOWAGER	×
„	NOCOCO, Regent	×
„	JCKOON	×
„	TIKUBA	×
„	MGOGO	×
„	MTITI	×
„	HELEMU	×
„	NOMABILILA	×
„	GIBA	×
„	RULUMENI	×
„	MAKAMBINI	×

marks.

As witnesses :—

(Signed)	G. A. JACKSON.
„	TOD. PLAYER.
„	JOHN GAMA.

Interpreted by me.

(Signed) THEOPHILUS SHEPSTONE.

No. 179.

LORD KNUTSFORD to SIR H. B. LOCH.

TELEGRAPHIC.

7th March 1890. Referring to your Despatch of 13th February,\* provisions of Swaziland Proclamation appear to be good basis of arrangement joint jurisdiction over whites. Could not period of four months be extended indefinitely ?

No. 180.

FOREIGN OFFICE to COLONIAL OFFICE.

SIR,

Foreign Office, March 8, 1890.

I AM directed by the Marquis of Salisbury to transmit herewith, for the information of the Secretary of State for the Colonies, copy of a letter from Her Majesty's Minister at Lisbon, containing satisfactory assurances on the part of the Portuguese Government in regard to the reception which will be given to the Amatonga Mission.

I have, &c.

The Under Secretary of State,  
Colonial Office.

(Signed) T. H. SANDERSON.

Enclosure in No. 180.

MY LORD,

Lisbon, March 1, 1890.

AN embassy from the Queen of the Amatongas is announced as having left Loanda for Lisbon in the course of last month, with the avowed object of petitioning, as Her Majesty did two years ago at Lourenço Marques, for a Portuguese Protectorate over her territory south of latitude 26° 30', in spite of her treaty with Great Britain.

\* No. 178.

The view taken of the question by the present Government is clearly indicated in the enclosed article, published this morning in the organ of the Prime Minister, the "Gazeta de Portugal."

The Marquis of Salisbury, K.G.  
&c. &c. &c.

I have, &c.  
(Signed) GEORGE G. PETRE.

---

TRANSLATION from the "GAZETA DE PORTUGAL" of March 1, 1890.

*The Amatonga Question.*

ON the 20th of January 1888 Sen. Barros Gomes declared that he had recognised the British Protectorate over the Amatongas as far as the MacMahon frontier.

The Queen of Maputo had afterwards some difficulties with England as regards the territory on the banks of the River Umkuse, and wished to place herself entirely under our sovereignty.

On the 20th of February 1888 Sir Henrique de Macedo stated to the Governor of Lourenço Marques that important reasons of a very grave nature, already mentioned, as well as others, compelled the Government to maintain absolutely the previous express orders of not going beyond the 26° 30'; and that the only loyal and decorous way of getting out of the difficulty which had arisen there was for Machado to return at once from Maputo, and to endeavour to get the clause already suggested expressly inserted in the deed, and during the negotiation, and without orders from the Government, no act of occupation ought to be resorted to.

The Queen of Maputo agreed to the insertion, but not without difficulty; and while Sen. B. Gomes wished to prevent at any cost the Queen from sending an embassy, and the Ambassador from coming here to apply for a complete Portuguese Protectorate over the Amatongas, after the Portuguese Government had agreed to the British Protectorate as far as the MacMahon frontier, Sen. Refano acceded to the request made for the embassy to come without informing the applicants of the telegram of January 20, 1888, above referred to, which rendered the embassy quite inopportune, and which could only have the effect of getting us into a difficulty with England, and of making us lose our prestige with the Queen.

These are the facts which are clearly set forth in the fourth part of the last White Book under the heading Amatongas.

The conduct, therefore, of the present Government on this matter cannot be otherwise than to accept the award of MacMahon, and to confirm the categorical declarations made by the ex-Minister for Foreign Affairs.

The Amatonga embassy will soon be reaching Lisbon.

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No. 181.

SIR C. B. H. MITCHELL to LORD KNUTSFORD.  
(Received March 10, 1890.)

Government House, Pietermaritzburg, Natal,  
February 12, 1890.

MY LORD,

I HAVE this day received a letter, dated the 10th instant, from the Resident Commissioner, Zululand, enclosing a message which was taken down at Eshowe from the mouths of Sambane's official messengers, who had that day arrived, asking that his territory may be taken under British control, and annexed to Zululand; also a statement made by Mr. Osborn's messenger sent to Mhlaleni, as reported in my Despatch of the 5th October last,\* in which he conveys a message from Mbegiza and Mtyelekwana to the same effect as the one from Sambane. A copy of this letter and of its enclosure is sent herewith.

2. I trust that your Lordship will not deem me too persistent if I again impress upon Her Majesty's Government the importance to Zululand and, eventually, to Natal of having at least Sambane's territory annexed to Zululand.

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\* No. 155.

3. If Her Majesty's Government concedes to the South African Republic the strip of Mbegeza's territory necessary for the Republic to gain access to the sea at Kosi Bay, I suggest that the line of the Mgwavuma River from the Lebombo to the Pongola would be the best northern boundary that could be fixed for Zululand in that district.

I have, &c.

(Signed) C. B. H. MITCHELL.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 181.

RESIDENT COMMISSIONER TO GOVERNOR.

Eshowe, Zululand,  
February 10, 1890.

SIR,

I HAVE the honour to report that the messengers mentioned in the margin arrived here this day from Sambana with a communication from that Chief in which he formally requests to be taken over by the British Government.

The statement of the messengers has been taken down in writing by the Resident Magistrate, Eshowe, at my request, and I enclose the same for your Excellency's information.

2. I also enclose the statement of Bikwayo, who was sent by me, by your Excellency's direction, to warn the Chiefs, Sambana and Mbegisa, against molesting Luvico and others. It will be seen from his statement, that the Chiefs, Mbegisa and Mtyelekwana, also desire to be taken over by the English Government.

Sambana's messengers will remain at Eshowe until the receipt of any reply your Excellency may wish to make to his communication.

I have, &c.

(Signed) M. OSBORN,  
Resident Commissioner.

His Excellency  
Sir C. B. H. Mitchell, K.C.M.G.,  
&c. &c. &c.

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STATEMENT of MATSHIQILE, NOGWATSHA, and ULUPALANA, Messengers from the Chief SAMBANA, residing on the LEBOMBO MOUNTAIN.

MATSHIQILE states :

I am one of Sambana's chief indunas. I have been sent here in company of Nogwatsha and Ulupalana, by Sambana, and the headmen of our tribe to request that the English Government will annex his country, and take him and his people under its protection. Sambana and his people directed me to state that they on no account wished to have anything to do with the Boers, and did not wish to be taken over by them. That he had been a Zulu subject since that nation was created, and on the defeat of the Zulus by the English, he then became, in the same manner as the Zulus, an English subject ; and we have now come to the Government to formally declare the allegiance of our people to it. Sambana and our tribe are ready and wish to pay taxes to the English, and to come under the laws of this territory, and all we ask is that a magistracy may be established in the district we occupy, and that we may be governed in the same manner as the other Natives in Zululand. I was directed to state also that Umtshakela (Ferreira) is constantly sending threatening messages to Sambana, and says he will kill him as he declines to go under the Boer Government.

With reference to a report made by Luvico to the Government, that Sambana had threatened him, we are directed to deny this. Sambana states he considers himself a British subject just as much as Luvico is, and never had any intention of molesting him in any way, and that a portion of the late Manaba's tribe residing under the headman, Nondabula, in Sambana's district, wishes to return to the late Manaba's district, and with the consent of the Government, Sambana will do all he can to facilitate the return of these people.

With reference to the cattle seized from Ndhlalene, Sambana had nothing to do with that. They were raided by the Dutchman Umtshakela.

(Signed) MATSHIQILE his × mark.

NOGWATSHA and LUPALANA state :

We have heard the words of Matshiqile. They are the words Sambana and our tribe directed us to deliver to the Government. Our Chief and tribe request that the English Government may see fit to at once include the district we occupy in Zululand, and govern us as it does the other Natives there. We wish to pay taxes to the English and on no account do we wish to have anything to do with the Boers.

(Signed) NOGWATSHA his × mark.  
LUPALANA his × mark.

Witness :

(Signed) YAMELA his × mark.

Eshowe, Zululand,  
February 10, 1890.

Before me,  
(Signed) C. R. SAUNDERS,  
Resident Magistrate, Eshowe.

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STATEMENT of BIKWAYO.

BIKWAYO states :

I am a messenger in the employ of the Zululand Government, and have just returned from a mission to the Chiefs Sambana, Mbegisa, and Umtyelekwana, residing on the Lebombo. I was directed by the Resident Commissioner to proceed to these Chiefs, and warn them that they were on no account to molest Luvico and Mdhlalene, who had both reported to this Government that they had received threatening messages from these Chiefs. They all most emphatically denied any intention on their part to in any way interfere with any of the people under these Chiefs, or the Chiefs themselves. Sambana was the first Chief I visited, and, after making the denial, asked me to report to the Government that he was sending down messengers to the Resident Commissioner, who would accompany me with a request that his district should be included in Zululand, and a magistracy established there, and taxes collected from him and his people. These messengers have arrived, and are those who have just delivered their message. Sambana wished me to report to the Government that Umtshakela (Ferreira) was constantly threatening to kill him, on account of his allegiance to the English. A messenger of Umtshakela's was at Sambana's on my arrival there, and had come to demand men from him for road works. Sambana refused to supply any men.

I next visited Umbegisa. He also denied having made any threats towards Mdhlalene or her people. He asked me to report to the Resident Commissioner that he and his people considered themselves English subjects, and as such had no intention of molesting anyone under the same Government. Umbegisa said he would send messengers with me to request the Government to annex his district at once, only he feared the Boers would kill him if he sent messengers here, and he requested me to make known his wishes in this respect to the Government. He stated he and his tribe are willing to pay taxes, and ask that they may be taken under the protection of the English, and governed in the same manner as the other Natives are in Zululand.

I then visited Umtyelekwana. He denied having threatened Mdhlalene, and said he wished to be taken over by the English, and allowed to remove a portion of his tribe residing north of the Usuto River to the south of that river, and pay taxes to the English Government. Umtyelekwana said he could not send messengers, as he feared they would be killed by Sambana's people, through whose district they would have to pass, and on that account asked me to make the request on his behalf to the Government that his people might be taken under the protection of the English.

(Signed) BIKWAYO his × mark.

Witness :

(Signed) YAMELA his × mark.

Eshowe, Zululand,  
February 10, 1890.

Before me,  
(Signed) C. R. SAUNDERS,  
Resident Magistrate, Eshowe.

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No. 182.

GRAHAM BOWER, Esq. (IMPERIAL SECRETARY), to SIR ROBERT G. W. HERBERT.  
(Received March 10, 1890.)

Government House, Cape Town,  
February 19, 1890.

SIR,

IN the absence of his Excellency the High Commissioner and by his direction I have the honour to enclose, for the information of the Right Honourable the Secretary of State, the documents specified in the margin.

January 30, 1890. From Lieut.-Colonel Martin.  
February 13, 1890. To Do. Do.  
Sambaan and Umbegesa. Alleged request for Protectorate of the South African Republic. Correspondence as to inquiries to be made respecting.

The Under Secretary of State,  
Colonial Office.

I have, &c.  
(Signed) GRAHAM BOWER,  
Imperial Secretary.

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Enclosure 1 in No. 182.

Lieut.-Colonel MARTIN to HIGH COMMISSIONER.

King's Kraal, Swaziland,  
January 30, 1890.

SIR

I HAVE the honour to report, for your Excellency's information, that no reply has as yet been received from the Chiefs Sambana or Umbigiza, although Sir Francis De Winton, immediately on his arrival in Swaziland, sent a message to them to come and see him.

Mr. Shepstone has again sent to them.

I should be glad if your Excellency would instruct me on the following points :

1st. In the event of the Chiefs or their representatives coming in, are my inquiries to be made in the presence of the representative of the South African Republic.

2nd. Am I to inquire into the circumstances under which Sambana was induced to sign the document purporting to be a request to the South African Republic to assume a Protectorate over the country of which he is Chief.

I have, &c.

His Excellency  
The High Commissioner,  
Cape Town.

(Signed) R. E. R. MARTIN, Lieut.-Col.,  
Her Majesty's Representative  
in Swaziland.

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Enclosure 2 in No. 182.

HIGH COMMISSIONER to Lieut.-Colonel MARTIN.

Government House, Cape Town,  
February 13, 1890.

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 30th ultimo, inquiring whether you should inquire into the circumstances under which Sambana was induced to sign the document purporting to be a request to the Government of the South African Republic to assume a Protectorate over his country, and whether any inquiries you make should be made in the presence of the representative of the South African Republic.

As the cession by Sambana to Mr. Ferreira has already been disallowed by my predecessor, Sir Hercules Robinson, I do not consider it would be of any advantage to inquire into its validity, and I think it would be well not to re-open the question at the present time.

I think, however, that it will tend to strengthen the good understanding which I believe exists between the Commissioners if any inquiries into other matters within your instructions are conducted in the presence of the Transvaal Commissioners.

I have, &c.

Lieut.-Colonel Martin,  
King's Kraal, Swaziland.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

No. 183.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, March 13, 1890.

In my telegram of the 5th instant,\* I informed you that Her Majesty's Government are not able to give to the Government of the South African Republic the sole control over the white population in Swaziland, and that some form of government must be established in that territory under the joint authority and supervision of Her Majesty (acting through the High Commissioner) and the South African Republic.

And in my later telegram of the 7th instant,† I suggested, for your consideration, that the provisions of the proclamation issued by the Queen Regent and headmen and councillors of Swaziland on the 18th December 1889, appeared to contain provisions which might form a good basis on which to establish a joint jurisdiction over the whites. I added the question whether the period of four months for which that proclamation was made operative might not be indefinitely extended.

I learn to-day by a press telegram that you have agreed with President Kruger to recommend an extension of that period, and I presume that you will now consider with him whether the requirements of the present situation may not best be met by placing the provisional arrangement now established under the proclamation on a more permanent footing.

It appears to me to provide, subject to any modifications in detail that may be found necessary, for the various objects which it is at this juncture desirable to secure. Being founded upon the authority of the Swazi nation, it preserves the independence of that nation, while at the same time it establishes a system of law and government suited to the existing circumstances of the country.

I have thought it desirable thus to explain to you the considerations which led me to telegraph to you on this subject, and I will not now attempt to deal with any of the other questions arising out of Sir F. de Winton's Report, as it is desirable that before doing so, I should learn the result of your present conference with President Kruger.

I have, &amp;c.

(Signed) KNUTSFORD.

Sir H. Loch.

No. 184.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received March 15, 1890.)

TELEGRAPHIC.

Extension of Swaziland Provisional Government for four months has been agreed to.

No. 185.

SIR C. B. H. MITCHELL to LORD KNUTSFORD.

(Received March 17, 1890.)

Government House, Pietermaritzburg, Natal,

February 15, 1890.

MY LORD,

I HAVE the honour to report that in pursuance of the instructions conveyed to me in your Lordship's Despatch of the 10th January,‡ I have this day, by a public notice in the "Natal Government Gazette," of which I enclose a copy, proclaimed the districts occupied by the Chiefs Fokoti, Umginte, and by the people of the late Chief Manaba to be included in Her Majesty's territory of Zululand.

2. To give effect to your Lordship's suggestion that a precise definition of the northern boundary should be deferred, it will be observed that the territory so included within Zululand is defined as being bounded "on the north by the southern limits of Tongaland." A copy of a report I have received from the Resident Commissioner on the subject is attached hereto for your Lordship's information.

3. I shall be in a better position to consider what steps can be taken for the efficient government of the territory after the hut-tax collection has been completed, and after Her Majesty's Government has come to a decision about Sambana's territory, which, I

\* No. 177.

† No. 179.

‡ No. 165.

understand, contains the only healthy highland in which a magistracy can be established. In the meantime I am directing the Resident Commissioner to inform the Chiefs that, as their districts are now formally declared to be within Zululand, they are under the Government of that territory, and must guide themselves according to its laws, and obey all lawful orders given to them by the magistrates of the Ndwandwe and Lower Umfolosi Districts, under whom I shall place them for the present.

I have, &c.

(Signed) C. B. H. MITCHELL.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure 1 in No. 185.

(Zululand, No. 8, 1890.)

GOVERNMENT NOTICE.

By order of his Excellency the Governor of Zululand, it is hereby notified, for general information, that, whereas in the Proclamation issued on the 14th May 1887, under the hand and seal of the Governor of Natal, then Her Majesty's Special Commissioner for Zulu Affairs, it is declared and made known, that Zululand shall be, and shall be taken to be, a British Possession from and after the 19th May 1887; and whereas the territory of Zululand is in that Proclamation described as being bounded on the north by Amatongaland; and whereas by Zululand Government Notice No. 32, 1888, the territories occupied by the Chiefs Ncamana and Sibonda, and by their people, were included within the boundaries of Her Majesty's territory of Zululand:

And whereas the tribes under the Chiefs Fokoti, Umgindi, and of the late Chief Manaba, and the lands occupied by them, have been for many years under the Zulu Kings and Chiefs, and therefore formed part of the Zulu sovereignty now under Her Majesty's sovereignty:

The districts occupied by the Chiefs Fokoti and Umgindi, and by their people, as well as the district occupied by the people of the late Chief Manaba, are hereby declared to be included in Her Majesty's territory of Zululand.

Fokoti's district, thus included within Her Majesty's territory of Zululand, lies on the north side of the Umkuzi River, and is bounded as follows: On the west by the Lebombo Mountains; on the north by the Pongola River and the district of the Chief Umgindi; on the east by the Muzi Stream; and on the south by the Umkuzi River.

Umgindi's district, thus included within Her Majesty's territory of Zululand, is bounded as follows: On the west by the Pongola River; on the north by the district of the late Chief Manaba; on the east by the Muzi Stream; and on the south by the district of the Chief Fokoti.

The district occupied by the people under the late Chief Manaba, thus included within Her Majesty's territory of Zululand, is bounded as follows: On the west by the Pongola River; on the north by the southern limits of Tongaland; on the east by the Muzi Stream and the district of the Chief Ncamana; and on the south by the district of the Chief Umgindi.

By his Excellency's command,

W. WINDHAM,

Secretary for Zululand.

Government House, Natal,  
February 15, 1890.

Enclosure 2 in No. 185.

RESIDENT COMMISSIONER TO GOVERNOR.

SIR,

Eshowe, Zululand, February 12, 1890.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 6th instant, enclosing a copy of the Secretary of State's Despatch, dated the 10th January last, on the subject of the definition of the northern boundary of Zululand.

2. In terms of the instruction, I enclose the draft of a notice proclaiming the districts occupied by the Chiefs Fokoti, Umginte, and the people of the late Manaba, as included within Her Majesty's territory of Zululand. The country so included I have described in the draft as districts instead of territories, as it appears to me that the parts occupied by the Chiefs and tribes mentioned form districts of the territory of Zululand, and are on that account included therein.

K k 2

3. The sketch map by Mr. Saunders shows that Fokoti's district is bounded on the west by the Lebombo range. It has therefore been so described in the notice.

4. The boundaries on the north have been defined in the notice as directed by your Excellency, but as the Secretary of State says in his Despatch that "it will perhaps be better to defer any precise definition of the northern boundaries of these Chiefs territories, &c., &c.," I have inserted, in red brackets, as an alternative definition, the words, "On the north by the southern limits of 'Tongaland,'" which I submit for your Excellency's consideration for adoption in lieu of the preceding definition. If approved of, the latter could be expunged, and the words "On the north by the southern limits of Tongaland" be allowed to stand instead.

I have prepared the notice with the assistance of the legal adviser.

His Excellency  
Sir C. B. H. Mitchell, K.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) M. OSBORN,  
Resident Commissioner.

No. 186.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received March 17, 1890.)

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Lieut.-Colonel Martin, covering a copy of the instructions issued to justices of the peace in Swaziland by the Provisional Government Committee.

The Right Hon.  
The Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure in No. 186.

Colonel MARTIN to HIGH COMMISSIONER.

SIR,

I HAVE the honour to forward, for your Excellency's information, a copy of the instructions issued to justices of the peace in Swaziland by the Provisional Government Committee.

I have, &c.  
(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
Her Majesty's Representative  
in Swaziland.

His Excellency the High Commissioner,  
Cape Town.

SWAZIELAND.

INSTRUCTIONS to, and JURISDICTION and AUTHORITY of, JUSTICES of the PEACE in SWAZIELAND.

Period. Justices of the peace are appointed by the Provisional Government Committee during pleasure.

Warrants, issue of. They are authorised, upon reliable information, supported by sworn declaration, to issue warrants for the apprehension of criminals, and to adjudicate in all criminal matters not of a serious nature.

Their jurisdiction shall be as follows :—

Jurisdiction.

*In Criminal Matters.*

A fine, not to exceed 10*l.*  
 Imprisonment, with or without hard labour, not to exceed 14 days.  
 Lashes, not to exceed 12.

*In Civil Matters.*

	£
Not to exceed	15
In liquid and in illiquid cases	10

They are authorised, under the above jurisdiction to adjudicate in all matters between master and servant. Master and servant.

There shall be an appeal from any sentence or judgment given by a justice of the peace, to the Provisional Government Committee. Such appeal to be notified, and seven shillings and sixpence (7/6) to be paid within eight (8) days after sentence or judgment has been pronounced. Appeal.

In case appeal has been noted, the justice of the peace shall, forthwith, send all documents connected with such case to the Provisional Government Committee, for final decision. He shall also append the reasons for his judgment or sentence. Appeal documents to be transmitted.

They are authorised to act as coroners, and to summon a jury of three (3) persons for such purposes. Coroners.

They shall keep a faithful record of all cases tried in their courts, and send monthly statements, together with all fines and moneys received by them, to the Provisional Government Committee, not later than the seventh (7th) day of each succeeding month. Monthly statements.

In all criminal cases exceeding their jurisdiction they shall take depositions, hold preliminary examinations, and send all documents in such cases, without delay, to the Provisional Government Committee. Criminal cases beyond jurisdiction.

They are authorised and empowered, from time to time, as occasion may require, to swear in two persons as special constables to assist in carrying out the law. Special constables.

They shall in no case exercise any jurisdiction in matters where Natives only are concerned. No jurisdiction in native cases only.

Given at the Government Offices, Embekelweni, this 14th day of January 1890.

(Signed)	THEOPHILUS SHEPSTONE, Chairman.
”	R. E. R. MARTIN, } Members.
”	D. J. ESSELEN, }
	Provisional Government Committee.

No. 187.

SIR H. B. LOCH to LORD KNUTSFORD.  
 (Received March 17, 1890.)

Government House, Cape Town,  
 February 24, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Lieut.-Colonel Martin, reporting that the law prohibiting the sale of liquor to Natives in Swaziland came into force on the 1st February.

The Right Hon.  
 Lord Knutsford, G.C.M.G.,  
 &c.            &c.            &c.

I have, &c.  
 (Signed) HENRY B. LOCH,  
 Governor and High Commissioner.

Enclosure in No. 187.

Colonel MARTIN to HIGH COMMISSIONER.

Swaziland Mission, Swaziland,  
February 6, 1890.

SIR,

I HAVE the honour to inform your Excellency that the law prohibiting the sale of liquor to Natives in Swaziland came into force on the 1st February.

I have, &amp;c.

(Signed)

His Excellency  
the High Commissioner, Cape Town.

R. E. R. MARTIN,  
Lieutenant-Colonel,  
Her Majesty's Representative in  
Swaziland.

No. 188.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received March 17, 1890.)Government House, Cape Town,  
February 23, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Lieut.-Colonel Martin, reporting the measures taken for the collection of the Swaziland revenue.

I have, &amp;c.

(Signed)

The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure in No. 188.

Colonel MARTIN to HIGH COMMISSIONER.

Swaziland Mission, Swaziland,

February 6, 1890.

SIR,

I HAVE the honour to inform your Excellency that, as the notice issued by Mr. J. J. Ferreira in October last, directing that the Swaziland royal revenues, &c., &c. should be paid to him, was not withdrawn, as requested by the Swaziland Joint Commission, the Provisional Government Committee have, to prevent complications and misunderstandings, issued a Proclamation on the subject, a copy of which I beg to enclose for your Excellency's information.

I have, &amp;c.

(Signed)

His Excellency the High Commissioner,  
Cape Town.

R. E. R. MARTIN, Lieut.-Col.,  
H.M.'s Representative in Swaziland.

## SWAZIELAND PROCLAMATION.

To all whom it may concern:

WHEREAS J. J. Ferreira, as the agent of F. C. Eloff, in the month of October 1889, issued a notice notifying that the Swazieland royal revenues, and certain other dues and taxes, were to be paid to him under, and by virtue of, a certain power of attorney or document granted by the late King of Swazieland to J. R. Harington: And whereas the Honourable the Joint Commission did, on the 5th day of December 1889, pass a resolution to the effect that all concessions of a similar nature to the one above mentioned should remain in abeyance, and did further pass a resolution requesting the said J. R. Harington, or those representing him, to withdraw the said notice: And whereas complications and misunderstandings may arise from the existence thereof:

Now, therefore, notice is hereby given that the following taxes, dues, and moneys, both arrear and current, are to be paid at the Office of the Provisional Government Committee, Embekelweni, Swaziland, without delay, namely:

Customs dues.  
 Store licences, to 31st December 1889.  
 Canteen licences, to 31st December 1889.  
 Trading waggon licences, to 31st December 1889.  
 Hawker's licences, to 31st December 1889.  
 Transport waggon licences, to 31st December 1889.  
 Transport cart licences, to 31st December 1889.  
 Mineral concessions tax.  
 Mineral concessions battery stamp tax.  
 Grazing-right holder's tax.  
 Tax on all persons not directly taxed.

Thus done and passed at the Office of the Provisional Government, Embekelweni, this 14th day of January 1890.

(Signed) THEOPHILUS SHEPSTONE, Chairman.  
 R. E. R. MARTIN, } Members.  
 D. J. ESSELEN, }  
 Provisional Government Committee.

*Notice.*

In accordance with the above notice it is hereby made known that the annual tax of 1*l.* (one pound sterling) on the holder of each leasehold or freehold grant of land in Swaziland must be paid, without delay, both for the current and previous year, at the Government Offices, Embekelweni.

(Signed) WM. C. PENFOLD,  
 Secretary, Provisional Government Committee.  
 Offices of the Provisional Government Committee,  
 Embekelweni, Swaziland, January 14, 1890.

No. 189.

SIR H. B. LOCH to LORD KNUTSFORD.  
 (Received March 17, 1890.)

MY LORD,

20th February 1890. From Lieut.-Colonel Martin.  
 22nd Do. Do. do.

The Right Hon.  
 Lord Knutsford, G.C.M.G.,  
 &c. &c. &c.  
 Colonial Office.

Government House, Cape Town,  
 February 26, 1890.

I HAVE the honour to enclose, for your Lordship's information, the documents specified in the margin.

I have, &c.  
 (Signed) HENRY B. LOCH,  
 Governor and High Commissioner.

Enclosure 1 in No. 189.

TELEGRAM.

From Colonel MARTIN, Swaziland, to His Excellency the HIGH COMMISSIONER, Cape Town.

20th.—As reports of serious case of killing off in Swaziland appear in "Barberton Herald," 18th instant, also of whites having been under arms and fear of impending danger at Embekelweni, and these reports may reach your Excellency, I send following information, "Mr. Scott, magistrate, reports case of eating up occurred near

Wyldesdale concession. Three men and two women were killed. I am in communication with Resident Adviser who will make full report. All now quiet in Swaziland.

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Enclosure 2 in No. 189.

TELEGRAM.

From Colonel MARTIN, Swaziland, to His Excellency the HIGH COMMISSIONER, Cape Town.

22nd.—Resident Adviser reports killing off at Wyldsdale was action of Chief Gomba, against Queen's instructions without knowledge of headman. Arrest of Gomba for murder ordered by nation. Queen says she has ordered no one's death since Commission left, but is expecting reply from Her Majesty to her request to kill once more, according to Swazi custom, on death of King.

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No. 190.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received March 24, 1890.)

Government House, Cape Town,  
March 5, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Colonel Martin, forwarding a cutting from the "Barberton Herald" respecting the affairs of Swaziland.

It is evident that, though a regrettable collision has taken place, due to a long standing dispute, the account given in the newspaper is sensational and greatly exaggerated.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 190.

Lieut.-Colonel MARTIN to HIGH COMMISSIONER.

Swaziland Mission, Swaziland,  
February 22, 1890.

SIR,

WITH reference to my telegrams of the 20th and 22nd instant, I have the honour to forward for your Excellency's information the extract from the "Barberton Herald and Transvaal Mining Mail," dated 18th February, referred to.

Copy of Mr. Scott's official report; also a copy of the Resident Adviser's report to the Representative of the South African Republic and myself.

I have, &c.

(Signed) R. E. R. MARTIN, Lieut.-Col.,  
H.M. Representative in Swaziland.

To his Excellency the High Commissioner,  
Cape Town.

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Mr. WILLIAM SCOTT to THEOPHILUS SHEPSTONE, C.M.G.

Swaziland Mission, Havelock,  
February 15, 1890.

SIR,

I HAVE the honour to advise you that on the 13th instant, it was reported to me that some 46 natives had been killed within this district, and I at once took steps to make myself acquainted with the facts before making the report I now lay before you.

On the date above mentioned Constable Royston proceeded to the "Wyldesdale" Concession, and there found that some 30 "Inhlavela" and about 40 of "Gomba's" men had visited the Intambo kraal, with the result that three men and two women were killed. The headman escaped and the remainder took refuge in Mr. Simpkins' dwelling at "Wyldesdale."

The affair took place between 3 o'clock and 5 o'clock a.m. on the 13th instant.

On the 14th the same party visited Umgutama's kraal, but, through Mr. F. Leadley having been able to give warning of their intentions, the inhabitants were found to be in hiding, and have thus far escaped.

On the 14th all "Umgutama's" cattle were taken to "Gomba's" kraal, and I have this day heard that such will be returned to him, or the majority thereof.

The reported cause of the events I have just narrated is the death of "Gomba's" brother about a month ago, which I need scarcely add is attributed to witchcraft.

I may further mention that the "Inhlavela" are accompanied by a witch doctor from Inkanini.

In closing this report I may state that the police have in no way interfered with these proceedings, which I consider it my duty to report to you at the earliest possible moment.

I have, &c.

To Theophilus Shepstone Esq., C.M.G., (Signed) WILLIAM SCOTT, J.P.  
Resident Adviser and Agent, Swazi Nation, Embekelweni.

Mr. T. SHEPSTONE, C.M.G. to Col. MARTIN and Mr. ESSELEN,

SWAZILAND MISSION.

Resident Adviser's Office, Embekelweni, Swaziland,  
February 21, 1890.

GENTLEMEN,

IN reference to Mr. Scott's official report, and to the non-official statement in the "Barberton Herald" of the 18th instant, I have to remark as follows:—

a. After a strict inquiry, I find Mr. Scott's official report to be correct as to the persons killed.

b. The question in dispute is one of over two years' standing, and has only now culminated.

c. Men at Mtambo's kraal and Gutumana were suspected of witchcraft, and were ordered to leave the locality.

d. Gomba, the Chief of the district, came down a short time ago, and asked the Queen for leave to remove these persons.

e. She gave leave, distinctly stating that no one was to be injured, as that was the law now, and if any one was killed, her son (myself) and the white Chiefs would exact vengeance. This she stongly insisted upon.

f. That the law against killing had been already proclaimed and must be obeyed.

g. That she had killed no one herself yet, and anyone else who did must take the consequences.

h. No impi left the Enkanini or the Embekelweni kraals. An ordinary (and the usual) messenger was sent to the kraals by the Queen.

i. To this day the Queen is unaware of what has happened, her messenger not being back, and she was astonished at what I told her.

j. Gomba has done it all on his own account, and I have ordered his arrest for trial, and the men to arrest him have started.

k. I cannot, of course, anticipate the result of the trial, but I am satisfied that Sikuba was in utter ignorance of the matter, and the Queen herself had sent only one messenger with strict orders that no one should be injured.

I have written this report in almost the same words as used by the Queen.

If any further information is wanted for your respective Governments I can supply it.

I have, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi Nation.

To Lieut.-Col. R. E. R. Martin, C.M.G.,  
Her Britannic Majesty's Representative; and  
D. J. Esselen, Esq.,  
Representative, South African Republic, Swaziland.

“BARBERTON HERALD AND TRANSVAAL MINING MAIL, dated February 18, 1890.

## SWAZIELAND.

AN IMPI SENT TO WYLDSDALE.

THE WHITES UNDER ARMS.

TEARING UP OF HOMES.

HOW LONG SHALL THESE THINGS LAST?

News from Swazieland of a grave and startling character was received on Sunday morning. The Swazie devils, after an abstinence from blood and massacre of exceptional duration, have once more been on the warpath, and the partial “wiping out” of a kraal on the Wyldsdale Concession was suddenly and murderously effected last Wednesday morning. The facts, so far as we have been able to glean them, offer not one redeeming trait. It was simply an expedition for blood and loot; the offence of the headman of the kraal being that he was too rich in cattle, exciting the cupidity of some of his neighbours. An impi from one of the Swazie regiments, some 60 strong, arrived in the early dawn from the King’s kraal. They were joined by 30 or 40 more savages from the neighbourhood of the doomed kraal, and the first intimation the poor people had of the slaughter contemplated were the cries and screams proceeding from the inmates of the hut which was first attacked. Ten human beings were dragged out of this one hut and cruelly put to death. The dwellers in the other hut scattered and flew in every direction, seeking safety in flight, some of the women and children throwing themselves on the mercy of Mr. Simpkins, the manager of the Wyldsdale Concession, whose brave and noble conduct in the face of the terrible danger will win applause from all hearts. Mr. Simpkins, although his wife and little ones were with him at his residence, determined at all hazards to save the lives of the wretched women and children who had besought protection from the savage and merciless and murderous impi. There were only two white men with him at the time. He hastily sent messages down to Leventhorpe’s store, to Pigg’s Peak, to Kobolondo, and other places, with the result by the evening ten white men armed were collected at his house to resist the demands of the impi for the surrender of the refugees should such demand be made. But we cannot do better than reproduce the graphic and thrilling account of that anxious day given in a letter received from Mrs. Simpkins on Sunday morning, and which has been handed to us for publication. Mrs. Simpkins says:—“Very early in the morning we heard shots and screams. Just as we were sitting down to breakfast, Snowball, (a Swazie servant) came and told us that a kraal a mile from here had been ‘smelt out’ for witchcraft, and every man, woman and child, dog, and fowl, had been killed. In the early morning, he said, two poor women and four little ones were at our boy’s hut, hiding. Their hut had been situated a little distance from the others, and when they heard the cries they fled for their lives. A hundred men, a detachment from one of the regiments, had done this. The poor creatures were nearly dead from fright, so Mr. Simpkins told them to come over and sit at the house, and gave them food to cook. But, lo and behold! what should we see but a lot of the murderers coming up at a half-run. Sam (Mr. Simpkins) said at once, ‘If we give these poor wretches up they will kill them in front of our eyes, and I’ll fight for it.’ He put them into the store-room. Mr. Gamble and Mr. Munroe got their guns and ammunition. Sam got his and gave me the revolver. He then sent a message to the store to Mr. Leventhorpe and those with him, and in no time they were up to the house, and two waggons with them. We had sent to George Hutchinson and to the Peak, Mr. Royston (head of the Swazie white police), so by 4 p.m. we had ten white men all armed. Of course we knew the wretches would not want to kill *us*; but we thought they would come and demand the poor women and children, and when Sam refused them, would say ‘Well, we’ll take them,’ and then our men would have tried to stop them. . . . When we found out the whole truth of the affair (from three more poor women, one with two months’ old twins), we learnt that it took place at cock-crow. These wretched murderers rushed into the kraal, dragged out one family of 9 or 10 (we can’t quite find out), and murdered them. When the others heard the screams they rushed into the veldt. These last three women could not get away (the husband was killed). The impi told them to bury their dead, while they looked all the other people up, explaining to them that they would not be killed. These three buried the dead, and as the soldiers had not returned they flew for their lives and came to us too. Lucky for them they did, for all women found were taken down to the King’s kraal as slaves. Mr. Royston asked Sam to keep the four women, one man, and

a lot of little ones here for a couple of days until danger was over. They are too frightened to go away. . . . I should not like to have seen the poor little children murdered before my eyes. What villanous wretches these Swazies are when any witchcraft is going on."

We have also received confirmatory intelligence from Mr. Rainier, who arrived in town Sunday morning. He was within a mile of the spot where this bloody tragedy was enacted. Some 50 soldiers came up from the King's kraal, and were joined by about 40 more from the kraals in the vicinity of the "smelling out." Despite the solemn and implicit warnings given to the old Queen Regent by Sir Francis de Winton before he left the country, it is reported that the expedition was under the direct sanction of the old tigress. Mr. Royston has reported the affair to Mr. Shepstone and the Commission, and their action will be awaited with deep curiosity and interest.

It was believed at first that 40 or 50 had been killed, but the number is now stated to have been 10 only.

After killing at Wyldsdale, the impi rushed over to do more slaughter at some kraals near Ledley's camp. But the work of the morning had already got wind, and the white men had warned the niggers to clear away. This they did, and no one was killed.

There is an uneasy sense of impending danger at Embekelweni. It is believed that a "killing off" on a tremendous scale is contemplated within the next few months "unless anything happens." In the face of the tragedy on Wednesday, and the likelihood of its early repetition, there is not likely to be much further talk about respecting the wishes and desires of the Swazies for independence; the independence of brutal butchery and superstition.

No. 191.

LORD KNUTSFORD to H. B. LOCH.

SIR,

Downing Street, March 24, 1890.

I HAVE the honour to transmit to you a copy of a letter \* from Sir Francis de Winton, covering his report on Swaziland, copies of which are enclosed.

I also enclose copies of my reply † and of a letter ‡ which I have caused to be addressed to the War Office.

I request you to communicate Sir F. de Winton's letter to the members of his mission, and the last paragraph of it to the Government of the South African Republic, observing that Her Majesty's Government note with much satisfaction Sir F. de Winton's appreciation of the assistance, courtesy, and cordial co-operation which he experienced from the Commissioners representing the Republic.

Sir H. B. Loch.

I have, &c.  
(Signed) KNUTSFORD.

No. 192.

COLONIAL OFFICE to WAR OFFICE.

SIR,

Downing Street, March 24, 1890.

I AM directed by Lord Knutsford to acquaint you that he has received Sir Francis de Winton's report on his recent mission to Swaziland, and I am to take the opportunity of requesting that you will convey to Mr. Secretary Stanhope and His Royal Highness the Commander-in-Chief an expression of Lord Knutsford's high appreciation of the tact and ability with which Sir F. de Winton fulfilled the important duties entrusted to him.

Sir F. de Winton, in a letter\* of which I am to enclose a copy, bears testimony to the good services rendered by Colonel Martin, C.M.G., and Captain Baden Powell, and I am to request that this letter also may be brought to the notice of Mr. Stanhope and His Royal Highness.

The Under Secretary of State,  
War Office.

I am, &c.  
(Signed) JOHN BRAMSTON.

\* No. 3 in [C. 6201] August 1890.

† No. 4 in [C. 6201] August 1890.

‡ No. 192.

No. 193.

LORD KNUTSFORD to SIR H. B. LOCH.

TELEGRAPHIC.

1st April.—Convey to Swazis, by command of the Queen, her detestation of “killing off.” It is Her Majesty’s wish that such practices should cease if they wish to remain good friends with Her Majesty the Queen. Inform Government of the South African Republic before sending message.

No. 194.

G. S. FORT, Esq. (PRIVATE SECRETARY), to COLONIAL OFFICE.  
(Received April 1, 1890.)

Government House, Cape Town,  
March 12, 1890.

SIR,

IN the absence of his Excellency the High Commissioner, and by his direction, I have the honour to enclose for the information of the Secretary of State, in continuation of Despatch of the 5th instant,\* the documents annexed.

The Under Secretary of State,  
Colonial Office.

I have, &c.  
(Signed) G. SEYMOUR FORT,  
Private Secretary to the Governor and  
High Commissioner.

Enclosure 1 in No. 194.

From HIGH COMMISSIONER, Cape Town, to Colonel MARTIN, Embekelweni.

TELEGRAM.

4th.—Your Despatch of 22nd February and enclosures received. Keep me fully informed by telegram of any matters of importance. Presume what excitement there was has passed off. Consult with your colleagues as to whether it is worth while contradicting the sensational article in the “Barberton Herald.”

Enclosure 2 in No. 194.

From Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Cape Town.

TELEGRAM.

6th.—Resident adviser has contradicted reports. Police report only two killed. All is now quiet, and the Chiefs who caused disturbance prisoners he

\* No. 190.

No. 195.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received April 11, 1890.)

TELEGRAPHIC.

Martin telegraphs proclamation of extended term of office of Swaziland Provisional Government to 18th August signed by Queen Regent 10th April.

No. 196.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received April 11, 1890.)

TELEGRAPHIC.

Referring to your telegram of 1st April,\* Martin telegraphs has delivered message from Her Majesty. Queen Regent desired him to thank Her Majesty for it, and say that she would call all her Councillors together, and tell them what the Queen has said. Some of the Headmen were absent owing to illness and distance.

No. 197.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received April 21, 1890.)

Government House, Cape Town,  
April 1, 1890.

MY LORD,

WITH reference to my Despatch of the 12th ultimo,† I have the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Lieut.-Colonel Martin, covering papers relating to an alleged case of killing of in Swazieland.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 195.

Lieut.-Colonel MARTIN to High Commissioner, Swaziland.

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Mr. Sh  
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orward, for your Excellency's information, a copy of a despatch which I have received from Mr. Scott, Justice of the Peace for the Swaziland, but

Committee, with covering letter from the Secretary, relating to the recent disturbances on the Wyldesdale Concession.

I have, &c.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
Her Majesty's Representative in Swazieland.

His Excellency the High Commissioner,  
Cape Town.

Office of the Provisional Government Committee, Swazieland,  
March 12, 1890.

SIR,

I HAVE the honour, herewith, as directed, to forward (1) copy of a letter addressed to Mr. Theo. Shepstone by Mr. W. Scott, J.P., regarding the alleged killing off on Wyldesdale; and (2) copy of a letter addressed to the Provisional Government Committee by Mr. Shepstone, reporting the result of an inquiry held at Enkanini, on the same subject.

I have, &c.

(Signed) WM. C. PENFOLD,  
Secretary, Provisional Government Committee.

To Lieut.-Colonel Martin, C.M.G.,  
&c. &c.  
Her Britannic Majesty's Representative  
in Swazieland.

I.

SIR,

The Havelock, February 23, 1890.

I HAVE the honour to confirm my letter to you of the 15th instant, and am now glad to be able to inform you that in reference to the Wyldesdale affair, I have ascertained on the most reliable authority that only one man and a boy lost their lives during a visit of the Inhlavella.

This information is substantiated by others beside Constable Royston who also informs me that "Gudiman" has returned to his kraal near Leadley's with all his cattle, and without loss of life to any of his followers.

I have only to express my regret at the very sensational and absurd reports that found their way into the "Barberton Herald," and at the tone adopted by that journal.

I have, &c.

Theo. Shepstone, Esq., C.M.G.,  
Resident Adviser and Agent,  
&c. &c.

(Signed) WM. SCOTT.

II.

Resident Adviser's Office, Embekelweni, Swazieland,  
March 8, 1890.

GENTLEMEN,

IN reference to the so-called Wyldesdale massacre, I have to report that yesterday at the Emkanini kraal, before the Queen and full Council, I held an inquiry on the Chief Gomba, who was present for trial.

The result is, that Gomba was acquitted of the charge of murder.

Only one man was killed, and that occurred through his attacking some of the party with Gomba.

The women and children ran away, as is usual in native countries when a body of men is seen approaching.

That Gudoman and his belongings are quietly at his kraal.

Yours, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

To the Provisional Government Committee,  
Embekelweni.

No. 198.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received April 21, 1890.)

Government House, Cape Town,  
April 2, 1890.

MY LORD,  
I HAVE the honour to enclose, for your Lordship's information, a copy of the document specified in the margin.  
1st April 1890.  
Telegram from Colonel Martin.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 198.

From Colonel MARTIN, Swaziland, to HIGH COMMISSIONER, Cape Town.

TELEGRAM.

1st.—Resident Adviser writes Prime Minister states application made for 20 men to dig holes for telegraph extension. Tekuba refused on ground that no notice was given or official application made. Resident Adviser suggests that inquiry should be made whether, after the resolution passed by Joint Commission, 12th December, the terminus can at present be moved, and having regard to the superstitious feeling of the Swazie nation about the telegraph wire, he thinks application should be made before extension is attempted. The resolution referred to says that the arrangements already made for the postal and telegraph services in Swaziland shall remain in force as they are for the general good. My Transvaal colleague has agreed with me to refer the matter to the two Governments.

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No. 199.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received April 29, 1890.)

Government House, Cape Town,  
April 3, 1890.

MY LORD,  
I HAVE the honour to enclose, for your Lordship's information, with reference to my Despatch of the 2nd instant,\* a copy of the document specified in the margin.  
2nd April 1890.  
Telegram from Lieut.-Colonel Martin.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.

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Enclosure in No. 199.

From Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Cape Town.

TELEGRAM.

2nd April.—With reference to my telegram *re* telegraph extension, Resident Adviser informs us that having received a letter from the Agent, the Swazies, acting on his advice, consent to the extension to Messrs. Wallerstein and Bremers, provided the Governments do not object. This extension will also apply to the post office, but satisfactory arrangements will be made.

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\* No. 198.

No. 200.

SIR H. B. LOCH to LORD KNUTSFÖRD.  
(Received April 29, 1890.)

Government House, Cape Town,  
April 5, 1890.

MY LORD,

WITH reference to my Despatch of the 1st instant,\* I have the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Lieut.-Colonel Martin, reporting the steps taken by him in conjunction with his colleagues of the Provisional Government of Swaziland to prevent killing off.

I have, &amp;c.

(Signed) HENRY B. LOCH,

Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 200.

Lieut.-Colonel MARTIN to HIGH COMMISSIONER.

Swaziland Mission, Embekelweni,  
March 23, 1890.

SIR,

As reported in my telegram of the 17th instant, I have the honour to inform you that on the 15th instant I proceeded with the Resident Adviser, the representative of the South African Republic, Messrs. Jackson, G. Ferreira, S. Shepstone, and John Gama, to the Queen Regent's kraal (Enkanini) and gave the Queen Regent the message that Her Majesty could not sanction any "killing off" in Swaziland. I afterwards referred to the reported massacre in the Wyldsdale (Horo) district and pointed out to the Queen that although she had issued orders that there was to be no more "killing off" in Swaziland, yet she had herself expressed a wish to return to their old customs. The Prime Minister (Tikuba) replied, thanking me for my message and said the Swazies had done nothing since the departure of the Commissioners as they had been waiting for the answer to their request.

We then left Mr. Shepstone with the Queen and Councillors.

The Resident Adviser has since informed me that it will be necessary to consult several Councillors who were not present at the meeting before any decision can be arrived at with regard to my suggestion that a special proclamation should be issued.

I enclose, for your Excellency's information, a copy of my address, which I had previously shown to my colleagues.

I have, &amp;c.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
Her Majesty's Representative.

His Excellency the High Commissioner,  
Cape Town.

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Lieut.-Colonel MARTIN said :—

The Queen Regent will remember that when the Commissioners were here last December, Sir Francis de Winton, speaking for the Commissioners, said, "the Queen of England and the President of the Transvaal, besides all the other Kings of Europe, were glad to hear that when Umbandeni died no people were killed; and we are to say to the Queen Regent and her people that the time has now come that this custom should end, and before leaving, the Commissioners would like to hear from the Queen that she will not permit it in future."

The Queen Regent then explained that it was a Swazi custom, when a King died, for the nation to cry, and, in order that they might cry properly a number of the people had to be killed, and the Queen asked for leave to kill this once.

Sir Francis replied, "the whites have better customs, and he only hoped the nation would take the wishes of the Governments into consideration."

The Queen of England has heard what took place, and I am instructed, as her representative, to give you and the Swazi nation this message:—That the Queen of England cannot sanction any killing off in Swaziland.

The report that there has been a massacre, or as the white people call "killing off," a terrible murder in the Horo district by order of the Queen and her Chiefs aroused the indignation of all who heard it, at the cruelty of the Swazi custom. All the papers were full of it, and I was glad to hear from the Resident Adviser, Mr. Shepstone, and to be able to tell the English Government, that the reports were not true, and that the Queen had ordered the arrest and trial of a Chief.

I am aware of the fact that on the death of the late King Umbandeni, an order was given by the Queen that there was to be no more "killing off," but I must now speak plainly and point out to the Queen that since then she has expressed a wish to return to the old customs, and therefore people cannot place much reliance on the order. The Sirazies have Mr. Shepstone with them, who will tell them what they should do, and I would impress on the Queen Regent the advisability of issuing a special Proclamation on the subject, and which should be put in writing so that we can send a copy to the Queen of England and the President of the South African Republic; and that before any person is killed he should have a fair trial according to the custom of the whites, and I trust, if this is done, the future of the child who has been recognised by the Queen of England, and the President of the South African Republic, as the successor of Umbandeni, will be peace and prosperity.

No. 201.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, May 7, 1890.

I HAVE the honour to acknowledge the receipt of your Despatch of the 5th ultimo,\* and to inform you that I approve of the steps taken by Colonel Martin, in conjunction with his colleagues, for the prevention of "killing off" in Swaziland.

I have, &c.

Sir H. B. Loch.

(Signed) KNUTSFORD.

No. 202.

G. S. FORT, ESQ. (PRIVATE SECRETARY), to SIR ROBERT G. W. HERBERT.  
(Received May 27, 1890.)

Government House, Cape Town,  
May 7, 1890.

SIR,

IN the absence of his Excellency the Governor and High Commissioner, and by his direction, I have the honour to enclose for the information of the Right Honourable the Secretary of State the documents specified in the margin.

1890.  
28th April. From Lieut.-Colonel Martin.  
Do. From Do. do.  
Do. To Do. do.  
Do. To State President S. A. Republic.

I have, &c.

(Signed) G. SEYMOUR FORT,  
Private Secretary to the Governor  
and High Commissioner.

The Under Secretary of State,  
Colonial Office.

Enclosure 1 in No. 202.

TELEGRAM from Colonel MARTIN, Swaziland, to HIGH COMMISSIONER, Maseru.

28th.—Swazis have asked Resident Adviser to beg me to telegraph to Her Majesty and say they wish to make one more appeal to be allowed to carry out their customs at the coronation for one day, so that the late King may have people to escort and cook for him. I have replied that I will do as they request, but they must not expect any other answer than what they have got. I should be glad if your Excellency would telegraph a reply. Despatch by next post.

\* No. 200.

## Enclosure 2 in No. 202.

TELEGRAM from Colonel MARTIN, Swaziland, to HIGH COMMISSIONER, Maseru.

28th.—With reference to my telegram re Swazie customs, Resident Adviser says Swazies asked him as time is short to telegraph to Somtseu—Sir Theophilus Shepstone. Replied, I forbid it.

## Enclosure 3 in No. 202.

TELEGRAM from HIGH COMMISSIONER to Colonel MARTIN, Swaziland.

28th.—Yours of to-day re Swazi customs. Inform Swazies that Her Majesty the Queen has forbidden them to carry out these cruel customs, and that Her commands must be obeyed if the Swazies desire to retain the friendship of the English nation.

## Enclosure 4 in No. 202.

TELEGRAM from HIGH COMMISSIONER to His Honour the STATE PRESIDENT, Pretoria.

28th.—Colonel Martin telegraphs that Swazis have asked permission to carry out their customs at the coronation for one day. I have replied that Her Majesty the Queen has forbidden them to carry out these cruel customs and that Her commands must be obeyed if the Swazies desire to retain the friendship of the English nation. Will your Honour kindly instruct your representative to make a similar communication.

## No. 203.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, May 30, 1890.

I HAVE received your Despatch of the 7th of May,\* and have to express to you my approval of the action taken by Colonel Martin with a view to preventing the resort to the practice of killing off at the coronation of the King of Swaziland.

I have, &c.

Sir Henry Loch.

(Signed) KNUTSFORD.

## No. 204.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received June 2, 1890.)

Government House, Cape Town,

May 12, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, with reference to previous correspondence, a copy of a letter from Lieutenant-Colonel Martin reporting the removal of the post and telegraph office from Indimba to Messrs. Wallerstein and Bremer's store.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,

&c.                      &c.                      &c.

\* No. 202.

Enclosure in No. 204.

Colonel MARTIN to HIGH COMMISSIONER.

Swaziland Mission, Embekelweni,

April 7, 1890.

SIR,

I HAVE the honour to forward, for your Excellency's information, two letters received from the Resident Adviser and Agent to the Swazi nation with reference to the removal of the post and telegraph office from Indimba to Messrs. Wallerstein and Bremer's store.

My Transvaal colleague and myself have not thought it advisable to take any steps to prevent the proposed alteration being made.

I have, &amp;c.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
Her Majesty's Representative,  
Swaziland.

Resident Adviser's Office, Embekelweni,

March 28, 1890.

SIR,

THE Prime Minister, Tikuba, on behalf of the nation, yesterday reported to me that about 20 men had been asked from the Didini kraal to dig holes for the erection of telegraph poles from the present terminus at Indimba to Messrs. Wallerstein and Bremer's store; that he had refused to allow the men to go, and also objected to the line being carried on further without any official notice or application to them through me. He has mentioned the matter again to me to-day.

Having regard to the resolution of the Joint Commission on the subject of concessions generally, and the electric one in particular, it is a matter, I think, for you and your colleague to make inquiry as to whether the terminus can at present be moved, and, if so, if official application should not first be made to the nation.

As regards the nation itself, with its superstitious feeling about the telegraph wire, and bearing in mind the difficulty I had in explaining and convincing to them in October last that it was beneficial to have the wire where it is, I consider that it would be judicious in the interest of all concerned that official application should be made before the extension is attempted to be carried out.

I have addressed your honourable colleague in similar terms.

I have, &amp;c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

The Hon. Colonel Martin, C.M.G.,  
&c. &c. &c.

Resident Adviser's Office, Embekelweni, Swaziland,

April 2, 1890.

SIR,

REFERRING to my letter to you of the 28th ultimo, I have the honour to inform you that I have received official notification from the post and telegraph manager of the desire to remove the post and telegraph offices to Messrs. Wallerstein and Bremer's store.

Having further conferred with the headmen, I am authorised to give the nation's consent to such removal, provided the two Governments have no objection thereto.

I have, &amp;c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

Lieutenant-Colonel Martin, C.M.G.,  
Her Britannic Majesty's Representative,  
Swazieland.

No. 205.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 2, 1890.)

Government House, Cape Town,  
May 13, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a telegraphic correspondence which I have had with Colonel Martin respecting the affairs of Swaziland.

The word "crying" or "weeping" is, I understand, usually used by the Swazies to describe the custom of "killing off."

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Governor and High Commissioner.

## Enclosure 1 in No. 205.

TELEGRAM from Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Capetown.

7th.—Report having been spread amongst Natives by persons unknown that no answer has been received by Swazies to their request to kill once more, and nation advised to continue customs, Resident Adviser reports he has issued a Proclamation publishing two first messages received from your Excellency, also notifying that he has already, with consent of Queen Regent and council, proclaimed that such practice must cease. People are warned that any persons detected spreading any such report are liable to arrest and trial. Transvaal colleague and self approve.

## Enclosure 2 in No. 205.

TELEGRAM from Colonel MARTIN, Embekelweni, to His Excellency the HIGH COMMISSIONER, Capetown.

7th.—Your Excellency's telegram received. I have informed my Transvaal colleague, who will communicate with his Government on the subject. Resident Adviser informs us King's crops have been gathered. 3,000 Swazies were here, no fighting amongst them. As soon as corn is stacked away, crying will commence; afterwards King will be installed, exact date not known till within a few days, but about 20th instant. Resident Adviser has taken all precautions to preserve order, and will be present in person; he suggests, as he is most anxious to avoid the presence of white people, and representatives will not have escorts that they should not be present. Their presence in the country as the eyes of the Governments would, to the Natives, be sufficient proof that the young King is recognised. I would suggest for your consideration whether a formal visit by the joint Governments after the ceremony might not be advisable.

## Enclosure 3 in No. 205.

TELEGRAM from HIGH COMMISSIONER to Colonel MARTIN, Embekelweni, Swaziland.

9th.—Your two telegrams of 7th. I approve your action. You should consult with your Transvaal colleague and Mr. Shepstone whether your presence would have a deterrent effect and prevent killing off, but it is not intended or desired that you should run any personal risk which might impose serious responsibilities on Her Majesty's Government in the event of an attack on your person.

You should also consult with them as to whether formal joint visit after the installation is desirable; of course if there is any killing off, no visit should be paid, but telegraph at once for instructions how to proceed. Press on Mr. Shepstone the very serious consequences that would result to the King, the Queen, and to the Swazie nation if there is any disobedience to Her Britannic Majesty's commands.

## Enclosure 4 in No. 205.

TELEGRAM from Colonel MARTIN, Swaziland, to His Excellency the HIGH COMMISSIONER, Capetown.

10th. — Your Excellency's telegram received. I have informed my Transvaal colleague who has wired to Pretoria for instructions. Resident Adviser informs us that owing to rains, ceremony will not take place before June 1st. My Transvaal colleague has just sent to say he has been called to Pretoria on Vryheid business; will be away a fortnight. He asks my opinion. I have replied, I do not think you should leave till we have agreed on line of action at installation, and have requested him to wait your Excellency's reply; he is anxious to leave on Monday.

## Enclosure 5 in No. 205.

TELEGRAM from GOVERNOR to Colonel MARTIN, Embekelweni, Swaziland.

11th.—Your telegram of 10th. I concur with you in thinking your Transvaal colleague should remain until the action to be taken at the installation has been agreed upon.

## Enclosure 6 in No. 205.

TELEGRAM from Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Capetown.

12th May.—Resident Adviser informs us that Swazie express strong wish that no white people should be present at installation ceremonies, as they are not like harvest festival, which is one of dancing. Both ceremonies are of a religious and superstitious nature, and they wish that they should be done privately; but they gladly accept the suggestion that the representatives should visit and recognise the new King after his installation. I have consulted my Transvaal colleague again on the subject, and we agree that a visit after installation would be best. Mr. Esselen leaves for Pretoria to-day, but will be back in Swazieland before installation takes place.

## Enclosure 7 in No. 205.

TELEGRAM from HIGH COMMISSIONER, Capetown, to Colonel MARTIN, Embekelweni, Swaziland.

12th.—Yours of to-day. I approve the course you have agreed upon with your Transvaal colleague. Please inform Queen Regent from me, that those who advise her to disobey the Queen's commands and to observe the custom of killing off, must be evil-disposed persons seeking the destruction of the Swazie nation and their young King.

## No. 206.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 2, 1890.)

Government House, Cape Town,  
May 14, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Lieut.-Colonel Martin, reporting the delivery of Her Majesty's message to the Queen Regent respecting the practice of killing off.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

## Enclosure in No. 206.

Colonel MARTIN to HIGH COMMISSIONER.

Swaziland Mission, Embekelweni,  
April 12, 1890.

SIR,

I HAVE the honour to report that on the receipt of your Excellency's telegram dated 2nd April directing me to convey a message from Her Majesty the Queen to the Swazie Queen Regent, expressing Her Majesty's detestation of "killing off" and Her Majesty's wish that such practices should cease if the Swazies wish to remain good friends with Her Majesty the Queen, I at once informed my colleagues of my intention to convey the above message to the Queen Regent and requested the Resident Adviser to fix as early a date as possible for me to do so.

On the 9th instant I proceeded with the Resident Adviser to the Queen's kraal, having previously notified to the Representative of the South African Republic my intention to do so in case he might wish to be present.

Soon after my arrival at the kraal the Queen Regent sent to say that she was ready to receive me and hear the message which I delivered in the presence of over one hundred (100) Swazies.

The Queen Regent replied that she wished me to thank Her Majesty for the message and say that she would call all her councillors together and tell them what the Queen had said.

The Prime Minister (Tikuba) and other headmen spoke and said "killing off" was one of the Swazie ways of governing the country. They were disappointed as they had hoped that they would have been able to have carried out their old custom once more and then bring in a new law. They did not wish to argue against what the Queen said; she was their mother. The Resident Adviser has since informed me that after I left a discussion took place, from which he gathered that the Queen and councillors were much impressed by the message and he believes "killing off" without a trial will cease in Swaziland.

I have, &amp;c.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,

His Excellency the High Commissioner, Her Majesty's Representative, Swaziland.  
Cape Town.

No. 207.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 9, 1890.)Government House, Cape Town,  
May 21, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information and with reference to previous correspondence, a copy of a letter from Colonel Martin, covering copy of letter received from the Resident Adviser to the Swazis.

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.

Enclosure in No. 207.

Colonel MARTIN to HIGH COMMISSIONER.

Swaziland Mission, Embekelweni,  
May 5, 1890.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's message of the 29th April, which I forwarded to the Resident Adviser and Agent to the Swazies, and enclose his reply.

I have, &amp;c.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,

His Excellency the High Commissioner, Her Majesty's Representative, Swaziland.  
Cape Town.

Resident Adviser's Office, Embekelweni,  
Swaziland, May 5, 1890.

SIR,

I HAVE the honour to inform you that, in accordance with your request, I delivered your message from his Excellency the High Commissioner to the nation, together with one from Sir Theophilus Shepstone.

The nation will obey and promise that there will be no killing off.

I have, &c.

Lieut.-Colonel R. E. R. Martin, C.M.G.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent  
to Swazie Nation.

No. 208.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, June 12, 1890.

I HAVE the honour to acknowledge the receipt of your Despatches of the 13th, 14th, and 21st ultimo,\* on the subject of the steps which have been taken for the prevention of killing off in Swaziland.

Your action in this matter has my approval.

I have, &c.

Sir H. B. Loch.

(Signed) KNUTSFORD.

No. 209.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 16, 1890.)

Government House, Cape Town,  
May 26, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Lieut.-Colonel Martin, covering a copy of a Proclamation issued by the Resident Adviser of the Swazies warning all persons that the spreaders of false reports will be punished.

I have, &c.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure in No. 209.

SIR,

Swaziland Mission, Embekelweni, May 7, 1890.

I HAVE the honour to forward, for your Excellency's information, a copy of a Proclamation issued by the Resident Adviser.

My Transvaal colleague and myself have approved of the Resident Adviser's action in the matter.

I have, &c.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
His Excellency the High Commissioner, Her Majesty's Representative, Swaziland.  
Capetown.

\* Nos. 205, 206, and 207.

## PROCLAMATION.

TO ALL WHOM IT MAY CONCERN.

WHEREAS certain evil-disposed person or persons have spread reports amongst the Swazie Nation, to the effect that no message has been received from the Governments or Her Britannic Majesty to the effect that the practice of killing off is to cease in Swazieland:

And whereas such person or persons have advised the Nation to continue such practice of killing off; and trouble and bloodshed may arise therefrom:

And whereas the following two messages, marked A. and B., have been delivered to the Nation at the Enkanini kraal; the first, in the presence of the Representatives of Great Britain and the South African Republic, and myself; and the second by the Representative of Great Britain and myself, and which two messages read as follows:

(A.) "Inform the Queen Regent that Her Majesty cannot sanction any killing off in Swazieland."

(B.) "I have been directed by Her Majesty the Queen to convey to the Swazie Queen Regent Her Majesty's detestation of killing off, and that it is Her Majesty's wish that such practices should cease, if the Swazies wish to remain good friends with Her Majesty the Queen. You should at once convey the above message to the Queen."

And whereas I have already, with the consent of the Queen Regent and Council proclaimed that such practice of killing off is to cease.

Now, therefore, all persons are warned that any person or persons detected of spreading any such report or reports as hereinto-before mentioned, are liable to be arrested and tried according to the law proclaimed and in force in Swazieland.

Thus done and passed at the Embekelweni this 25th day of April 1890.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

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No. 210.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 16, 1890.)

Government House, Cape Town,  
May 26, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Lieutenant-Colonel Martin, covering copies of two letters received from the Resident Adviser to the Swazies, reporting the peaceful harvesting of the young King's crops and the arrangements contemplated for the installation.

The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

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Enclosure in No. 210.

Swaziland Mission, Embekilweni,  
May 11, 1890.

SIR,

I HAVE the honour to forward two letters dated 6th and 10th May addressed to the Representative of the South African Republic and myself by the Resident Adviser to the Swazi Nation, the contents of which I have already telegraphed to your Excellency.

His Excellency the High Commissioner,  
Capetown.

I have, &c.  
(Signed) R. E. R. MARTIN,  
Lieut.-Colonel,  
Her Majesty's Representative.

Swaziland Mission, Embekilweni,  
Resident Adviser's Office,  
May 6, 1890.

SIR,

FOR the information of your Government I have the honour to report that about 3,000 armed Swazi warriors have been here for the last few days reaping the corn from the royal gardens.

The harvesting is now completed, and although this body of men is composed of detachments of different regiments from all parts of the country, there has been no fighting amongst them as is the case on such occasions. This is owing to the co-operation of the Regent and his brother who have personally taken charge of the force daily. About 1,000 men leave to-night for their kraals.

So soon as the corn is gritted (*sic*) or stacked away the *crying* will commence. I do not fear that any killing off will occur at that ceremony. Inter-kraal fights might take place, but as I have taken every precaution and will be present in person all the while I believe that also will be avoided, at any rate it will be minimized, if it occurs at all. After the crying the young King will be installed. I am unable to give the exact date now, but probably about May 20th. There is now no fear of anyone else being put forward in his place. After his installation his mother will be the chief person in the nation, with the Regent and old Queen as referees. This is according to native custom.

As no demonstration appears likely to be made by the Governments at the installation I suggest that it is advisable no white people be present at the crying or installation, and that I should be allowed personally to superintend matters, and use my personal influence to prevent any trouble arising.

The fact that you and your colleague are in the country and are the eyes of your Governments is sufficient proof to the Swazies that the Governments are present and recognise the young King as the chosen successor.

I have, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi Nation.

Lieut.-Colonel Martin, C.M.G.,  
Her Britannic Majesty's Representative.

Resident Adviser's Office, Embekilweni,  
Swaziland, May 10, 1890.

SIR,

I HAVE the honour to inform you that I had a consultation to-day with the Prime Minister, Regent, and his brother.

They expressed a strong wish, with the concurrence of the Queen Regent, that no white people should be present at the crying or the installation; for as they put it, it is not like the Harvest Festival, which is one of dancing.

Both ceremonies are of a religious (superstitious) nature, and they prefer that they should be done privately.

They gladly accepted the suggestion that the representatives of the two Governments should visit and recognise the new King after his installation.

Owing to the recent rains I do not think these ceremonies will commence before June 1st.

I have, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi Nation.

Lieut.-Colonel Martin, C.M.G.,  
&c. &c. &c.  
Her Britannic Majesty's Representative.

No. 211.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 16, 1890.)

Government House, Cape Town,  
May 27, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Lieut.-Colonel Martin, forwarding newspaper extracts giving currency to false reports respecting "killing off" in Swaziland.

I have, &amp;c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 211.

Colonel MARTIN to HIGH COMMISSIONER.

Swaziland Mission, Embekelweni,  
May 12, 1890.

SIR,

WITH reference to my letter of the 7th instant, forwarding a copy of a Proclamation warning people against spreading false reports, I have the honour to forward, for your Excellency's information, extracts from the "Barberton Herald" and also one from the "Times of Natal."

No impis have been sent out by the Queen Regent to kill since the death of Umbandine and at present any headman who was alive at the time of the King's death is still alive, with the exception of Kwahla-Kwahla who died from natural causes, and was cried for by the Queen and nation.

It is true that there was a scare at a kraal near Fyfe's store, but that was caused by a false report being spread that as no message had been received from Her Majesty or his Honour the President of the South African Republic by the Swazies that they were not to kill off, the Resident Adviser had sanctioned the usual killing off which takes place on the death of a Swazie King.

I have, &amp;c.

His Excellency  
the High Commissioner,  
Cape Town.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
Her Majesty's Representative in Swaziland.

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The "BARBERTON HERALD AND TRANSVAAL MINING MAIL," April 25, 1890.

NOTES FROM KOMATIE.

(From our own Correspondent.)

Steynsdorp, April 21.

UNLESS there are an unusually large number of liars about, the old Queen at the Inkanini is having a rare old time of it with her killing off *impis*. A few days ago over 20 women flocked to Fyfe Bros.' store at Beacon Kop for protection, the men having taken to the rocks, where they were watching the movements of a butchering party. There appears to be little doubt that the opinion which I ventured on some little time back, that there is more killing off going on in Swaziland now than there ever was during the last year of Umbandine's reign, is not far off the mark. And yet some people are moving heaven and earth to have this bloodthirsty old woman and her bloodthirsty people left to their own devices.

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"TIMES OF NATAL," Monday April 28, 1890.

ACCORDING to a telegram in the "Star," there are lively times in Swaziland just now. The Queen is said to have *impis* busy "wiping out," and the slaying and burning is much worse than it was in Umbandine's time. Whether these stories emanate from the active brain which has previously given us so much sensational matter, or whether they are true, we have no means of ascertaining. If they are true, we should at once stop all the bunkum about Swazie independence. Swaziland is partially civilised, but if the Queen is what she is represented to be, it will soon return to the old-time barbarism,

No. 212.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 16, 1890.)

My LORD,

Government House, Cape Town,  
May 28, 1890.

I HAVE the honour to enclose, for your Lordship's information, a copy of telegraphic correspondence respecting the issue of a notice *re* the installation of the new King, and the absence of the South African Republic representative.

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.

Enclosure 1 in No. 212.

TELEGRAM.

Colonel MARTIN, Swaziland, to HIGH COMMISSIONER, Cape Town.

26th May.—Three Natives, sent by Queen Regent report two grazing-right holders, one named Maritz, were burning grass for sheep 10 days ago, and while so doing destroyed nine gardens, some of the corn not gathered. The Chief, who is a great man, and ranks as the late King's father, went to ask them why they had done so. Without telling him and asking assistance, as they had done in former years, they said they would show us what they would do this winter, that they were coming in this winter to take the country. They knocked the Chief down and beat him till he was insensible. Swazis have requested Resident Adviser to cancel the land grazing rights, and prevent these men from returning to the country. We shall issue a summons. I think there should be a representative of the Transvaal in the country, and if my Transvaal colleague is detained by Vryheid business that someone else should be appointed to act. Will your Excellency take steps or shall I?

Enclosure 2 in No. 212.

TELEGRAM.

Colonel MARTIN, Swaziland, to HIGH COMMISSIONER, Cape Town.

26th May.—On 23rd instant I again telegraphed to my Transvaal colleague, and requested an answer to proposal to apply to whites, stating I was anxious some step of the kind should be taken to prevent disappointment to people who might come from a distance, and pointing out I thought our support would strengthen Shepstone's hands; following reply received. Begins:—Your telegram of yesterday. I am still of opinion that we should not issue such notice. Let Shepstone do it on his own responsibility if he deems it necessary. Ends. I have consulted Resident Adviser who is quite willing to accept responsibility, but it cannot have same weight as with our support. I have requested him to wait your reply.

Enclosure 3 in No. 212.

TELEGRAM.

HIGH COMMISSIONER, Cape Town, to His Honour the STATE PRESIDENT, Pretoria.

26th May.—Various questions have arisen in Swaziland requiring prompt action, and as I understand Mr. Esselen is absent at Pretoria, I have authorised Colonel Martin to take certain measures in conjunction with Mr. Shepstone, and to dispense with the assent of his Transvaal colleague. I shall forward to your Honour a copy of the

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telegraphic correspondence, but in the meanwhile I must ask your Honour either to direct Mr. Esselen to return to his post or to appoint another officer in his place.

The critical period of the installation is now approaching, and unless your Honour is prepared to appoint a representative it will be necessary for me to authorise Colonel Martin to continue to act alone.

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Enclosure 4 in No. 212.

TELEGRAM.

HIGH COMMISSIONER, Cape Town, to Colonel MARTIN, Embekelweni, Swaziland.

27th May.—Your two telegrams of yesterday. I approve of the issue of the notice you propose which may be signed by Mr. Shepstone and yourself with an intimation that it is issued with my approval. I also approve of your summoning the two grazing license holders as proposed. Send a copy of this telegram to Mr. Esselen. I am communicating with State President.

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Enclosure 5 in No. 212.

Sir H. LOCH to STATE PRESIDENT, Pretoria.

Government House, Cape Town,  
May 28, 1890.

SIR,

I HAVE the honour to enclose, for your Honour's information, a copy of a telegraphic correspondence which I have had with Colonel Martin respecting the affairs of Swaziland. As the critical period of the installation is approaching, I have telegraphed to your Honour, urging you to appoint a representative of your Government in Swaziland, adding that unless you are prepared to appoint a representative it will be necessary for me to authorise Colonel Martin to act alone.

(From Col. Martin, 26/5/90.)  
(Do. Do. 26/5/90.)  
(To Do. 27/5/90.)

His Honour the State President,  
Pretoria.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

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No. 213.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 18, 1890.)

TELEGRAPHIC.

At present juncture consider much advantage might result in sending a Representative to South African Republic in whom all parties would feel confidence. De Wet's health prevents his going before August, but I believe Hofmeyr would go as our Representative, not to reopen question on any point, but to make President of the South African Republic fully understand position. His influence would be great with President of South African Republic and his Executive Council, and whether successful or not would influence favourably Dutch party in the Colony. Trust you will authorise this, as well as sanction my informing President of South African Republic that failing settlement on basis of Convention British Commissioner will be appointed in Swaziland, supported by such force as may be necessary to maintain order.

No. 214.

LORD KNUTSFORD to SIR H. B. LOCH.

TELEGRAPHIC.

19th June 1890.—Referring to your telegram of 18th June,\* proposal approved, Hofmeyr.

No. 215.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received June 24, 1890.)

Government House, Cape Town,

June 4, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, in continuation of Despatch of the 28th ultimo,† a copy of the document specified in the margin.

28th May 1890.—Telegram from State President, South African Republic.

I have, &amp;c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Colonial Office.

Enclosure in No. 215.

From STATE PRESIDENT, Pretoria, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

28th May—Mr. Esselen was required here to give information respecting disputed lands in Vrijheid. He has already received instructions to proceed quickly to Swaziland.

No. 216.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received June 24, 1890.)

Government House, Cape Town,

June 4, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a letter from Lieut.-Colonel Martin reporting on affairs of Swaziland.

I have, &amp;c.

(Signed) HENRY B. LOCH.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Governor and High Commissioner.

\* No. 213.

† No. 212.

Enclosure in No. 216.

Colonel MARTIN to HIGH COMMISSIONER, South Africa.

Swazieland Mission, Embekelweni,  
May 26, 1890.

SIR,

I HAVE the honour to forward a report received from the Resident Adviser.

As it is only the influence the Resident Adviser has in the country and the confidence the Swazies have in Her Majesty's Government that prevents them retaliating, cases of the nature referred to cause me grave anxiety.

Your Excellency will observe in the report that the Queen Regent and Swazies demand that Maritz and the other man should be turned out of the country and their grazing rights cancelled, but they will no doubt be contented if a summons is issued and the case tried by the Provisional Government Committee. The question then arises as to what power we have with which to assert our authority if the judgment of the court of the Provisional Government Committee be favourable to the natives, and 20 or 30 of these evil-disposed adventurers combine to resist the law of the country. Our present police force is not sufficient, and there is no doubt that to enforce our decisions we have in case of resistance only the alternative of either to raise a force of special constables, which I fear would be too great a tax on the present small revenue of the country, or to leave matters in the hands of the Swazies themselves, which would mean a conflict between the Swazies and whites.

I have given this matter much thought, and I would suggest for your Excellency's consideration whether people who have obtained grazing and other concessions from the Swazie King and nation, and have thus become in a way subjects of the Swazie King, might not, under Roman-Dutch law, by acts likely to create disorder, render their concessions liable to cancellation when the final settlement of the country is arrived at, and whether a proclamation issued at once, pointing out the risk run, might not do much to prevent these lawless acts.

I may add that the sub-inspector of police in the district where Messrs. Maritz and J. J. Ferreira have grazing concessions reports that the grazing concessionaires have given out that they defy the Swazie police to collect taxes from them. I am glad, however, to hear that the majority of grazing right holders are bringing their sheep and families in as usual, and readily pay taxes.

I have, &c.  
(Signed) R. E. R. MARTIN,  
Lieut.-Colonel,  
Her Majesty's Representative in  
Swazieland.

To his Excellency the High Commissioner,  
Cape Town.

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Mr. THEOPHILUS SHEPSTONE to Lieut.-Colonel MARTIN.

Resident Adviser's Office, Embekelweni, Swazieland,  
May 24, 1890.

SIR,

I HAVE the honour to enclose a copy of a statement made to me to-day concerning the burning of grass and corn gardens and an assault on "Dabakaombe" by F. F. Maritz and another, whose proper name I have not yet ascertained.

The Queen Regent and Dabakaombe's men are very incensed, and requested me to cancel the two persons' grazing rights in the country and not allow them to enter Swazieland again, as they purpose doing with their stock in a few days.

Matters of this sort may cause serious trouble in the country, especially at a time when the country is full of stock brought in for winter grazing. I have urged the Queen and Dabakaombe's men to do nothing to cause any trouble.

That I will report the matter to you and your colleague, and claims for compensation can be brought before the Provisional Government Committee.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent  
to Swazie Nation.

STATEMENT of three of Dabakaombe's men sent to me by the Queen Regent to report an assault on Dabakaombe by F. J. Maritz and another white man, as also the burning of veldt and gardens not yet reaped. Nonabilela, who is in charge of the Embekelweni Kraal in Tikuba's absence, brought the men to me from the Queen, with a request that I would take immediate steps in the matter.

NONGONGOLO states :—I am a headman of "Dabakaombe." I was reaping, and I saw two white men burning the grass. It set fire to our gardens. Some of the corn was on the grounds. Over nine gardens were burnt. We do not know how many more. All the veldt is burnt off. Dabakaombe rode up and ordered us to put out the fire if we could. He followed the white men and asked them why they burnt the grass without telling him, as in former years, when they got his assistance.

Why are you attacking me? They knocked him down, hit him with sjamboks and their fists, made him insensible. They took his horse, but returned it afterwards. He is badly hurt and bruised all over the face and head. The one white man is F. J. Maritz, the other is Kaleni, son of Madevu. They said they would show us what they would do this winter. We are coming in with a purpose to take the country. You — of your mother, you'll see us this year, this winter.

This was eight days ago. "Manhlamaduna," who is Ferreira's policeman, arrived two days before the fire, and said he was sent by Ferreira to borrow a horse. He was carrying a saddle.

N'Dabakaombe refused to lend a horse. He left the saddle and went on. Two days after these men came and burnt the grass and the gardens.

Manhlamaduna said he would reach Ferreira further on. That we Swazies would have to look out now. We'd see this winter, and we'd have to pay taxes this year. We do not know who to. We said, Who to? We have not heard any such new law. Is it possible such a law has been issued. We said we have done no wrong.

Before me,  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent  
to Swazie Nation.

P.S.—N'Dabakaombe is son of Lobuza, is a large Chief, and ranks as the late King's father.

No. 217.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, June 26, 1890.

I HAVE the honour to acknowledge the receipt of your Despatch of the 26th ultimo,\* and to express to you the satisfaction with which I have read the report of the peaceful harvesting of the crops in Swaziland, and the arrangements contemplated for the installation of the young King.

I have also to acknowledge the receipt of your Despatch of the 28th ultimo,† and to convey to you my approval of the action which you have taken with regard to the installation.

Sir H. B. Loch.

I have, &c.  
(Signed) KNUTSFORD.

\* No. 210.

† No. 212.

No. 218.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received July 14, 1890.)

Government House, Cape Town,  
June 25, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of the documents noted in the margin, respecting grazing rights' disputes in Swaziland and the issue of a proclamation giving Provisional Government power to deal with same.

1890.			
18th June.	From	Lieut.-Colonel Martin.	
"	From	"	"
19th June.	To	"	"
"	From	"	"
21st June.	To	"	"
"	From	"	"
23rd June.	To	"	"

I have, &amp;c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.

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Enclosure 1 in No. 218.

TELEGRAM from Lieut.-Colonel MARTIN to HIGH COMMISSIONER, Cape Town.

18th June.—*Re* grazing difficulties it is suggested that both Governments apply to Swazi nation to grant authority to Government Committee to settle disputes in grazing contracts, as it is debarred by clause 8 of proclamation, 18th of December, from deciding initial validity of grants. Resident Adviser says Queen and Council will sign any such proclamation. I suggest that should Government not approve of such proposal that a fresh law under clauses 4 and 5 could be proclaimed giving us power to temporarily settle these disputes, with the following proviso: Provided always, that nothing in this law contained shall be deemed in any way to interfere with the initial validity of any grant, contract, or concession same as above sent by Transvaal representative to his Government. I would point out to your Excellency that this matter is very urgent.

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Enclosure 2 in No. 218.

TELEGRAM from Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Cape Town.

18th June.—At Government meeting yesterday Transvaal colleague brought to our notice many difficulties arising with regard to grazing concessions. Resident Adviser concurred, and said he was writing a letter to us on the subject, as it was a most serious one. I agreed with my Transvaal colleague that we should at once bring the matter to the notice of our Governments. It appears that grazing rights have been granted over the same ground to several people, and as a settlement is now under the consideration of the Governments all concessionaires are anxious to assert their rights. One Joubert appeared, stated he holds a grazing concession, but several claimants brought sheep to same ground and six men entered his tent and assaulted him, and will not let him graze. This means very heavy loss. As clause eight, proclamation 18th December, prevents our dealing with cases touching the initial validity of any concession, we do not see our way to settle these questions. A number of grazing right holders came before us with complaints. I pointed out that even if a court was appointed at once it would not be in time to settle the present difficulties, and proposed I should start on Monday next with the Chief Inspector of Police and Mr. Martin of the Z. A. R. to visit some of the grazing districts, and, if possible, make a temporary settlement for this season. This met with the approval of my colleagues, but unless farmers are willing to accept arbitration I see no other course than to bind them over to keep the peace. Perhaps some use may be made of clauses four and five of the proclamation. I should be glad if your Excellency would telegraph your views, and if you approve my action. Joubert appears before us again to-day. I shall propose further adjournment till I receive your Excellency's reply.

## Enclosure 3 in No. 218.

TELEGRAM from HIGH COMMISSIONER, Cape Town, to Colonel MARTIN,  
Embekelweni.

19th June.—Your two telegrams of yesterday *re* grazing licences. I approve the course you propose taking in your second telegram, and think it will be best for the joint Commissioners to obtain from the Swazie nation power by proclamation to deal with this question.

## Enclosure 4 in No. 218.

TELEGRAM from Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Cape  
Town.

19th June.—Resident Adviser's minute *re* grazing question received. He points out six months now elapsed since appointment of Government Committee and tribunal to settle concessions not yet appointed; that country is full of grazing right holders, amongst whom there are serious disputes, which must result in heavy loss and may lead to personal injuries. Committee's hands tied, and if tribunal appointed now would be too late to settle any question before spring. Eighteen grazing holders here with complaint on 17th instant. Disputes are between white holders, Natives not interfering in any way. Resident Adviser urges representatives to suggest temporary measures by which grazing holders may be kept at peace, allowed to enjoy grazing for the present winter.

## Enclosure 5 in No. 218.

TELEGRAM from GOVERNOR, Cape Town, to Colonel MARTIN, Embekelweni.

21st.—Your telegram of the 19th *re* grazing question has, I presume, crossed mine of the same date, approving the proposal contained in your second telegram of 18th June, suggesting that the representatives of both Governments should apply for fresh power to temporarily settle disputes as to grazing licences.

## Enclosure 6 in No. 218.

TELEGRAM from Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Cape  
Town.

21st.—Your Excellency's telegram 19th received. I understand you approve of a law giving temporary power with proviso proposed by me. I do not start for grazing districts till Wednesday.

## Enclosure 7 in No. 218.

TELEGRAM from HIGH COMMISSIONER, Cape Town, to Colonel MARTIN,  
Embekelweni.

23rd.—Yours of 21st. I approve of a law giving temporary power with proviso proposed by you.

## No. 219.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received July 21, 1890.)

Government House, Cape Town,  
July 1, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Colonel Martin covering copy of a letter from Mr. Shepstone respecting "Press" reports as to "killing-off" in Swaziland.

I have, &c.

The Right Hon. Lord Knutsford, G.C.M.G., (Signed)  
&c. &c. &c.

HENRY B. LOCH,  
High Commissioner.

Colonial Office.

Enclosure in No. 219.

Colonel MARTIN to HIGH COMMISSIONER.

Swaziland Mission, Embekelweni,  
June 16, 1890.

Sir,

WITH reference to my telegram dated 9th June, I have the honour to forward, for your Excellency's information, extracts from the "Press" newspaper. As the information published by the Embekelweni correspondent appeared to me to be so much at variance with the information given by the Resident Adviser, I deemed it advisable to draw Mr. Shepstone's attention to the statements made regarding "killing-off" in Swaziland, and beg to enclose his report on the subject.

I have, &amp;c.

(Signed) R. E. R. MARTIN,  
Lieut.-Colonel, Swaziland.His Excellency the High Commissioner,  
Cape Town.

"THE PRESS." Wednesday, May 28th, 1890.

Published at Pretoria, South African Republic.

SWAZILAND AFFAIRS.

(From Our Own Correspondent.)

THE "KILLING-OFF" BUSINESS.

RESISTANCE OF CHIEFS.

Embekelweni, May 21st.

Some two weeks ago a commando, coming from Inkaneni (the Queen's kraal), killed a male and female native at Umdumagulu kraal, about twenty miles east from Embekelweni. A number of cattle were taken by the commando, and they further asked for two girls, however, who were refused by the induna Umatjane.

At about the same time, a commando came from Detine kraal to Makashatege's kraal in order to murder the latter's brother. Makashatege, by his brave behaviour, made the commando withdraw without any murder being committed, or cattle being stolen. This Chief sent a messenger to Detine in order to ask why his brother had to be murdered, to which question the following answer was received: "Who may escape from the assegais of the King?"

Makashatege is one of the most influential indunas, he is Umswage's brother, and since the King's troops were at his kraal, he sleeps out in the veldt, fearing an attack.

A third commando started from Embekelweni to Legogwane with the view of stealing cattle, so it is stated.

The Resident Adviser, having proclaimed that those who spread false rumours shall be punished, I only send you such intelligence as has been reported to me by eye-witnesses, so that I may be able to prove what I write.

## "KILLING-OFF" PROHIBITED.

The following proclamation has been published for the benefit of whom it may concern:—

Whereas certain evil disposed person or persons have spread reports amongst the Swazi nation to the effect that no message has been received from the Government, or Her Britannic Majesty, to the effect that the practice of killing-off is to cease in Swaziland; And whereas such person or persons have advised the nation to continue such practice of killing off, and trouble and bloodshed may arise therefrom.

And whereas the following two telegrams marked A. and B. have been delivered to the nation at the Enkanini kraal, the first in the presence of the Representatives of Great Britain and the South African Republic and myself; and the second by the Representative of Great Britain and myself, and which two messages read as follows:

(A.)

HIGH COMMISSIONER to Lieut.-Colonel R. E. R. MARTIN, March 28, 1890.

"Inform the Queen Regent that Her Majesty cannot sanction any killing-off in Swazieland."

(B.)

HIGH COMMISSIONER to Lieut.-Colonel R. E. R. MARTIN, April 3, 1890.

"I have been instructed by Her Majesty the Queen to convey to the Swazi Queen Regent Her Majesty's detestation of killing-off, and that it is Her Majesty's wish that such practices should cease, if the Swazies wish to remain good friends with Her Majesty the Queen."

And whereas I have already, with the consent of the Queen Regent and Council, proclaimed that such practice of killing-off is to cease.

Now, therefore, all persons are warned that any person or persons detected of spreading any such report or reports as herein-before mentioned are liable to be arrested and tried according to the law proclaimed and in force in Swazieland.

Thus done and passed at the Embekelweni, this 25th day of April 1890.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent of the Swazie Nation.

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"THE PRESS."

Thursday, May 29, 1890.

The news received from Swaziland is very disquieting, and though the Provisional Government is doing its best to prevent the horrible and savage massacres which generally accompany the crowning of a new King from being perpetrated on the occasion of the anointing of Umnadibo, it would appear from facts supplied by our special correspondent at Embekelweni that their efforts will not be altogether successful. The Queen Regent seems thirsting for blood, and impis have been sent out in all directions with instructions, as their acts would seem to indicate, to "kill-off" people. This fact makes it clear that some stronger and more stable form of government is needed than that of the present Provisional Government, and unless some such powerful controlling body be provided shortly, much trouble must be anticipated. The dilatory policy of the British Government will have much to answer for, if, in consequence of their delay in establishing, or assisting to establish, a firm system of rule in Swazieland, there should be considerable bloodshed there. The Swazies follow their traditions with determination, and being a warlike and potent race, cannot easily be restrained from carrying out their intentions. They have evidently resolved upon "Killing-off" a number of individuals to propitiate the manes of the dead King, Umbandine, and the paltry force at present at the disposal of the Provisional Government will be of no avail in preventing them from accomplishing their purpose. Colonel Martin has issued a prohibitory notice in the Queen's name, it is true, but, in dealing with savages, a few hundreds of troops are worth tons of documents, even though the latter be signed by the representative of, and in the name of, the most powerful monarch in the world. If impis of Swazies are out, the flaunting of government notices in their very faces will have no effect. They are on an errand of death, and those whom it is intended to destroy will be cut off from life as sure as the morrow follows to-day. It is, therefore, absolutely necessary that a sufficient force should be at hand to stop the impis before they shall have carried into effect the massacres which they are instructed to perpetrate, and this object can be achieved only in one way; that is by handing over Swazieland to this Republic without further delay. It is of no use blinking the matter. Affairs in Swazieland look threatening, and some active measures must be at once taken. The question as to whether Great Britain can hand over the Swazie nation to the rule of the South African Republic has already been settled, and as it may be assumed that there is no moral obligation on England to take over the country herself, and as, moreover, it is not likely that she would do so under present conditions, there would seem to be no further need for procrastination on her part. At any rate, if she does not decide soon, the force of events will not improbably precipitate matters, as if the Swazies commence their massacres, the whites who have interests in the country will be compelled to step in, and stop the plan of murder from being carried out. The result of

such action would unquestionably be a war with the Swazies, and the British Government would be responsible for all the blood that might be shed there. It is a shame to England that, when there is a country close at hand ready to step in and put the Swazies under good and civilised government, she will not allow that Power to take the land, will not take over Swazieland herself, and through her hesitating and infirm policy, is practically encouraging the sacrifice of hundreds of human beings as victims to a barbarous fetish. It must be earnestly impressed upon the British nation that the *laissez faire* policy hitherto followed will not answer any longer, and that some immediate action will have to be taken to prevent the impending slaughter.

Resident Adviser's Office, Embekelweni, Swazieland,  
June 16, 1890.

SIR,

IN reply to your query I have the honour to state that the reports in the "Press" newspaper are grossly exaggerated.

The matter commenced four months ago in a dispute between two brothers.

The whole of the remarks refer to the one matter. It was two months, *not* two weeks, before that U'Simpise "ate up" Umbabo and took his cattle and children on the Lebombo.

No impi or force was sent by the Queen or either of the Royal kraals mentioned.

After eating up the kraal the men went, according to native custom, to Makathleka, the late King's brother, to ask under native custom for the Lobola cattle of his sister, the wife of Umbodo, who had been eaten up.

Makathaleka, who had just left me, refused, saying that I had forbidden this eating up and the men returned.

Umbobo had fled to me for protection. The reference as to who could escape the King's assegais is nonsense.

No one was killed or injured in the whole business. I sent my own police and recovered and restored to Umbobo all his children and cattle.

I have, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie Nation.

No. 220.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received July 21, 1890.)

Government House, Cape Town,  
July 2, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, in continuation of my Despatch of the 25th ultimo,\* a copy of two telegrams from Colonel Martin regarding grazing disputes, and informing me that the South African Republic Government agree to proposals for temporary settlement.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Colonial Office.

Enclosure 1 in No. 220.

TELEGRAM from Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Cape Town.

25th.—No answer received by my Transvaal colleague from his Government regarding [grazing?] right question. My visit to grazing holders postponed, perhaps till after installation, which may now take place shortly.

\* No. 218.

## Enclosure 2 in No. 220.

TELEGRAM from Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Cape Town.

27th June.—Transvaal Government approves proposals *re* temporary settlement of grazing disputes. As preliminary ceremonies previous to installation will take some days, I start on my visit next Monday, and shall be away about twelve days. Should your Excellency wish to communicate with me during my absence, please say to be forwarded.

## No. 221.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received August 2, 1890.)

TELEGRAPHIC.

2nd August.—Convention signed by President of the South African Republic this evening, and will be submitted to Volksraad on Monday. Her Majesty's Government can therefore inform Parliament terms of Convention also on Monday.

## No. 222.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received August 5, 1890.)

Government House, Cape Town,  
July 12, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, with reference to my Despatch of 2nd instant,\* copies of further telegraphic correspondence with Colonel Martin respecting grazing disputes.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Colonial Office.

## Enclosure 1 in No. 222.

TELEGRAM from Colonel MARTIN, Embekelweni, to HIGH COMMISSIONER, Cape Town,  
Embekelweni, 9/7/90. Received 10/7/90.

9th July.—I returned this morning. The districts through which I passed were quiet, and the grazing holders, although still anxious to bring their cases before a concession court, have with one or two exceptions, which I hope to be able to settle, made arrangements for this year. I have heard, however, since my return Joubert's cause is still unsettled.

## Enclosure 2 in No. 222.

TELEGRAM from HIGH COMMISSIONER, Cape Town, to Colonel MARTIN, Embekelweni.

10th.—Yours of yesterday. I congratulate you on your success.

\* No. 220.

No. 223.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received August 5, 1890.)

Government House, Cape Town,  
July 14, 1890.

MY LORD,

I HAVE the honour to enclose, for your information, a copy of a Despatch which I have received from Colonel Martin, reporting on the prospects of the Swaziland revenue during the current year.

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.  
Colonial Office.

Enclosure in No. 223.

From Colonel MARTIN to HIGH COMMISSIONER.

SIR,

Embekelweni, June 29, 1890.

IN reply to your Despatch dated 19th June, I have the honour to inform you that the Swaziland revenue is so small that it only just enables us to meet the expenses of the present Government, and I doubt very much if we should have sufficient funds to support the present police force to the end of the year.

Although the store-keeper promised 500*l.* to clear off the old debt, we have with much difficulty collected about 300*l.*, and owing to the unsettled state of the country, and the uncertainty about the concessions, much difficulty is experienced in collecting customs, &c., and I do not think the Swaziland revenue will amount to much more than 3,000*l.* for this year.

I do not think there is any chance of the repayment of the advances made to Swaziland before the 31st March next.

I have, &amp;c.

His Excellency

The High Commissioner,  
Cape Town.(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
Swaziland.

No. 224.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received August 5, 1890.)

Government House, Cape Town,  
July 15, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Colonel Martin, covering a copy of a letter from a firm of Swaziland storekeepers, explaining the difficulties which they have encountered in respect to the payment of Customs dues.

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.  
Colonial Office.

## Enclosure in No. 224.

COLONEL MARTIN TO HIGH COMMISSIONER.

SIR,

Embekelweni, June 28, 1890.

I HAVE the honour to forward a copy of a letter addressed to the Provisional Government Committee by Messrs. Fyfe Bros., in which they complain of having to pay duty on goods to the Government of the South African Republic, as well as to that of Swaziland.

We have replied that their case will be brought to the notice of Her Majesty's Government and that of the South African Republic, and that for the present we shall not call upon them to pay the balance due.

At the meeting between the Joint Commissioner and the Swaziland storekeeper, at the M'Dimba store on the 17th December 1889, Mr. Darke brought the matter to the notice of the Commissioners, and the question was referred to the Provisional Government Committee, and I forward the reply received to a letter addressed to the Government of the South African Republic on the subject.

I beg to add, for your Excellency's information, that the Swaziland tariff for all goods in transit, is  $1\frac{1}{2}$  per cent. on invoice prices.

I have, &amp;c.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,

His Excellency the High Commissioner,  
Cape Town.

H.M.'s Representative, Swaziland.

SIR,

Beacon Kop, Swaziland, June 9, 1890.

WE have this day received a visit from Mr. H. E. Gilbert, who has gone through our invoices to date. The full amount of duty is 64*l.* 6*s.*, and we have in the meantime handed him our cheque for half that amount, 32*l.* 3*s.*

Our first desire is to be law-abiding residents of the State, and to assist the Committee in every way in our power, as we have done heretofore, and beg that you will submit for their careful consideration the following, which we think a real grievance and neither frivolous nor vexatious.

We buy our goods necessarily duty paid in Natal, except bonded goods on which of course there is a transit duty,—on crossing into Transvaal territory have to pay full duties, for which we have our receipts, and again, on coming into Swaziland, full duties.

As our principal competitors in trade are storekeepers in Ermelo, Amsterdam, and other border towns, it is evident that we are at a very decided disadvantage, and in fact are unable to compete with them.

We trust that the above will meet with the earnest consideration of the Committee, and that some substantial rebate will be made, and await with confidence a favourable reply.

Yours, &amp;c.

(Signed) FYFE BROS.

W. C. Penfold, Esq.,  
Secretary, Provisional Government Committee,  
Swaziland.

## Translation.

Government Office, Pretoria,

February 6, 1890.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of 2nd January 1890, on behalf of the Provisional Government Committee of Swaziland with regard to the import duties on goods in transit to the above-named country, and am instructed to inform you that the regulations with regard to transit dues, as at present existing, have no reference to Swaziland, and that as the affairs of Swaziland are at present in a state of transition, it does not as yet appear desirable to the Government to take definite steps with regard to this matter.

I have, &amp;c.

(Signed) Dr. W. J. LEYDS,  
State Secretary.

No. 225.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received August 8, 1890.)

TELEGRAPHIC.

8th August.—The Convention, after three days' hot discussion, has been ratified by the Volksraad of the South African Republic, accompanied by a resolution to this effect :—

*Begins* : Regret that Her Majesty's Government still not willing to agree to full extent to just claims to the eastward of South African Republic, but wish to maintain friendly relations with Her Majesty's Government; and trusting to assurance of Her Majesty's Government that, after establishment of Joint Government in Swaziland and settlement of concession claims, such questions as Government of South African Republic desire to submit to consideration of Her Majesty's Government will be considered with a desire, as far as possible, to meet wishes of South African Republic; and therefore, regarding Convention as a transitory measure so far as it shall not be regarded as relinquishing the claims of the South African Republic to the eastward, nor that it makes the South African Republic a party to any claims between Her Majesty's Government and those of any foreign Power in respect to the territory to the north and to the north-west (meaning, I presume, Portugal); and, further, that for the preservation of peace and order on the northern and north-western border of the South African Republic, consider that there should be a rectification of border.

*Ends.*

The Government of the South African Republic also requests that Article XXII. of Convention should be only enforced during time when the South African Republic is a party to Customs Union. This latter is the only condition to the ratification, and to this I have consented. The other matters are merely for discussion and consideration. The Government of the South African Republic have consented to extension for one month of present Provisional Government in Swaziland, to give time for formation of permanent Joint Government, and establishment of Courts, &c., and I have suggested that rules, &c., for the latter should be prepared by State Secretary, South African Republic, or by their Chief Justice in consultation with Sir Henry de Villiers.

No. 226.

LORD KNUTSFORD to SIR H. B. LOCH.

TELEGRAPHIC.

8th August 1890.—Press telegram fully reports action of Volksraad of South African Republic with respect to ratification of Convention. Telegraph estimate of expenditure for Swaziland during present financial year; also send full information by post. Thank Hofmeyr, on behalf of Her Majesty's Government, for his services.

No. 227.

LORD KNUTSFORD to SIR H. B. LOCH.

TELEGRAPHIC.

9th August.—Referring to your telegram of the 8th of August,\* Her Majesty's Government learn with satisfaction that Convention is ratified. So inform President of the South African Republic if you think it desirable. Your action is approved. I will await arrival of Despatches.

\* No. 225.

SOUTH AFRICA.

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REPORT

ON

SWAZIELAND,

BY

COLONEL SIR F. DE WINTON, R.A., K.C.M.G., C.B.

(WITH APPENDICES AND CORRESPONDENCE.)

*(A Map will be found at page 18.)*

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*Presented to both Houses of Parliament by Command of Her Majesty,  
August 1890.*

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South Africa.

**REPORT ON SWAZIELAND,**

BY

**COLONEL SIR F. DE WINTON, R.A., K.C.M.G., C.B.**

(WITH APPENDICES AND CORRESPONDENCE.)

---

No. 1.

LORD KNUTSFORD TO SIR FRANCIS DE WINTON.

DOWNING STREET,  
*September 22nd, 1889.*

SIR,

I have the honour to acquaint you that Her Majesty's Government have selected you to be the Commissioner to hold an inquiry into the affairs of Swazieland in concert with a Commissioner to be appointed by the Government of the South African Republic, with whom you will be placed in communication on your arrival in South Africa.

In conveying to you this notice of your appointment, I have to state that it will be desirable that you should leave England at an early date, and that further instructions will be addressed to you in a separate letter.

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

Colonel Sir FRANCIS DE WINTON,  
K.C.M.G., C.B.

---

No. 2.

COLONIAL OFFICE TO SIR F. DE WINTON.

DOWNING STREET,  
*September 26th, 1889.*

SIR,

You are aware that Her Majesty's Government have decided to appoint a Commission to inquire, in concert with the Government of the South African Republic, into the affairs of Swazieland, and that your services have, at the request of Lord Knutsford, been placed by the Secretary of State for War and His Royal Highness the

Commander-in-Chief at the disposal of Her Majesty's Government for this important service.

The general course of events in Swaziland during the last two years has been made known to you, and I am to transmit for your further information, copies of the Parliamentary Papers\* on the subject.

As you have already been informed, the affairs of Swaziland have been for some time past drawing to a crisis which calls for some early intervention. The King, Umbandeen, is unable to control the conflicting interests of British and Boer settlers and concessionaires, and has appealed to both Her Majesty's Government and the Government of the South African Republic for protection. The latter Government, while renewing its assurances that it does not desire to interfere with the independence of Swaziland, has declared that it is not able to acquiesce in the extension of British Sovereignty over that country, and has proposed, as a friendly settlement, "to withdraw all its claims to the lands north of the Republic, and to use its influence to support British expansion in Bechuanaland and Matabeleland, if Her Majesty's Government will withdraw itself to the east of the Republic in Swaziland and Tongaland."

It is in order to determine what course is most desirable in relation to Swaziland, having regard to the interests of the natives and of the White residents, that Her Majesty's Government have decided to appoint a British Commissioner who, acting in concert with a Commissioner from the South African Republic, should visit the country at an early date and ascertain, after careful inquiry on the spot, what settlement of that territory may be best conducive to the advancement of the various interests commanding consideration.

It will be desirable that you should consult with the Acting High Commissioner as to the present state of affairs, so far as they are known at Cape Town, and especially upon the existing relations between the Government of the South African Republic and the neighbouring territories. It will, therefore, be necessary that you should disembark at Cape Town, where you will, moreover, probably be able to arrange at what place to meet Colonel Martin, C.M.G., who will act as Secretary to the British Commissioner, and who will be in a position to afford you valuable information as to the present position of affairs in Swaziland itself, which he has just quitted.

You will then proceed to Swaziland, arranging, if possible, to enter that country at about the same date as the Commissioner from the South African Republic, in concert with whom you will conduct your inquiry. If convenient, it would be of great advantage that you should, in passing through Pietermaritzburg, consult with the Officer Administering the Government of Natal in connection with the general object of your mission, especially as the Natal Government may be able to place important information at your disposal relating to the commerce and industrial enterprises of Swaziland, in which residents in Natal are very largely interested.

In Swaziland you will, of course, at the earliest practicable moment, communicate your arrival to King Umbandeen, and you should take special care to impress upon him that your mission is one of inquiry and recommendation only, undertaken in order that the Queen may be able to come to a right decision upon the various petitions which have been presented to her in connection with Swazie affairs, as well from King Umbandeen himself as from other persons.

Lord Knutsford does not think it desirable to lay down any specific limits within which the inquiries you may find it necessary to make in Swaziland should be conducted, but you should, wherever possible, act in conjunction with the Commissioner from the South African Republic, whose assistance and co-operation it must be your constant endeavour to secure.

With regard to the various disputes and factions now existing in the country, his Lordship is confident that you will appreciate the importance of using every endeavour to abstain from even an appearance of interference or partiality, and it might be well if the two Commissioners were to issue a joint notice as soon as possible after their arrival in Swaziland, explaining that their mission is one of inquiry only, and that, while ready to receive any information as to the state of affairs, they have no authority to interfere in any way with the administration of the country, and cannot afford any support or assistance to any party or disputant in it. You would, however, not issue any such notice unless it emanates from both Commissioners jointly.

Should any disturbance arise, or be apprehended, you will, as far as you may be able, exercise your influence in favour of peace and order.

You will remain in Swaziland as long as you may consider necessary for the purposes

\* [C. 3914] 1884; [C. 4980] 1887; [C. 5089] 1887.

of your inquiry, which will, Lord Knutsford trusts, be concluded within a few weeks from the time of your arrival in the country; and you should maintain frequent communications with the Acting High Commissioner at Cape Town by the most convenient means, and report to him, for the information of Her Majesty's Government, if your stay is likely to be prolonged.

It would be desirable that the two Commissioners should, if possible, leave the country at about the same date.

Your report will be a separate one, and not made jointly with the Commissioner of the South African Republic; but it will, of course, be satisfactory, if you are able, as regards the principal facts and the wishes of the various sections of the inhabitants, to come to a general agreement with the Commissioner from the South African Republic, who will report separately to his Government.

In your discussions with the Commissioner of the South African Republic, and in any recommendations which you may make, you are at liberty to take into consideration the relations of the affairs of Swaziland to the interests of South Africa generally, bearing in mind that Her Majesty's Government desire to arrive at a satisfactory and enduring understanding with the South African Republic in regard to all the tribes and countries bordering thereon, and that it is an essential feature of our policy that there should be no undue restrictions upon the advancement or development of British trade and enterprise in any part of South Africa.

It is most important that you should see that full and accurate accounts are kept of all the disbursements of the Commission, and that proper vouchers should be obtained where possible.

You are at liberty to communicate these instructions to the Commissioner from the South African Republic, should you think fit to do so.

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

Sir F. DE WINTON, K.C.M.G.,  
&c. &c. &c.

No. 3.

SIR F. DE WINTON TO LORD KNUTSFORD.

HORSE GUARDS, WAR OFFICE,  
*February 25th, 1890.*

MY LORD,

In obedience with the instructions conveyed in your Lordship's despatches of the 22nd and 26th September, 1889,\* I have now the honour to submit my Report on Swaziland.

This Report has been drawn up in accordance with the instructions transmitted in the above-mentioned despatches, and is divided into five sections: 1. Swaziland; its resources, revenue, &c. 2. Its present condition and recent events. 3. The main points for consideration. 4. General conclusions. 5. Amatongaland and Kosi Bay.

The Appendix to this Report contains papers affording full information on the different points to which they refer; and among them is a paper by Captain Baden-Powell, concerning the military power of the Swazie nation, which I beg may be sent to the proper authorities.

I have further to bring to your Lordship's notice the great assistance I received from the members composing the Mission, viz., Colonel Martin, Mr. Advocate Schreiner, and Captain Baden-Powell, who all rendered me very valuable aid, and who performed their duties to my entire satisfaction.

\* Nos. 1 and 2.

In conclusion, I beg to place on record my appreciation of the kindness and courtesy with which the Mission was received at Pretoria by his Honour the President and the Government of the Transvaal: and I also desire to express my sense of obligation towards the members of the Transvaal Mission for their invariable goodwill and cordial co-operation during the period when the two Missions were acting together.

I have, &c.,  
(Signed) F. DE WINTON,  
*Late Commissioner to Swazieland.*

The Right Hon. the Secretary of State,  
&c.            &c.            &c.  
Colonial Office.

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## REPORT ON SWAZIELAND.

---

The geographical position of Swazieland is well known; it has an area of about 8,000 square miles, and its general features may be briefly stated as follows :—

Geographical position.  
General features of the country.

On the western side the boundary line of Swazieland runs along the elevated plateau known as the High Veldt of the Transvaal State, having an average altitude of about 5,000 feet. This elevated plateau of Southern Central Africa presents the appearance of rolling downs towards the westward, or the Transvaal, while on the eastern side broken mountain chains, with rocky serrated ridges and rugged sides, indicate that in the direction of Swazieland certain physical changes have occurred. This becomes more apparent as the border line is passed, and the road, during the first 20 miles, winds over ranges of hills and then commences steadily to descend about 3,000 feet into the plateau which forms the centre of Swazieland. It is in these western hills that the chief mineral wealth of Swazieland is deposited, and the valleys of their lower spurs form the principal winter grazing lands of the country, nearly all of which are leased to the Boers of the Transvaal. This Central Plateau gradually drops towards the east, terminating in the "Lebombo" range of mountains. In many parts of Africa you find three distinct elevations, and this is repeated as regards Swazieland. First come the low-lying grounds extending from the sea, represented by Amatongaland; then a range of hills brings you to the second plateau, or Swazieland, of an average height from 2,000 to 3,000 feet; then another range of hills takes you on to the higher levels, the High Veldt of the Transvaal, with an average elevation of about 5,000 feet.

The chief rivers of Swazieland are the USUTU in the south, the UMBELOSI in the centre, and the KOMATI in the north. None of these rivers are navigable, and no use is made of them for the purposes of irrigation.

Rivers.

The western side is well watered by numerous streams, which have their rise among the broken foothills of the mountain ranges of this part of the country.

The soil appears rich, and the natural grasses are abundant and of good quality. There is but little cultivation carried on, as the Swazies are a pastoral people, owning large herds of cattle: and the Boers from the Transvaal only winter graze. It is subject to occasional droughts, but, judging from the climate and the soil, the country is capable of producing all sub-tropical products; and if a system of irrigation were introduced a considerable area might be profitably placed under cultivation. In the summer time the climate is too warm to allow the permanent employment of white labour.

Soil.

It was stated to me that the cattle belonging to the Swazies were increasing, and their numbers were estimated at from 35,000 to 40,000.

Cattle.

During the summer or rainy season the climate is considered unhealthy, especially towards the eastern side, for horses, mules, and cattle, which are kept, at this time of year, as much as possible on the higher uplands of the western slopes. All wagon and other traffic to Delagoa Bay *via* the MAPUTA River is stopped during the rainy season.

Climate.

The early history of the Swazie nation is somewhat vague, and their claim to the territory known as Swazieland was acquired by conquest some time in the beginning of this century. Their original country was adjacent to Zululand. Constantly threatened from the south by these powerful neighbours, they were gradually pushed northwards until they entirely abandoned their own territory and occupied what is now known as Swazieland, turning out the original inhabitants, who were called ABESUTUS. The information on this subject was furnished by Mr. Jackson, a missionary, who has lived for some years in Swazieland, and who has studied closely the history, manners, and

Early history.

Annexure A. customs of the Swazie people. His Memo is marked A and is attached to the Appendix.

Transvaal claims. With reference to their early history, the Government of the Transvaal claim certain rights over Swazieland and the Swazie nation, on account of services rendered to MSWAZIE, the father of UMBANDINE, at the time when he was a candidate for the chieftainship of the Swazies.

This was, however, only a family quarrel as to the right of succession, and the Boer influence secured it for MSWAZIE, but they never afforded any material assistance to the Swazies when the latter were threatened by the Zulus. On the other hand, the influence of the English Government was continually exercised over Cetshwayo to prevent him from invading Swazieland and extinguishing the Swazies as a nation. This is well known to the Swazies, who acknowledge the services rendered to their nation by Great Britain, and accounts for their devotion to Sir Theophilus Shepstone (SOMETSU) and his family, because he was, during this time, agent for native affairs in Natal, and Cetshwayo was kept from entering Swazieland by his influence. The claim of the South African Republic on account of services rendered to MSWAZI is not, therefore, half so strong as the claim that could be urged by the Imperial Government, for the Transvaal interference was simply a settlement of a family quarrel, while the protection afforded by Great Britain preserved the nation.

The people. The numbers of the Swazie nation may be roughly estimated at 63,000. This calculation is made by taking the fighting men at 9,000 strong and multiplying that number by 7. A good deal has been written and said concerning the Swazies as a people. They appeared to me to differ very little from other African races. The men are lazy, dirty, and untruthful. The women do all the agricultural work.

Military organisation. Their military organisation is similar to that of the Zulus, and the number of fighting men they can put in the field is probably from 8,000 to 10,000 men. They do not appear to possess many firearms, their weapons being the assegai and the knobkerry.

The following regiments form the military power of the Swazies :—

NDHLAVELA, or Home Guards	..	..	..	5 companies
GIBA, or Rangers	..	..	..	6 „
MYATI, or Buffaloes	..	..	..	3 „
MJINDI and NOBAMBA, Holdfasts	..	..	..	4 „
				—
Total	..	..	..	18 „

Each company would thus appear to be 500 strong, but they vary according to locality.

The NDHLAVELA wear no rings on the head but are allowed to marry.

The GIBA consist of all ages. They are allowed to wear rings but are not permitted to marry. The Giba, or Rangers, are the Constabulary of the country, and execute all decisions of the King and Council as regards internal disputes.

The MYATI is composed of elder men. They wear rings and can marry.

The MJINDI and NOBAMBA wear no rings but can marry. The Swazies have the reputation of being good fighters, and would no doubt be useful allies in any native wars when supported by whites, but they always appear to have had a wholesome dread of the Zulus.

As a rule both sexes are of fine physique; it is probable, however, from certain varieties of colour and other racial distinctions, that they have mingled with the Amatongas and other tribes on their borders.

Religion. They have no form of religion except the worship of ancestors, and strenuously resist all missionary efforts to obtain a position as teachers of the people. They appear to recognise the existence of a Supreme Being by the sacrifices of oxen made at their feasts and other ceremonial occasions.

Witch doctors and rain makers exercise considerable authority at certain times and seasons. Taking them as a whole they are a happy, contented, work-hating, wild people, but they are not such a particularly interesting race as some have endeavoured to describe them, and unless kept in order with a firm but just hand would be continually giving trouble.

Umbandine. It is only due to the late King Umbandine to state that much of what has been written as regards his despotic acts, cruelty, &c., has not much foundation except in the brains of sensational newsmongers. Everyone I approached on this subject were in agreement that the late King was a man of singularly kind and gentle disposition for

an African native. It was the desire to please the Whites that caused him to fall into the hands of unscrupulous adventurers, who, under the pretence of friendship, stripped him of all his possessions by these so-called concessions, to which further allusion will be made in another part of this Report. I further made enquiry as regards the killing off, as it is termed, of Sandhlana, the late Prime Minister, and others, and obtained the following information from several independent quarters as to the true motives for this so-called murder:—When Umbandine's father died his wives, as was customary, were distributed throughout different kraals in the country in order that they might be cared for. Sandhlana was placed in charge of some of these wives of Mswazie. The punishment of death is inflicted on anyone getting one of these women with child; this is a well-established law among the natives.

Sandhlana had recently broken this law, and it was not the first time he had done so. On the first occasion his position as Prime Minister freed him from the penalty, but on a repetition of the offence the whole of the reigning family insisted that the law should take its course. Umbandine wished to prevent it, but the pressure was too strong, especially when one of his brothers, who had married a daughter of Sandhlana, got up a conspiracy against him. This brought matters to a crisis, and the death of Sandhlana, and those who had taken part in the conspiracy, was decreed by Umbandine in Council. I have mentioned this to show that Sandhlana was killed because he transgressed a fundamental law of the Swazie nation, the punishment of which was death, and not because Umbandine was a blood-thirsty tyrant, or because he was desirous of possessing all Sandhlana's belongings.

The trade and commerce of Swazieland have been chiefly created by the wants of the white residents. With the exception of minerals, little is produced in the country out of which a revenue could be collected. Trade and commerce.

The people being purely pastoral, cattle are their chief property, and they grow only sufficient agricultural produce to supply their immediate wants. Indian corn or mealies, Kaffir corn or millet, a few sweet potatoes, pumpkins, and gourds, are the sole products of the soil, and as there is no production there can be no export trade except of minerals, and a few hides.

Goods for Swazieland are brought either through Natal or through Delagoa Bay; there is little or no trade with the Transvaal. As regards the former, by calculations from trade returns, it appears that a trade to the amount of 70,000*l.* a year has sprung up between Swazieland and the colony of Natal. I had no means of ascertaining the amount of trade done through Delagoa Bay, but it is considerable during the winter or healthy season. It is possible that the total imports into Swazieland may amount to from 120,000*l.* to 150,000*l.* a year; and this will not be largely increased for some years, unless new mineral developments take place, because a large portion of the country is held by Boers, who are non-producers and non-consumers, and, as has been before pointed out, the Swazies produce very little, and their wants would tend rather to decrease than to increase.

It should be mentioned that the trade of the country is almost entirely in the hands of the English, with the exception of one or two Germans.

It is a time-honoured maxim, and one often quoted, that "trade follows the flag," and this has been true in the past, but it is not wise to rely solely upon this saying for the future, for my experience is that trade in Africa follows the lines of which energy, business-capacity, and a commercial knowledge of geography, are the foundations; and there appears to me no reason why the commerce and trade of Swazieland should not remain in the hands of British subjects, whatever may be the future of Swazieland, provided their present rights are respected, and they maintain their supremacy in the qualities above mentioned.

With the view of giving further information as regards the Natal trade, the Report of the Collector of Customs at Durban is placed in the Appendix marked B.

The last paragraph of Mr. Finnemore's report would indicate that in his opinion the trade of the country would be materially increased by the establishment of a settled form of government in Swazieland. Annexure B.

A list of trade goods in use by the natives was furnished me by Messrs. Wallenstein and Bremer, who do a considerable trade in the country; this list is marked C. and attached to the Appendix. Annexure C.

The present revenue of Swazieland consists of rents, obligations and transfer fees due under concessions; and licenses, taxes, and custom dues. The former are paid to the King, or representative of the Swazie nation, and are computed by Mr. Shepstone to amount to about 20,000*l.* a year. In the absence of any system of accounts, I had no means of verifying this calculation, but I believe this portion of the revenue amounts Revenue.

to between 15,000*l.* and 20,000*l.* a year. As these rents, &c., are exclusively the property of the Swazie nation they cannot be counted upon as revenue towards the expenses of governing the country. When the White Committee was formed, licenses, taxes, and custom dues were instituted for the purposes of carrying on the duties of the government of the white residents.

The amount of this portion of the revenue was given at about 8,000*l.* a year. I had, however, no means of ascertaining the truth of this statement. From other sources I gathered that about 4,000*l.* to 5,000*l.* was the probable income of the licenses and customs dues. The mining industries pay no duties on the amount of gold exported.

**Tariff.** A list of the tariff of Swazieland as drawn up by the White Committee will be found in the Appendix marked D.

**Annexure D.** As many of this White Committee were traders, the tariff was compiled to suit their interests, and, in my opinion, requires revision.

**White Committee.** This Committee was appointed in July, 1887, but no records of its proceedings, previous to August, 1888, were to be obtained. It was dissolved by Mr. Shepstone on the 21st day of October, 1889. It held meetings during the months of August, September, October, and November of the year 1888; and in January, February, May, July, and September of 1889. The minutes of the proceedings of this Committee, with the exception of those of September, 1889 (not entered), show that some attempt was made, at the commencement, to administer the affairs of the white residents in Swazieland by the members composing it; but the Committee having no experience in administration, and nearly all having private interests in the country, the record of these minutes are a painful evidence of internal dissensions, continued differences, and an absence of any desire to contribute to the real welfare of the country. Latterly the country was left to govern itself, as the members were engaged in getting concessions for themselves and their friends. A copy of the reasons given by Mr. Shepstone for the dissolution, issued by him on the 21st October 1889, is attached to the Appendix marked E.

**Annexure E.** As regards the revenue a Finance Committee was appointed, but as only one member, Mr. Bremer, ever attended, the attempts at collection of revenue were in keeping with the other administrative acts of the Committee.

**Mineral wealth.** The mineral wealth of the country would appear to be chiefly confined to the western mountain ranges of Swazieland, close to the border of the Transvaal. I incline to the opinion that there is, and has been, a tendency to exaggerate the mineral wealth of Swazieland, and that while fairly good auriferous reefs have been discovered, there is nothing remarkable about them, and until they have been further developed gold mining in Swazieland must be considered as a purely speculative industry. It was stated to me that gold exists in parts of Swazieland other than that I have indicated, but I am somewhat doubtful as to this statement. I asked the Manager of the Forbes Gold Mining Company—the largest concern in Swazieland—to furnish me with statistics as to the mining operations under his charge. This he promised to do.

**Death of Umbandine.** On the 11th of November Her Majesty's Commissioners were at Pretoria. This change of route was in consequence of a telegram from the President of the South African Republic asking that the Mission should visit Pretoria, previous to its entrance into Swazieland, to which request Her Majesty's Secretary of State gave a favourable reply. The death of Umbandine, King of the Swazies, also took place, between the departure of the Mission from England and its arrival at the Cape of Good Hope, and this was followed by the appointment of Mr. Theophilus Shepstone as the Resident Adviser and Agent to the Swazie nation, on the 21st of October, 1889, and the dissolution of the White Committee by him, at the request of the Queen Regent and Council, on the 21st November, 1889.

**Appoint-ment of Mr. T. Shepstone.** While at Pretoria the English Commissioners had frequent interviews with President Kruger and his Council, the results of which are embodied in the Memorandum, marked F, in the Appendix.

**Dissolution of White Committee.** This Memorandum has reference to the procedure to be adopted by the Joint Commission on their arrival in Swazieland. Generals Joubert and Smit, with Dr. Krause, State Attorney, as their legal adviser, and Mr. Van Alphin, Chief of the Postal Department, as their Secretary, were appointed by the President, as the South African Republic Commission. As shown in the Memorandum, it was deemed advisable that a common line of action should be adopted, which pledged neither Government to a definite course, but was sufficient to secure the independence of the Swazies under Article XII of the London Convention. It was also considered desirable to provide for the maintenance of law and order during the period of time which must elapse while

**Proceed-ings at Pretoria.**  
**Annexure F.**  
**South African Republic Commis-sioners.**

Her Majesty's Government, and the South African Republic, were deciding upon the future of the country. Certain other questions, having reference to the general politics of South Africa, came also under discussion, they will be referred to in another portion of this Report.

The Joint Mission left Pretoria on the 21st of November, and arrived at Kannemeyers (MDIMBA) in Swaziland, about half way between INKANINI (the Royal Kraal) and Embekelweni, on the 30th November, 1889.

On their arrival at Kannemeyers they found a large number of the Whites, interested in Swaziland, assembled, and it was determined by the Joint Mission that they should inform these gentlemen as to the object of the Commissioners, and invite them to formulate an expression of their opinion as to the wishes of the white residents in Swaziland concerning the future government of the country. A copy of the proceedings that took place on this occasion is attached to the Appendix marked G; also copy of a letter from Her Majesty's Commissioner to General Joubert. To arrive at a better understanding of the state of affairs the white residents are classified as follows:—

Mineral Concessionaires.  
Grazing Concessionaires.  
Trading and Canteen Concessionaires.  
Miscellaneous Concessionaires.

Departure  
of the  
Joint Mis-  
sion from  
Pretoria.

Arrival in  
Swazie-  
land.

Meeting of  
the Whites  
at Kanne-  
meyers.

Annexure  
G.

Classifica-  
tion of  
White  
residents.

Of these the mineral and trading represent the capital invested in the country; the grazing the greatest numbers; the miscellaneous being composed of adventurers, whose object was the obtainment of concessions of every sort and description for the purpose of any profit they might be able to make, by their disposal, wherever they could find a purchaser. These miscellaneous concessions will again be alluded to.

The Joint Mission found the position of the country to be as follows:—

The White Committee being dissolved, the whole government of the Whites in the country was vested in Mr. T. Shepstone, as the Representative Adviser and Agent of the Swazie nation. This state of affairs was anything but satisfactory, as most of the Whites were antagonistic to Mr. T. Shepstone, and were prepared to thwart or oppose any action which he might see fit to initiate; thus the Swazie nation and the white residents might, at any moment, be brought into hostile collision, a result which could only end in an appeal to the Transvaal, as the nearest Government, to restore and maintain law and order.

Position  
of the  
country.

The differences between Mr. Shepstone and the white residents date back to a period at least twelve months before the arrival of the Commissioners, and, in view of the conflicting interests (the probable cause of these differences) involved, it appeared to the Joint Mission that the best course to pursue was, in the first place, to ascertain if Mr. Shepstone was the chosen representative of the Swazie people, and, that fact being established, to acknowledge the choice of the nation and to admit him into their Councils.

Differences  
between Mr.  
Shepstone  
and White  
residents.

It is due to Mr. Shepstone to state that none of the white residents could bring any definite charges against him, and all they accused him of was based on hearsay evidence.

After arriving at this conclusion, the next proceeding of the Joint Mission was to call a meeting of the Prime Minister, TECUBA, the Regent, LGNOCO, the Trustee of the nation, JOKOVU, and other Indunas and Head-men. At this meeting the general purpose of the Mission was placed before them. They replied that before giving a definite reply it was necessary that all the principal Head-men of the nation should be summoned to attend, and then a meeting could be held and the questions referred to be considered by the nation. The points submitted at this meeting were based on the Memorandum of Procedure drawn up at Pretoria, and embraced the following points:—

Meeting of  
the natives.

1. That the independence of the Swazies was to be maintained by both Governments.

2. That the Commissioners were prepared to ratify the choice of the nation as to their future King.

3. That the Joint Mission should be appointed by the nation to administer the affairs of the Whites during their residence in the country.

4. That the Commissioners desired the assurance of the nation that Mr. T. Shepstone was their chosen adviser and agent.

5. That some form of government for the Whites should be established, after the

departure of the Commissioners out of the country, and until such time as the two Governments had decided as to the best form of government for the future.

6. That the concessions of which they complained should be brought before a legal tribunal, properly appointed, who would decide as to their legality.

The proceedings of the meeting with all the chiefs and head men of the Swazie nation, which was held at Embekelweni on the 9th of December, were taken down in shorthand and will be found in the Appendix marked I (*see* page 29).

Annexure  
I.  
Position of  
the Com-  
mission.

The Commission having thus arranged for the preliminary affairs of both the white residents and the Swazie nation, had then to consider their own position.

Appoint-  
ment of a  
committee.

Mr. T. Shepstone, as the chosen representative of the Swazie people, had to be consulted on all matters connected with the Mission. He could not be made a member of the Joint Commission because the Commissioners had no power to appoint him; it therefore decided, for the despatch of business, and with regard to the interests of all concerned, that a Committee should be appointed, to consist of the four Commissioners, their legal advisers, Messrs. Schreiner & Krause, and Mr. T. Shepstone, with Mr. Van Alphen and Captain Baden Powell as joint Secretaries, to have power to deal with all questions that might be brought before them.

Annexure  
I.

Work done  
by the Com-  
mittee.

The proceeding of this Committee, the subjects which were brought before them, the conclusions they arrived at, and the resolutions they adopted, were duly kept, and are attached to the Appendix marked I. It should be observed that this Committee in all their proceedings adhered strictly to the agreement entered into at Pretoria, viz., that Art. XII of the London Convention was to be maintained, hence the sovereign power of the Swazie nation was attached to all their proceedings. The Committee met eleven times, and the principal business transacted was, the appointment of the four Commissioners in conjunction with Mr. T. Shepstone to rule the Whites during their stay in the country; the appointment of a Provisional Governing Committee consisting of Mr. Shepstone as Chairman, Colonel Martin, C.M.G., representative of Her Majesty's Government, and Mr. Esselen, Landdrost of Vryheid, representing the Government of the Transvaal, as members, to carry on the Government of the Whites till the Swazieland question was settled; the consideration of the liquor law; the question of future revenue; the consideration of concessions, and the best method of dealing with them; the powers to be granted to the Provisional Governing Committee; the abandonment by the Swazie nation of the practice of killing off; and other questions of a minor nature.

Court and  
trial of  
Elisha  
King.

The Committee also resolved themselves into a Court of Justice for the trial of Elisha King on the charge of abduction of a native girl. The proceedings of this trial were taken down and form part of Annexure I.

This trial had a good effect both on whites and natives.

Main points  
for con-  
sideration.

Having thus briefly alluded to Swazieland, its resources, revenue, its present condition, and recent events, the main points for consideration in coming to any settlement of the future of the country are as follows:—

1. The maintenance of the integrity of the Swazie nation.
2. The White residents, and the form of Government which should be established for them.
3. The geographical position of Swazieland and the Transvaal.
4. The concessions.
5. The influences which a settlement of Swazieland may exert upon the political questions which are now agitating the Colonies and States of South Africa, from the Colonial standpoint and from the Imperial side.
6. The question of Amatongaland and the territories of Zambane and Umbigeza, and of Kosi Bay.

1. In the preservation of the independence and integrity of the Swazie nation both Governments are agreed.

Minute inquiries were made whether it would be advisable to place the natives on certain land reservations to be chosen by them, but the conclusions arrived at were that it was impracticable for two reasons, viz., that the Swazies would object to it, and that nearly the whole country had been given away to concessionaires. It is true that some arrangement might be arrived at between the Government of the country and these land concessionaires, but it would involve many considerations, and bearing in mind the objections of the Swazies themselves the idea was abandoned. As regards the independence of the nation, much depends on the tact and prudence of Mr. T. Shepstone.

Whichever Government assumes the control of the White population, great care will have to be exercised in dealing with the natives at the outset. They would have to be gradually absorbed, and thus in process of time eventually come under White control.

2. As regards the White residents, it is difficult to arrive at their correct numbers, so many persons being non-resident, though possessed of interests in Swaziland, and a proper register of those entitled to vote for the White Committee never having been kept. The mineral holders, miners, canteen and store keepers, missionaries, and a few permanent farmers are the only residents in the country. These consist chiefly of subjects of Great Britain. The non-residents consist of grazing holders and concessionaires. These are chiefly subjects of the Transvaal, or persons who have interests in the South African Republic. Roughly speaking, the subjects and sympathisers of the South African Republic represent 3 to 1 as to other nationalities, but they do not represent much capital. It was evident, on the arrival of the Commissioners in the country, that there was little or no unanimity among the White residents.

The appeal to those present at "Mdimba" on the 30th November, 1889, resulted as follows:—

A meeting of Whites held at "Mdimba" on the 16th December, 1889. At this meeting—which was chiefly composed of Boers and concessionaires, in the following numbers: 127 Dutch to 17 English—eight resolutions were passed unanimously. A copy of these resolutions (No. 261), marked J, is attached to the Appendix.

Annexure  
J.

A memorial, dated Barberton, 6th December, 1889, signed by about 45 persons, all of whom are concessionaires (No. 262); copy marked J<sub>1</sub>.

Annexure  
J<sub>1</sub>.

A memorial, dated Pigg's Peak, 13th December, 1889, signed by about 20 residents of that locality (No. 258); copy marked J<sub>2</sub>.

Annexure  
J<sub>2</sub>.

A certified copy of a declaration, before a Notary Public, by E. Taylor, Esq., Managing Director of the Henderson-Forbes Gold Mining Company, and representative of the Puller's Concession (No. 232); marked J<sub>3</sub>.

Annexure  
J<sub>3</sub>.

A petition of some of the principal mineral concessionaires, containing about 18 signatures (No. 269); copy marked J<sub>4</sub>.

Annexure  
J<sub>4</sub>.

Signatures of the same persons appear more than once in some of these documents, and they are also repeated in the several documents.

Other individual expressions of opinion were received, as everyone was invited to state their views, but the only important documents, containing concurrent opinions of White residents, are those enumerated above. It will be observed, after a perusal of these papers, that considerable differences of opinion exist among the representative bodies of Whites in Swaziland. That the Dutch element should desire annexation to the Transvaal is but natural, and a certain number of other Whites, concessionaires, attach themselves to the Transvaal party in the hope that the Government of the South African Republic will give a fuller recognition to the monopoly concessions they have obtained than they could ever expect if Great Britain established a form of Government in Swaziland. The mineral concessionaires make a reasonable and fair statement of their views, and are opposed to the Government of the Transvaal on account of the reasons set forth in their petition.

The amount of capital that has already been spent in developing the mineral resources of the country, and the trade that has thereby been created, entitle their views to greater consideration than those expressed by the grazing holders and concessionaires. The grazing holders, though the most numerous class, bring absolutely nothing into the country and take everything they can out; while the concessionaires are simply adventurers, and may be considered as a curse rather than as a blessing. As the mineral holders are really increasing the prosperity of the country, their contention that their present rights should be preserved, whatever might be the future of the country, is right and just.

The points that an equal franchise should be given to all Whites in the country; that the revenue raised in Swaziland should be spent in Swaziland; that the English and Dutch languages should have equal rights; and that some form of Government is necessary, appear common to nearly all these papers.

3. "Geographical position." "The geographical position of Swaziland and its relation to the Colonies of the Empire and the Transvaal."—When the formation of the New Republic was acquiesced in by the Government of Great Britain, on the lines laid down by Sir A. Havelock, its transference to the South African Republic soon followed, and as a further consequence the Colony of Natal was cut off from any direct communication with Swaziland. The only territory on the borders of Swaziland now left not belonging to the Transvaal, or to Portugal, lies on the south-east frontier, and is known

Geographi-  
cal position.

as the country belonging to and occupied by the independent Chiefs, Zambane and Umbegeza. A road could be made from Natal into Swazieland *via* Zululand, passing through the country of either of these Chiefs. The Transvaal Government state they have made Treaties with both of these Chiefs for the surrender of their territories to the South African Republic; and if this were carried out Swazieland would be absolutely cut off from all communication with adjacent possessions of Great Britain. The Chiefs Zambane and Umbegeza deny they have parted with their territory, and it is important to bear all this in mind in any final settlement of the question.

Concessions.

4. Concessions.—The history of the concessions of Swazieland is probably without a parallel. There are many instances where native rulers have given large and important rights to individuals and to corporations, but in Swazieland the late king and his council have parted not only with all their actual territory, but with rights which should only belong to the Government of a country, to a lot of adventurers whose sole object was to make money by them.

It is probably quite true, as stated to the Commissioners by "Tecuba," that the Swazie King and his Council did not understand the nature of these concessions, but it is equally true that they signed the documents, and received money for them. Some of the most important of these concessions, such as postal, telegraphic, railway, banking, customs, etc., have been purchased by the Government of the Transvaal, and in the opinion of the Law Officers of the Crown they were within their legal rights in obtaining possession of these documents. The question then arises, supposing the Government of Great Britain takes over Swazieland, how is the government of the country to be carried on?—Nearly all the available revenue of the country under these concessions will be in the hands of the South African Republic, and unless they are purchased there will be an "imperium in imperio," a state of affairs which could only lead to endless complications between the two Governments. This would also apply to any joint action which might be proposed by Her Majesty's Government, as the English Commissioner would be placed in the somewhat anomalous position of a part ruler of a country, while his colleague would have the disposal of all the available revenue, unless some agreement were arrived at between the two Governments.

In such a case the South African Republic would hardly be disposed to give up her concessions without some equivalent, and would be inclined to throw every obstacle in the way of the British Commissioner if nothing were offered to her for them. The grazing rights granted to numerous Boers would likewise form a source of continual disputes in the event of a dual control, or the assumption of a protectorate over Swazieland by Great Britain. These grazing concessionaires can, at any time, bring about collisions with the natives which might result in grave complications, and should Her Majesty's Government decide on the establishment of a protectorate over Swazieland, it would be well to consider the advisability of the purchase of these grazing rights "en bloc," as also many of the other concessions by which rights have been conferred upon private individuals which should only belong to Government. The following papers having reference to the subject of concessions are marked as under and attached to the Appendix:—

Annexure K.

K. Copy of registration of concessions—interdicts on concessions—and registration of rents due under concessions, as kept by Mr. A. M. Miller.

Annexure K<sub>1</sub>.

K<sub>1</sub>. Copies of 42 concessions alluded to by the natives as wicked concessions.

Annexure K<sub>2</sub>.

K<sub>2</sub>. Harington's concession to collect the king's revenue, with a Memo. by Mr. T. Shepstone, strongly repudiating it on behalf of the nation.

Annexure K<sub>3</sub>.

K<sub>3</sub>. List of concessions, other than farming or grazing, furnished by Mr. Shepstone.

Influence on the political questions of South Africa.

5. "The influences which a settlement of Swazieland may exert upon the political questions which are now agitating the Colonies and States of South Africa."

Views of the Cape Colony

In regard to the political aspect of the Swazieland question the views of the Cape Colony and Natal were obtained. These views, briefly summarised, are as follows:—

Cape Colony desires, as an equivalent for the cession of Swazieland to the South African Republic—

- (a) Promise to support extension of British influence in Matabele and Mashona Lands.
- (b) Franchise and reasonable oath of allegiance for Swazieland Whites.
- (c) Mixed Commission to settle European and Native rights in Swazieland.
- (d) Support of railway extension unconditionally.
- (e) Free trade in South African produce and manufactures.
- (f) Territory of "Zambane" and "Umbegeza" to be given to the South African

Republic on condition of the Transvaal joining the Customs Union.

The Government of Natal desires ;

Views of  
Natal.

- (g) Withdrawal of all interference in territories north of the Transvaal.
- (h) Recognition of the line of the "Lebombo" as the British boundary, on the south-east of Swazieland, as far north as the Portuguese frontier.
- (i) Free Trade in colonial produce and manufactures.
- (j) Franchise and reasonable oath of allegiance for Swazieland Whites.
- (k) Extension of railway system of Natal into the Transvaal.

It is important to notice that these two colonies do not offer any serious objections to the assumption of the Government of the Whites in Swazieland by the Transvaal, provided she complies with certain conditions affecting the general welfare of the South African Colonies and States; and it is reasonable, in any settlement of the question, that their views should be carefully considered.

With regard to propositions *a* and *g*, in former communications to Her Majesty's Secretary of State, President Kruger states the willingness of the Government of the Transvaal to withdraw their claims to Matabele Land and Mashona Land, provided Her Majesty's Government withdraw from Swazieland. The extension of British influence over these two countries has now become a matter of some importance in view of the action which is being taken in the direction of these territories by the British South Africa Company. The proximity of the Transvaal to Mashona Land, the pioneering habits of the Boers, and the fact that Lobengula has made overtures to the South African Republic, render it important in the interests of peace that the Transvaal should support the scheme of the British South Africa Company, and withdraw her pretensions to extend her influence north of the Limpopo. Proposi-  
tions *a* and  
*g*.

The area of Matabele Land and Mashona Land, roughly estimated at 80,000 square miles, is ten times larger than Swazieland; the land is stated to be rich in minerals, and would afford a good opening for British commerce, manufactures, and enterprise. Looking at these facts, the proposal of the President of the South African Republic to withdraw their claims, and support the extension of British influence, north of the Limpopo or Crocodile River, merits serious consideration; for, bearing in mind the present condition of affairs in Swazieland, it would appear a wise and sound policy to secure the future control of the large and important territories of Matabele and Mashona Lands, unhampered by concessionaires, for the British Empire, rather than cling to the doubtful possession of a territory, the conditions of which would render a protectorate by Great Britain a work of considerable difficulty. It may further be observed that the proposed arrangement would not be prejudicial to commercial interests or to the interests of investors of capital in mining, or other enterprises of the country, because these interests could be protected by treaty arrangements.

It is also well known that the Boer has no inclination for business. He is simply a good pioneer and a farmer, and it is a fact that an assumption of the Government of the Whites in Swazieland by the Transvaal, would in reality cause little or no change in the present conditions of trade and commerce in the country.

With reference to *b* and *j*, giving franchise to Whites in Swazieland, and other privileges, these could be arranged for by treaty, and it was understood that the Transvaal Government would be prepared to give to such a suggestion a favourable reply. Proposi-  
tions *b* and  
*j*.

The proposition embodied in *c* would not appear necessary in view of the establishment of a legal court, properly appointed, for the investigation of all such matters. Proposition  
*c*.

*d* and *k*.—As regards the railway policy of the Transvaal and the restrictions which have been imposed on the extension of the railway systems of Cape Colony and Natal, by the South African Republic, it is very evident that the requirements of the mining interests and the rapid development of the Transvaal, will soon compel the President and Executive of the South African Republic to adopt a more liberal policy. They will be unable to withstand the pressure of public opinion, which is daily becoming more alive to the necessity of more improved means of communication. Proposi-  
tions *d* and  
*k*.

At the same time, in view of the large amount of English capital invested in the Transvaal, and the number of Her Majesty's subjects who are contributing to the revenue of the country by their capital, energy, and business capacities, it might be

strongly urged upon the Executive of the South African Republic, that the opposition to the extension of railways in the Transvaal should be withdrawn, so that, when the railway systems of the Cape Colony and Natal arrive at the borders of the Transvaal, no objections will be raised as regards their extension into the territory of the South African Republic.

**Free entry.** As regards the free entry of African produce and manufactures. His Honor, the President, agreed to this.

**Proposition e.** The question of a Customs Union, *f*, is somewhat complicated. It is, however, a very desirable policy as regards the different Colonies and States of South Africa, for the following reasons:—

**Customs union.** It would break down some of the prejudices which retard the general development of South Africa, by bringing the Colonies and States into closer commercial union; it would promote, and thereby increase, the commerce of South Africa, an increase by which the manufacturing interests of Great Britain would benefit; it would establish trade and commerce in South Africa on fixed lines, and so avoid those errors of calculation to which the merchant is liable, and which often occasion serious losses, when trade is subject to hostile or changing tariffs.

**Proposition f.** In evidence of the desire for a Customs Union in South Africa, the Cape Colony and the Free State have already joined together, but a difficulty arises as regards Natal. The tariff of Cape Colony is very high, amounting to as much as 15 per cent., while that of Natal is not more than 5 per cent.

If the present high tariff of the Cape Colony is maintained, the Orange Free State, and the Transvaal, would be obliged to keep up extensive Customs establishments, otherwise smuggling from Natal would be largely carried on. In connection with this I may mention that while passing through the eastern section of the Free State, the feeling against the high tariff imposed by the Cape Customs Union was very strong among the Burghers of that side of the country, who had been accustomed to purchase all their goods from Natal with its lower tariff charges. This would also apply to the Transvaal should a Customs Union be established on the Cape Colony basis.

**Proposition h.** The desire of Natal for communication to be kept open from the Colony into Swazieland, *vid* Zululand, appears perfectly legitimate, and a proposal will be submitted at the conclusion of this Report for satisfying this contention.

**General conclusions.** It is now necessary to consider broadly the question of the annexation of Swazieland, either by Great Britain or by the Transvaal. The question of a dual control is not recommended; it would not lead to any finality, and would soon result in a state of affairs adverse to the general interests of Great Britain in South Africa.

**Dual control.** In the event of Great Britain undertaking the Government, she would obtain the control over a fairly valuable property.

**Control by Great Britain.** The Little Free State might be given to the South African Republic, but the territories of Zambane and Umbigeza would have to be retained. A decision would have to be arrived at concerning concessions, and those declared legal would have to be purchased. To establish a settled form of Government, with a Resident, and a sufficient force of police to keep order, and prevent frontier disputes, would require from 20,000*l.* to 25,000*l.* a year. There would be little difficulty in making the necessary arrangements with the Swazies as they are favourably inclined to British rule, but they are still a wild people, and would require a judicious administrator or Resident.

Frontier questions and grazing licenses would be a source of trouble, as the hostility of the Boers on the border must be expected. The negotiations as regards Matabele and Mashonaland, and the other points connected with South African policy, would be broken off, and the general feeling in South Africa would be favourable towards the Transvaal, and adverse to the Imperial Government.

**Financial aspect.** The financial aspect of the question, roughly estimated, would be as follows:—

*Capital Account.*

For the purchase of concessions and other initial expenses	..	£150,000
Expenses of legal tribunal and commission for boundaries	..	10,000
		<hr/>
Total	..	£160,000

*Annual Expenditure.*

*Police and Governmental Expenditure	..	..	..	..	£22,500
Less Revenue	..	..	..	..	5,000
					<hr/>
					£17,500
Interest at 3 per cent on £160,000	..	..	..	..	4,800
					<hr/>
Total annual expenditure	..				<u>£22,300</u>

In making this calculation it has been assumed that the Transvaal Government would part with their concessions. If they refused, the only plan to collect a revenue would be by placing a heavy duty, say from 40 per cent. to 60 per cent. on all monopolist concessions and to re-let the grazing rights at higher rentals.

In the event of the Transvaal undertaking the Government the following recommendations are submitted. Control by  
Transvaal.

1. That the Convention of 1884 should form the basis of any new departure that might be agreed upon by Her Majesty's Government, and that of the South African Republic.

2. That Article XII of that Convention should be maintained.

3. That Article IV should be modified so that the South African Republic be granted powers sufficient to allow it to make such treaties with the Swazie nation as will enable it to make proper provision for the government of the White residents, and for the preservation of interests acquired by Whites in Swazieland; and that Her Majesty's Government will use her good offices towards the promotion and increase of the influence of the Transvaal in Swazieland on the distinct understanding that all residents in Swazieland are accorded equal rights of franchise, and citizenship; and that all mineral rights representing large amounts of English capital, and all vested interests, shall be respected in their present integrity.

4. In order to carry out these provisions, and having due regard to the rights of White residents, and of the independence of the Swazie people, no treaty with the representatives of the Swazie nation to be considered as ratified without the consent and approval of Her Majesty's Government.

5. That a properly constituted legal court shall be established, by which all doubtful concessions may be considered, and that Great Britain should leave the appointment of such a court to the judiciary of the Transvaal, reserving a right to appoint one member, either from the Bench of Cape Town or Natal, should it be deemed expedient to do so.

6. That in consideration of the above agreements, the Government of the South African Republic will convey to Her Majesty's Government all rights which they may consider themselves entitled to of any lands or land, to the north, north-west, or west of the River Limpopo, to include Sellica and Lentoo, sec. (115); and they further bind themselves not to interfere in any way with the people known as the Matabele, the tribes known as Mashona, or the tribes under Umzila's son, and that they will use their good offices to promote and increase the influence of Great Britain in the lands above mentioned.

7. That free entry into the Transvaal for all African produce and manufacture be agreed to.

8. That in consideration of the large amount of English capital lately invested in the territory of the Transvaal, and that the revenue of the Government of the Transvaal has been largely increased by the investment of these moneys in the development of gold mines in the Transvaal, and that so large a proportion of the population in the Transvaal are subjects of Her Majesty, and in other ways contribute to the revenue of the Government of the South African Republic; so soon as the railway

\* This item is estimated at its lowest.

systems under construction by the Cape Colony and Natal reach the borders of the Transvaal, no objections will be raised by His Honor the President and his Executive to the construction of those railways within the territory of the Transvaal under conditions to be hereafter recognised; and Her Majesty's Government confidently expect that His Honor will recognise the justness and right of this contention, because, while they on their part recognise the obligations which His Honor has entered into with the Netherlands Company, nearly the whole of the revenue of the Transvaal, outside the ordinary revenue of the country, is derived from British capital and enterprise, and as His Honor acknowledges certain obligations to the Netherlands Company, he is equally bound to consider the claims of those from whom his Government derive their principal source of revenue.

9. The conclusion of a treaty by which deserters from either country can be recaptured and sent back to the country to which they belong. This latter suggestion is made by Lieut.-General Smyth, and though it might be somewhat difficult to catch these men, the fact of the existence of such a convention would have a deterrent effect on desertion, especially in Natal. A convention such as is suggested exists between Spain and England.

In conclusion, there is the question of Amatongaland, Umbegiza, Zambane, and the other chiefs MOHLALENE, MANABA, UJINDI, FOKOTI, NCAMANA, and SIBONDA.

This question has arisen out of a desire on the part of the Government of the South African Republic for a port on the eastern littoral, with the view to the construction of a line of railway through Swazieland, from the Transvaal, to Kosi Bay. Without going into the various despatches and reports which surround this question, the following recommendation is submitted:—

(1) That Her Majesty's Government are prepared to admit the claim of the South African Republic to the territory of UMBEGIZA, such territory to be bounded on the east and south by the UMGOVUMA and PONGOLA Rivers, but they consider, after careful enquiry, that the territories belonging to ZAMBANE, and the other chiefs above-mentioned, do not belong to Swazieland, these chiefs being tributaries of the Zulu nation, and they are prepared to annex them to that dependency for the better preservation of peace, and to prevent further disputes as regards boundary questions, and the collection of taxes by unauthorised subjects of the Transvaal, concerning which they have had several complaints. Her Majesty's Government are further prepared to assume a Protectorate over AMATONGALAND with the following proviso—that should the South African Republic be desirous to construct a railway from the Transvaal through Swazieland, *via* the USUTU Poort, Her Majesty's Government will afford every facility in the acquirement of such rights as may be deemed necessary for its construction by the South African Republic in Amatongaland (respecting at the same time the full rights of the Amatongas); and the further acquirement of sufficient land, by payment to the owners round Kosi Bay, say 10 miles radius, which will be sufficient to guarantee to the South African Republic a harbour of their own on the following conditions:—

(2) That the South African Republic are prepared to enter into Treaty arrangements by which the port created by them shall never pass out of the hands of the Government of the Transvaal into the possession of any other Power, except Great Britain; also that, before the necessary arrangements are concluded, the Transvaal shall enter into a Customs Union either with the Free State, Cape Colony, or Natal; or, should the Cape Colony tariff appear too high, with Natal only, on such terms as the Transvaal and Natal may arrange among themselves.

(3) It is further recommended that the Swazieland question be kept separate from the proposals which Her Majesty's Government are prepared to consider with regard to the establishment of a Protectorate over Amatongaland, and the annexation of the territories to Zululand of other chiefs of the eastern coast.

F. DE WINTON,  
*British Commissioner, Swazieland.*

*February, 1890.*

30  
25  
SKETCH MAP  
TO SHEW THE VARIOUS  
STATES & TRIBES IN S.E.  
BETWEEN  
NATAL AND THE LIMPOPO

Compiled from the best available

1890.

Middelburg

L. Ch...

Standerton

ORANGE FREE STATE

Coldstream

Wakke

Utre

Newcastle

Harrismith

V. REENE PA

DRAKENSBERG

Elands Laagte

Ladismith

NATAL

BASUTOLAND

NATAL RAILWAY

P' MAR



## Annexures to Sir F. DE WINTON'S Report.

### A.

MEMORANDUM BY THE REVD. MR. JACKSON.

#### SWAZIELAND AND AMASWAZI.

The name "Swazi" is not used by the natives themselves when speaking of their **Name.** country or themselves; it was first applied to them by white people, and was derived from UMSWAZI, father of UMBANDENI, the late King. The country was spoken of as UMSWAZILAND, and the people as AMASWAZI. The term used amongst themselves is ABAKAHWANE, *i.e.*, the people of UMGWANE, who was grandfather of SOPUZA the father of UMSWAZI.

All the information we have of their history is derived from old natives and from **History.** White men who first came in contact with them. Their history centres round their Kings, and their habits and customs have probably remained as we see them to-day during many generations, and the small portion of their history with which we are acquainted is doubtless a repetition of what has happened amongst them during the last few hundred years.

In the early part of the present century (about 1820) we find three noted chiefs at the head of three powerful tribes, with numerous smaller tribes as tributaries. NTSHAKA was King of the ZULU nation, and had his head kraal near the UMWOTI, in Natal. USWITI was King of another branch of the same people, and he lived in what is now known as northern Zululand on the south of the PONGOLO RIVER.

Then on the north of the PONGOLO and south of the UMPINDO (or AMGAI RIVER) SOPUZA (SOMHLOLA) ruled the Swazies. The ABESUTU at that time lived where the Swazi Chief Kraals now stand, that is, all about the EMBEKELWENI, and the Swazi Caves in the UMLIWBA HILL were then the strongholds of the ABESUTU.

All the Swazi Kings, up to and inclusive of UMSWAZI himself, were buried about twenty miles north of the PONGOLO, and on the southern boundary of Swazieland, and their burial grounds are conspicuous, being covered with bush at the present time. No fire is allowed to come near the graves, and as the rest of this country there is bare of wood, the bush on the small hills where the graves are catches the eye of a person at a long distance. The Swazies point to that place as their original home. NTSHAKA began to push NGWITE further north, and NGWITE pushed on the Swazies, and they in their turn pushed on the ABESUTU. But when NGWITE was weakened by UGOSHANGANA (his brother) and UMZILIKAZI (a Chief) leaving him and going north, he himself also was obliged to depart north and leave the Zulus and Swazies with no buffer between them, to try their strength against each other. When UMSWAZI succeeded his father SOPUZA he was opposed by nine of his brothers. He had to dispose of these and their partizans before he could feel himself firmly established. So he cleared the country of them. In consequence of these wars a strip of country on the south and west of Swazieland, varying in width from about twenty to forty-five

miles, and eighty long, was left without a human being in it, and when the Zulus made raids into Swazieland the Swazies gave this piece of land to the Boers with the understanding that the Transvaal was to place upon it a number of White men to be a wall between the Zulus and Swazies, and thus prevent the Zulus coming over into Swazieland.

This Article of the Agreement was never kept, and the Zulus continued to spoil the Swazies till the Zulu War. CESHWAYO often wanted to wash his spears in Swazieland, and would have done so again and again had not the English Government prevented him. Hence, it is, the Swazies are attached to the English, and have always been ready to follow them anywhere. During the Zulu War they were in readiness to be called out at a day's notice, and they sent about 8,000 men with our troops against SEKUKUNE, where they did excellent service and returned with honors. They have refused to do the like service for others. The Swazies are of the same family with the Zulus and the AMAXORI in the old Colony, and they seem all to have come over the Drakensburg in the south part of Natal. Their common origin is indicated by their general appearance, language, and habits and customs. But it would take too much space to particularize these. Their general character, too, is the same. They are very warlike and brave when led by White men, but in domestic life they are lazy and cowardly, as well as filthy. Any good traits they may have are negative rather than positive, that is, they abstain from vices from fear only, or because they lack the cleverness, industry, or powers necessary for the purpose. Had they the power they would be as insolent and oppressive as ever the Zulus were.

They are few in numbers and have the fear of White men over them. They are nothing like so many as they were formerly, or as the Zulus were at the time of the Zulu War in 1879.

The SEKUKUNI force was about 8,000, and I have seen them collected at the yearly dance, and I reckon that they could not possibly raise more than 10,000 or 12,000. The whole population may be 60,000. Before White men came into the country (*i.e.*, Natal and Transvaal) they increased, notwithstanding the great amount of killing that took place. There was then no place for them to run to for protection, but persons anxious to get away can now easily go over the border and be safe. There is much less killing now than in former times. The presence of White men has a restraining influence. In former times human life was held cheap. UTSHAKA was a demon in human form, and most of the other Kings were not a great deal better when they had the power. UMBANDENI, in the estimation of both Blacks and Whites was a good, kind, and gentle King, and yet his life and doings will not bear examination. The Swazies have reason to be grateful to the English, for had it not been for them the Swazi King and people would have been swept away long ago. They are, however, now in danger of being destroyed by drink through the greed, folly, and wickedness of White men. With the exception of Delagoa Bay, I know no other place in South Africa where natives are so freely supplied with grog. Is it possible that we have saved them from the assegais to hand them over to a worse death?

Character  
of the  
country.

They have a beautiful and rich country, but they seem likely to lose it very shortly. They have parted with so many rights that there is little left for themselves; gold, iron, tin, copper, and coal, will probably be found in large quantities; they are awaiting the capitalist and the miner. The country generally is healthy and good for agriculture and pasturing. In the western part, cattle, sheep, and horses do well. The central strip from south to north is splendid for cattle and cultivation, and all these parts are well watered. Stock will do well in both summer and winter, whilst further west, in the Transvaal, stock has to be removed to Swazieland and Zululand in winter for warmth and grass. The eastern part known as the BOMBO FLAT is the least useful. It is low and consequently very hot, and has little water except the larger rivers that run through it, *e.g.*, PONGOLO, GOVUMA, USUTU, IMBULINI, AND KOMATI. This part is covered with bush and has a park-like scenery. It is the hunting ground of Swazieland, and is a delightful place to live in for a few months in the winter, but it is far too hot for Europeans in the summer, and there is fever in that part in wet seasons. It is not a place favorable for hard work.

Owners of  
land.

All land belongs to the King, and so no one can occupy or allow others to do so without the consent of the King. The natives do not purchase land, and they pay no rents. Where there is a bush or firewood it is open and free to all. It is only on cultivated, or on what has been cultivated, that persons acquire a kind of ownership. The fact of a person having broken up a piece of land gives him a kind of title to it, and when he leaves the district he can hand it over to any one else for a consideration.

Taxes.

There are no taxes. The service the people render to the King consists in

building and repairing his kraals, digging and weeding his gardens, and attending upon the King when required.

Justice is rather scant at present ; to a very great extent might is right, and the people generally would be very glad to be under the English if they had not to pay taxes. They feel that they would then get justice, and might sleep in peace without fear of being surrounded and killed for another's offence. They do not see well how they could get money to pay hut tax, but this would come after a time if they could only be governed for a time without taxes. At the present time there is a disposition on the part of some of the great men in the land to blame the late King for the present state of the country, but they are equally to blame with him and his Prime Minister. Justice.

The King sometimes sanctioned things in deference to them when his own opinion differed from theirs. It is quite common for them to throw the blame on the absent, and the King and Prime Minister not being able to reply, they may seem to have been right in their censure. They, however, knew perfectly well what was being sold, and they were very glad to receive sums from the purchase money, and if they did not approve of what was being done they at least appeared to approve.

The Swazies are far richer in cattle than formerly. Their freedom from Zulu raids of late will account for this. Twenty years ago they fled from the border to the middle of the country from fear of the Zulus. They now like to be near the border, so that they may easily get over into the White man's country in case of danger.

Their kraals, too, were then chiefly in the hills, whereas now they reside more in the open country.

They feel the benefit of having White people near them. This year there is great famine, and had not White men brought mealies into the country to sell it is hard to see how the Swazies would have managed to live.

The Boers who come down to graze in the winter are often a very great trouble ; during the time they are here they take possession of the country, and the natives have often to rush in their crops before they are ready, to prevent their being injured or destroyed by the grazers' stock. The Swazies, too, are often suspected and punished as if they had stolen what has died or strayed. Grazers.

Some of the Boers, however, are kind and considerate, and the natives like them. But, speaking generally, the Swazies have a dread of them, and there is a feeling of relief every year when the new grass springs and the Boers return to their homes. The Boers are anxious to convert their grazing rights into rights of ownership, and often speak of the places where they graze as their farms. Some of these grazing rights are absurdly large, and have been acquired for a mere trifle, and have been subdivided and re-sold for large sums, so that, generally speaking, when one acquires a right it means that he will be accompanied by several others.

Every Boer, in the eyes of the Swazies, has at least a semi-official character, because, if he be not an official himself, some one of his relations probably is, and he himself may be one to-morrow, or he may come down in company with an official, which makes the Swazies afraid to deny any request lest they should offend some one in power.

Such things as the following have been said to the King and Chiefs : " You refuse us because you like the English ; go away to the English and take your people with you. We beat the English at Majuba, and we can beat them again, and you along with them."

## B.

## COLONIAL SECRETARY TO COLLECTOR OF CUSTOMS.

## Telegrams.

Asks for information as to Natal's trade with Swazieland, and statistics regarding that trade, and the commerce and industrial enterprises of Swazieland.

Hon. the COLONIAL SECRETARY.

It is very difficult to obtain reliable information as to Natal's trade with Swazieland, and it is practically impossible to furnish statistics regarding that trade and the commerce and industrial enterprises of Swazieland. I have seen various traders and have had conversations with them on the subject, and I now proceed to embody in a brief report the result of my inquiries.

I find that the Secretary of the Durban Chamber of Commerce has also been requested by you to furnish information on this subject, that he has likewise been interviewing some of the gentlemen who have especial knowledge of Swazieland trade, and that he has already forwarded to you his report.

I have, however, been making independent inquiries.

Natal's trade with Swazieland consists in forwarding machinery and plant for gold-mining purposes; in supplying for the natives of Swazieland the articles of ordinary Kaffir trade, such as soldiers' condemned clothing, shirts, trousers, blankets, salempore, belts, pouches, knives, snuff-boxes, chains, boxes, vermin traps, and other articles in demand amongst natives; and in supplying the requirements of the not very numerous European inhabitants of Swazieland; Boers, with their flocks and herds, in search of pastures; prospectors, miners, traders, adventurers, and others.

Swazieland obtains goods from various sources. Some are sent through this Colony, *via* Newcastle, through the Transvaal; some are sent over the Buffalo River and through the New Republic; some are supplied from Barberton and the east of the Transvaal. A large quantity of goods are sent *via* Delagoa Bay, and some are sold here for Swazieland and sent *via* Delagoa Bay. The goods imported through Delagoa Bay are sent up the Tembe River about 80 miles on lighters towed up the river, and afterwards by wagon.

About five or six years ago the Kaffir trade between this Colony and Swazieland was considerable; but there has been a great falling off in this trade of late years.

Traders from the coast district of this Colony used to load up goods in Durban for Swazieland in the latter end of autumn, that is, in March and April each year, and proceeded to Swazieland to trade for hides during the winter months.

The hides so obtained were brought back to Natal at the end of the winter. This business has very considerably fallen off, for various reasons.

There have been fewer cattle in Swazieland owing to death of stock in former years, so that the obtaining of hides has been more difficult than formerly.

The value of hides has been so low of late years that the trade has not been sufficiently remunerative.

By the establishment of stores in Swazieland the itinerant business of the trader, with his wagon, has been injured.

Then the importation of spirituous liquors, *via* Delagoa Bay, into Swazieland has, to a great extent, demoralised the natives, sapped their resources, and diminished their purchasing powers as regards ordinary trade.

I may state that they cannot now even produce mealies for the supply of the *employés* of the gold-mining companies in Swazieland; and the Havelock Concession Company have recently been obliged to send to Delagoa Bay for mealies with which to feed their men.

The only industrial enterprises in Swazieland that I am aware of are the gold-mining companies' operations being carried on by Europeans, under concessions from the Swazieland Government.

I estimate, very roughly of course, that for the working of the various gold concessions in Swazieland probably one hundred thousand pounds' (100,000*l.*) worth of machinery and mining plant has been imported into Swazieland.

I have not been able to arrive at an estimate, even of the roughest description, of the value of other goods annually imported into Swazieland. It is estimated that about three-fifths of the Swazi trade is done with Natal, except the liquor trade, which is conducted through Delagoa Bay, and that probably nine-tenths of the machinery, &c., for gold comes through Natal.

The unsatisfactory state of the Swazieland Government has hitherto prevented the opening up of any extensive trade with Swazieland. If a civilised Government were established there, trade with this Colony would be promoted.

(Signed) R. J. FINNEMORE,  
*Collector of Customs.*

October 30th, 1889.

His Excellency.

Forwarded for your Excellency's information.

(Signed) A. H. HINE,  
*Acting Colonial Secretary.*

October 31st, 1889.

### C.

#### LIST OF GOODS USED BY THE NATIVES OF SWAZIELAND, FURNISHED BY MESSRS. WALLERSTEIN AND BREMER.

##### *Cotton Goods.*

*Unbleached Calico*, in pieces of 24 yards, 30-36 inches.

Common quality.

*White Calico*, in pieces of 24 yards, 30-36 inches.

Common quality.

*White Towels*, honeycombs and Turkish, 36-42 inches long.

Common quality.

*Red Handkerchiefs*, in 2-dozen pieces, printed, in black, white, and yellow (other colours not saleable), 25-30 inches square, 1*s.* 6*d.* to 2*s.* 3*d.* dozen.

*Blue Handkerchiefs*, in 2-dozen pieces, blue ground with white print only, 1*s.* 6*d.* to 2*s.* 3*d.* dozen.

*Blue and White Print*, in pieces of 24 yards, 28-32 inches (Manchester).

*Dark Blue Salempore*, in pieces of 18 yards, 32-36 inches, common quality.

*Striped Salempore*, in pieces of 18 yards, 32-36 inches, only with red, yellow, and white.

*Cotton Blankets*, with black stripe round, from 2 to 2½ lbs., 10*d.* to 11*d.*, Natal price.

*Cotton Blankets*, grey and white (Belgium), with red or blue stripe, 3*s.* to 4*s.*, Natal price.

*Cotton Sheets*, not very saleable in this country.

*Shirts*, common flannellette, to be sold from 2*s.* to 4*s.*

*Old Military Overcoats and Tunics.*

Other common clothings not very saleable.

(4708)

C 2

*Rugs and other Wool Blankets* is a large article in Swaziland; they are sold from 3 to 5 lbs. heavy, and only good quality take the fancy of the natives. They are also very particular in choosing colours. Rugs and blankets sold to Zulus or Tongas would be quite unsaleable to Swazies; striped rugs the Swazies would not buy, the so-called Zebra-striped Lustre, 68 by 72 and 76 by 80, are the best, and are sold in large quantities. Standard price, 20s. each.

*Rugs—Bush or Austrian*, in grey melange, with coloured stripes on one side and plain grey on the other, is also a good article. They are sold here  $2\frac{3}{4}$  to  $3\frac{1}{2}$  lbs. heavy, and the standard price is 10s. each.

*Shawls* (wool) are sold in all qualities and colours. Selling price from 10s. to 20s.

*Beads*, ruby, pink, white, black, in a middle size are in use here; also a white chalk beads with blue stripe, and a black beads with white stripe, are the fancy beads of the nation; other colours and sizes of beads are sold here, but this article brings large losses, as the fashion changes very often.

*Picks or Hoos* are used in large quantities; they are from  $2\frac{1}{2}$  to 3 lbs. heavy, and it is the same Kafir pick which are imported from Natal firms.

*Pots*, common iron, three legs, are now used by Swazies.

*Tin Billies* (camp kettle) and pannikins are in use here.

*Zinc round Mirrors* are a great fancy article.

*Zinc Spoons*

*Pocket and Butcher Knives* are largely bought, but each pocket-knife must either have a hole or a ring on the handle, as the Swazies are used to carry the knife on a small piece of steel chain fastened to a belt.

*Leather Belts or Strops*, from  $1\frac{1}{2}$  inch to 2 inches, are also a fancy article.

*Hats* (common large felt) have found a good market here.

*Miscellaneous*.—Martini-Henry guns and cartridges, fancy bangles, wire in steel and copper, ploughs, game-traps, hatchets and axes, sickles, candles, matches, salt, sulphur, sugar, and many other articles used by Europeans have found their way since the last two years to many Swazie households.

Gin, Kafir rum, or other liquors are of no great sale, as the Swazies in general do not spend their money in such goods.

## D.

### IMPORT DUES, SWAZIELAND.

*By order of King Umbandine and Committee.*

	£	s.	d.
Beer, per gallon	0	1	0
Spirits	0	2	6
Biscuits, per 1 lb.	0	0	1
Butter	0	0	2
Candles	0	0	1
Cheese	0	0	3
Dried and Preserved Fruits, per 1 lb.	0	0	3
Fish, dried or Tinned	0	0	2
Gunpowder	0	0	4
Lead and Shot	0	0	3
Mustard	0	0	2
Ostrich Feathers	0	10	0
Pepper	0	0	3
Curry Powder	0	0	3
Tea	0	0	3
Cigars, per 100	0	2	6
Cigarettes, per 1,000.	0	3	0
Coffee, per 1 cwt.	0	7	6
Chicory	0	5	0
Cartridges (loaded), per 1,000	2	0	0
"    (cases)	1	0	0

Guns, per barrel .. .. .	0	10	0
Pistols .. .. .	0	5	0
Grain Bags, each .. .. .	0	0	1
Hoes and Picks, each .. .. .	0	0	3
Rice, per 100 lbs. .. .. .	0	1	6
Sugar .. .. .	0	2	6
Matches, per gross .. .. .	0	0	6
Oil (except Paraffin and Machine), per gallon .. .. .	0	2	6
" Paraffin and Machine .. .. .	0	0	3
Ox Tails, per dozen .. .. .	0	5	0
Beads .. .. .			
Sweets of all kinds .. .. .			
Cotton Sheets .. .. .			
Blankets and all Cotton Goods .. .. .			
Cutlery of all kinds .. .. .			
Clothing of all kinds .. .. .			
Jams, Jellies, &c. .. .. .			
Potted Meats .. .. .			
All other goods not enumerated above .. .. .			
Harness and Saddlery .. .. .			
Milk, preserved .. .. .			
Tobacco Pipes .. .. .			
Pickled or Preserved Beef .. .. .			
"          "          Pork .. .. .			
Soap .. .. .			

} 5 per cent.  
ad valorem.

} 6 per cent.  
ad valorem.

} 10 per cent.  
ad valorem.

} 3 per cent.  
ad valorem.

## EXPORT DUTY.

Mealies, per bag of 200 lbs. .. .. . 0 5 0

## TRANSIT DUTY.

All Goods in transit .. .. . } 1½ per cent.  
ad valorem.

Flour and Boer Meal, Machinery of all kinds, Seeds of all kinds, Books and Stationery, Uniforms and appointments for the use of any forces, in full pay and on active service under the King are exempt from duty.

BY ORDER OF THE COMMITTEE.

## E.

FROM MR. THEOPHILUS SHEPSTONE TO SIR FRANCIS DE WINTON.

EMBEKELWENI, SWAZIELAND,  
December 2nd, 1889.

SIR,

I have the honor to enclose for the information of the Honorable the Commission, a Memorandum I have written expressing my views on, and my reasons for, dissolving the Swazieland Government Committee.

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

Memorandum.

Having received information that several persons, ex-members of Committee and others, are presenting a petition or protest to the Commission on the dissolution of the Committee, I think it as well, to avoid misunderstanding, to give the reasons for the course pursued.

1. The Nation assembled on October 21st, 1889, ordered its dissolution on the grounds—

- (a.) That the Committee or members thereof had caused all the trouble in the country.
- (b.) That the Swazie Nation had lost all confidence in the Committee, and that until the Commission had sat and decided on some of the documents granted by the late King, to and under the advice of some of the members of the Committee, the question of the future Government of the Whites should remain in abeyance.

2. The question appeared to me to be one which was of a constitutional character and which might require an appeal to the constituencies, and I therefore coincided with the desire of the nation that the Committee should be dissolved.

3. The Committee could not form a quorum.

4. One-fourth of the Committee, acting on the votes of their constituents, had refused to take part any longer in the Committee.

5. Another five also (the late King's personal nominees) have ceased to be members of the Committee, owing to the death of the King, and the terms of my appointment. These five members are not included in the Charter to the Committee, but were arbitrarily appointed by the King to conserve his interests, with a result that will appear in another memorandum.

6. Of the remaining nominal ten members, two seats are still vacant; of the remaining eight, three are absent for an indefinite period, and of the remaining five (not sufficient to form a quorum) two have expressed themselves to me as satisfied with the dissolution.

The protest, therefore, emanates from three members, one of whom is not an elected member, but was nominated by the Committee two or three months ago to fill a vacancy.

7. The numerous and improper grants or concessions obtained through the influence of certain members of the Committee, thereby destroying all confidence in it as a body, form the subject of another memorandum.

8. In July last I wrote a confidential Memorandum to the Delegates of the two Governments, and I reproduce two extracts, being more than ever satisfied of the truth thereof.

(c.) "The insecurity of life and property in Swazieland, owing to the incapacity of the White Committee to govern or even direct the country.

"As to point (c.) I could quote numbers of instances to this point.

"The Committee is and has been for over twelve months divided, owing to various causes, for instance, jealousy of each other, members using their position to get improper grants or concessions from the King, for their own personal gain, bribery, and a disregard for the benefit of the population as a whole. Fines inflicted and not recovered, traders and storekeepers losing cattle and having no remedy, and other instances of a like character."

9. The Committee has become a by-word, and does not even collect from its own members (the largest debtors to the Revenue) the amounts due on the tariff imposed by it on the White population.

10. The Executive, through the absence of its members, had ceased to exist, and the Whites were without a responsible head.

I am not aware whether this matter may be within the scope of the Commission, but my remarks may, however, be of some value.

The responsibilities placed on me are great.

I have to represent and conserve the Swazie Nation, and its interests, and I have to adjudicate between English and Dutch, and it is needless to say that I should like the responsibility shared by an Executive, or other White Council, such as the Honorable the Commission may, after conference with the nation, decide upon.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie Nation.

*Translation.*

## MEMORANDUM of Provisional Understanding and Agreement regarding the joint proceedings of the Commissioners of the South African Republic and Her Majesty's Government.

1. That His Honour the State President and the Executive Council of the South African Republic and Her Majesty's Government being desirous to maintain the independence of the Swazies, the first act of the Commissioners shall be to acknowledge the appointment of the successor to the deceased King, Umbandine (as chosen by the Swazies), and, since he is a minor, to ask the Regent Queen Dowager, the Headmen, Chiefs, and Councillors of the Swazies as to the manner in which they desire to carry on the Government of the country during the minority of the said successor.

2. That the Commissioners shall then ascertain the wishes of the Swazie Council as regards the present Committee of Management, and having reference to the recent Proclamation issued by the Swazie Nation, dated from the Royal Kraal the 21st day of October, 1889, submit to them as follows:—

That the two Commissioners, in conjunction with the nominee of the Swazie people (probably Mr. Theophilus Shepstone), maintain the *status quo* while the Commissioners remain in the country; and that on the departure of the Commission they may leave a Committee of Management, consisting of three persons—one appointed by the Swazies, one by the Government of the South African Republic, and one by Her Majesty's Government—to assist the Regency in the administration of affairs, particularly concerning the Whites, until such time as final arrangements have been adopted between the Government of the South African Republic and Her Majesty's Government.

3. That with reference to the concessions granted in Swazieland it be arranged that the Joint Commissioners will make it plainly known that as soon as the Swazieland question has been settled between the two Governments, a proper Legal Court will be established, before which the legality of all concessions can be tested, and by which a legal title can be established.

4. With the consent of the Swazies, the expenses of the Committee of Management, as fixed and allowed by the two Commissioners, will be paid out of the revenue of Swazieland.

5. That the Commissioner of the South African Republic will be empowered, if such be required by the Commissioner of Her Majesty's Government (since no doubt exists thereon with the Government of the South African Republic), jointly with Her Majesty's Commissioner, to institute an inquiry with regard to any treaties or arrangements or requests entered into with or made by the Chiefs Zambaan and Umbegisa, or affecting their territory, and to enter into any other enquiry which the Joint Commissioners may consider necessary, in order that the real state of the Chiefs of those countries may be clearly ascertained, and for that purpose to issue a joint summons to the said Chiefs and necessary witnesses.

## G.

PRÉCIS OF MEETING HELD AT KANNEMEYER'S ON SATURDAY, 30TH NOVEMBER, 1989.

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*Present :*

The Members of the two Commissions and some of the leading White Residents in Swazieland.

*Sir F. de Winton*, in opening the meeting, stated that he thought it would be well if the Joint Commissioners should mention to those present some of the ideas which had occurred to them with regard to what is known as the Swazieland question.

Speaking on behalf of the Joint Commission he said : We do not propose to deal with the past ; our first intention is to ascertain the wishes of the Swazie Nation on the present matter ; what we have to deal with is the present and the future. We have thought it advisable to suggest as follows with regard to yourselves :—That you should form amongst yourselves a Committee, say of not more than five, who would represent the joint action and feeling of the White population of Swazieland and their several interests. You should draft up certain resolutions as to what you are all agreed upon. If you will adopt my suggestion among yourselves, and talk the matter over and draw up, from your knowledge of the country and from your knowledge of the different interests which have been created in this country, these resolutions, we shall be able to go away and do some work. The matter lies entirely in your own hands, and if you do not choose to do this we must report that there is no unanimity of feeling amongst you and cannot do anything. As regards the White interests in the country, it does not rest with us, it rests with yourselves, and without your co-operation we can do nothing.

*Mr. Cohen* thereupon stated that he believed that only by union amongst themselves could they expect to get their interests respected.

*Mr. Ferreira* wished to know how many days the Commissioners were prepared to give for the White population to elect a Committee ?

*Sir F. de Winton* replied that he did not limit them to time, but as soon as they had agreed upon the precise date the Commissioners were prepared to meet them.

*Captain Ewing* proposed that, as the Whites were very much scattered, a certain time should be allowed for them to elect a Committee. They could not possibly elect a Committee themselves without giving the others notice, and he thought that ten days or a fortnight should be given.

*Sir F. de Winton* replied that his convenience was the convenience of the White population.

*Captain Ewing* then said that in justice to others not present he did not think the meeting could be called in less than a fortnight.

*Sir F. de Winton*, in closing the meeting, left it to the Whites to arrange a meeting as soon as they could.

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## I.

MINUTES OF PROCEEDINGS OF THE SWAZIELAND JOINT  
COMMISSION.

## FIRST MEETING.

Embekelweni.

2nd December, 1889

Proceedings commenced at 3 p.m.

*Present :*

SIR FRANCIS DE WINTON.  
LIEUT.-COLONEL MARTIN,  
MR. SCHREINER.  
CAPTAIN BADEN-POWELL.

COM. GENERAL JOUBERT  
GENERAL SMIT.  
DR. KRAUSE.  
MR. VAN ALPHEN.

Proposed by *General Joubert* :—

“That Sir F. de Winton be Chairman.”—Carried.

Proposed by *Sir F. de Winton* :—

“That Mr. Van Alphen act as Secretary.”—Carried.

Proposed by *Sir F. de Winton* :—

“That Mr. Theophilus Shepstone, C.M.G., be invited to attend the sittings of the Commission as representative of the Swazie Nation.”

*General Joubert* agrees, if it is certain that Mr. Shepstone is the properly authorized Adviser of the Nation.—Carried.

Mr. Shepstone is sent for and takes his place, and is requested to advise the Commission in its deliberations as to the interests of the nation, and also to furnish a copy, for record, of his re-appointment as Adviser to the Swazie Nation.

In reply, *Mr. Shepstone* states he will be most happy to assist the Commission on behalf of the nation, and will speak without reserve in its interests ; promises to furnish copies of his re-appointment as Adviser.

Proposed by *Sir F. de Winton* :—

“That the Memorandum of Procedure of the Commission, as drawn up at Pretoria, be read to Mr. Shepstone.”—Carried.

The Memo. is read.

*Sir F. de Winton* informs the Commission that he had shown Mr. Shepstone his (Sir F. de Winton's) instructions as Commissioner from Her Majesty's Government.

*General Joubert* states that so far as the instructions of the Commissioners of the South African Republic are concerned, they are embodied in the above Memorandum of Procedure.

*Sir F. de Winton* points out that the Memorandum lays down that the independence of the Swazie Nation is the first consideration.

*Mr. Shepstone* says that the Swazie Nation is willing to agree to any settled form of Government of the Whites. Since the death of Umbandine their only desire has been for peace and settled rule. The fact that they have agreed to abandon the custom of “killing off” without due trial is an instance of their desire. With regard to paragraph 2 of the Memo., proposing that the *status quo* be maintained by the two Commissioners acting in conjunction with the nominee of the Swazie people, Mr. Shepstone says that the Swazies are quite opposed to the late White Committee.

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Should a Committee be appointed to carry on the Government after the departure of the Commissioners, considers that he should be appointed Chairman of it.

*Sir F. de Winton* points out that while it remains here the Commission is the Government so far as the Whites are concerned.

Mr. Shepstone's letter and Memo. detailing the reasons for dissolving the late White Committee are read.

*Sir F. de Winton* proposes that if the Petition therein referred to as likely to be presented by certain members of the late Committee is submitted to the Commissioners, it may be handed to Mr. Schriener and Dr. Krause for their opinion.

*Mr. Shepstone* explains that, apart from other reasons, the Committee was dissolved as a constitutional measure.

*General Joubert* states that the feeling of the Commissioners was to give every consideration to the White interests, but as the Committee has been dissolved by the nation the Commissioners may accept the fact of its dissolution.

*Mr. Shepstone* explains that the nation was dissatisfied with the Committee, and exercised its sovereign rights in dissolving it.

*General Joubert* considers that after Umbandine's death the nation was acting within its rights in dissolving the Committee.

*Mr. Shepstone* adds that the King's nominees on the Committee were arbitrarily appointed.

*Sir F. de Winton* suggests that a Proclamation be issued by the Commission to say that during its stay in the country all matters affecting the Whites will be brought before it, and that in the meantime no further concessions be granted.

*Mr. Shepstone* says that this latter point has already been carried into effect, and Proclamation was issued after the King's death that no more concessions would be granted until the Commission sat. He issued the Proclamation. He adds that by native law, after consultation with Queen Regent and Council, the statements of himself and T'Kuba may be accepted as those of the nation.

*Sir F. de Winton* proposes that Mr. Shepstone obtain the views of the nation for the Commissioners to lay before their respective governments.

*Mr. Shepstone* says the nation desires—

- (1.) To preserve its autonomy.
- (2.) To appeal to both British and South African Republic Governments to preserve its rights.
- (3.) The people are astonished now to find how their land has been conceded away; they ask the Commissioners to enquire into the concession documents and to call upon those who interpreted them to the King to repeat their interpretation before them (the people). It is only since the King's death they have found out the extent of the concessions.

*Sir F. de Winton* points out that the question of enquiring into concessions has been considered at Pretoria, and the conclusion had been come to that the question might be left open until a settlement of affairs had been agreed upon and until a proper system of justice shall have been constituted by the Governments of Great Britain and the South African Republic.

With regard to this Mr. Shepstone stated that two men claim to have the concession for administering the late King's effects.

*Mr. Shepstone* approves of the idea of forming a legal committee for dealing with concession questions.

*Mr. Schreiner* explains that such legal committee could have no power beyond that of inquiry, until a proper judicial system was initiated.

*Mr. Shepstone* promises that there will be no difficulty in getting the Queen Regent to issue a proclamation giving such legal committee full judicial powers.

In reply to Mr. Schreiner's question as to what law such court would administer, Mr. Shepstone suggests the law already in use in the South African Republic and Natal.

*Mr. Schreiner* submits that it is beyond the power of the Commission to appoint the particular law that is to be used, without previous reference to the respective governments. Mr. Shepstone maintains that unless the Commission direct some new procedure, Roman Dutch law is the only law that could be applied; native law being quite inadequate.

*Mr. Schreiner* asks whether judgments could be enforced. *Mr. Shepstone* says that there will be no difficulty on that head.

*Sir F. de Winton* points out that the main thing is to show to both Swazies and Whites that their respective rights will be properly enquired into.

*General Smit* suggests that the question of Umbigeesa and Zambaan be considered.

*Mr. Shepstone* says that he can summon Umbigeesa to attend and explain his position to the Commission, as he is a Swazie subject, but that Zambaan is a dependent of the Transvaal, therefore suggests that a summons be sent by both Commissions to those two chiefs.

Proposed by *Sir F. de Winton* :—

“That a message be sent, in the words of the Memorandum of Procedure, to Zambaan and Umbigeesa asking them to attend the Commission.”

The sitting adjourned at 4.30 p.m.

(Signed) F. DE WINTON, *Chairman*.

5th December, 1889.

(Signed) R. S. S. BADEN-POWELL, *Capt.*

## SECOND MEETING.

Embekelweni.

5th December, 1889, 11 a.m.

All present, as also MR. SHEPSTONE.

The Chairman proposes that the Commission form itself in “Committee,” as *Mr. Shepstone* is not one of the Commission.—Carried.

Minutes of the last meeting are read and confirmed.

The copy of *Mr. Shepstone's* appointment as Adviser to the Swazie Nation is read and ordered to be attached to the proceedings of the Committee.

After some discussion as to the necessity and advisability of getting the Swazie Indunas to attend meetings of the Committee, it was resolved :—

“That the Swazie Nation should be represented by legally appointed Indunas of their nation who will attend the Committee, and who will endorse and be accountable for all resolutions having reference to the Swazie Nation. *Mr. Shepstone* undertakes to have this done at as early a date as possible.”

Letter read from *Mr. Shepstone*, transmitting *Mr. Harrington's* concession and his memorandum concerning it. After it had been interpreted into Dutch it was resolved :—

“That the Committee of the Joint Mission are of opinion that it should remain in abeyance and not be acted upon until such time as the respective Governments of Great Britain and the South African Republic and the Swazie Nation have decided upon the future of Swazieland and the properly constituted Court which is to be established for the trial of such concessions ;

“And it was further resolved that this resolution be communicated to *Harrington*, or his lawful representative, with a request that they will withdraw any proclamations they have issued, and that they will make such arrangements with *Mr. Shepstone*, the Adviser of the Swazie Nation and their lawfully appointed agent, as regards the sums which he may collect, in order that their rights may be protected should the concession at any future time be enforced.”

A concession was handed in by *Mr. Shepstone* granted to Messrs. Jules Porges and Hermann Eckstein, holder of certain other concessions, in which it is stipulated that should any of these concessions be menaced, they have the right, if necessary, to use

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force of arms and call in the aid of foreign powers to maintain their rights. Documents not being complete it was resolved to let this matter stand over.

The question of the attitude of this Committee with regard to concessions is discussed, and it is resolved :—

“That, as regards the mineral and grazing rights, the Committee are of opinion, from the information given by Mr. T. Shepstone, that they are in general of such a nature as not to require any special investigation by this Committee; as regards the others, copies of all these concessions should be taken and referred to respective Governments of Great Britain and South African Republic and they are to remain in abeyance, without prejudice, until these two Governments have conferred about them. The Chiefs and Indunas selected by Queen to attend the Committee meetings be asked to confirm this.”

Read letter from Mr. F. B. Doering, dated 3rd December, 1889, *re* the appointment of Justices of the Peace, upon which it was resolved :—

“That in reply to Mr. Doering’s letter, Messrs. Carter and Doering be called upon to furnish the letters of appointment under which they hold their commissions, as it appears to the Committee that if these appointments were made for certain districts it does not give them authority to act in other parts of Swazieland. The question of magistrates and their future appointment to stand over.”

Under consideration, letter from Mr. F. B. Doering, dated 3rd December, 1889, and enclosures.

- A. Declaration relating to the robbery of two Concession deeds and one 5*l.* note, the property of one Edward Charles Dupont.
- B. Referring to the release of a prisoner at Forbes Reef, named J. MacDonald.

It was resolved—

- A. “That this matter stand over till reply is received from Messrs. Doering and Carter.”
- B. “That Mr. Doering be informed that the action of Mr. Shepstone was taken by order of the Queen Regent in Council, and therefore the Committee consider that he should act in accordance with the order of the Queen without delay.”

Meeting adjourned at 1 p.m.

### THIRD MEETING.

Camp, Embekelweni.

7th December, 1889.

*Present :*

#### MEMBERS OF THE JOINT COMMISSION.

Proceedings opened at 3 p.m. to consider a letter from Mr. T. Shepstone, dated 5th instant, reporting his refusal to register the transfer of Thorburn’s duty-free liquor concession.

Resolved :—“That the Committee thanks Mr. Shepstone for the information he has given and the steps he has taken, and considers it advisable that he should act on this principle on this and on future concessions.”

Meeting adjourned at 4 p.m.

(Signed) R. S. S. BADEN-POWELL, CAPTAIN,  
*Secretary.*

## FOURTH MEETING.

Camp, Embekelweni.

Monday, 9th December, 1889.

*Present :*

THE MEMBERS OF THE JOINT COMMISSION.  
 Mr. THEOPHILUS SHEPSTONE.  
 And about 120 Headmen of the Swazie Nation.

*Mr. Jackson* is chosen as interpreter.

*Sir F. de Winton.* On behalf of the two Governments we welcome you here at this meeting. As we are the representatives of Her Majesty the Queen and the Transvaal, we want to know if the people assembled here are the representatives of the Swazie Nation.

*Tekuba* (speaking for the Swazies assembled). Yes.

*Sir F. de Winton.* Then do I understand that anything we settle together will be accepted by the Swazie Nation?

*Tecuba.* Yes. This is the nation.

*Sir F. de Winton.* Then we can proceed to business. We have come here at the request of your late King, Umbandine, and it is the wish of Her Majesty's Government and the Government of the Transvaal, that all your rights and independence shall be maintained. In the same way as that man\* is trustee of the Swazie Nation, so the Governments of Great Britain and the Transvaal are also trustees for the nation. Therefore on behalf of the two Governments the first act that we, the Commissioners, wish to perform is to acknowledge the appointment of the successor of the late King Umbandine, as chosen by the Swazie Nation, and to ask the Queen Regent, the Headmen, Chiefs, and Councillors of the Swazie Nation how they wish to carry on the Government of their country during the minority of the successor that has been chosen among you, who is only a boy.

*Tekuba.* We have come to hear what you have to say.

*Sir F. de Winton.* That is all I have to say on that point. You must know your own minds better than I do, and therefore must be able to give me a reply.

*Tecuba.* We thank you for what you have said, and will first deal with the question of Government during the minority of the present King. During the minority the country will be governed through the Queen Regent. It is the law of the Swazies that such should be the case in the event of a minority, as it formerly happened. When Um Swazie's father died, the old Queen took charge while he was a minor. Practically the Queen is the head of the nation according to law, and we shall have to speak with her on all matters concerning the nation.

*Sir F. de Winton.* I am glad to hear this.

*Tecuba.* Having come here, you will have to settle matters with the Queen Regent, who is the head of the nation until the present King attains his majority. This is the law of the country.

*Sir F. de Winton.* We are glad to learn it, and we are aware that you are able to govern yourselves, and we do not wish to interfere. We will now proceed with the second point. During the past three years many Whites have come into this country, and in order that their interests and the interests of the Swazie Nation, and to prevent quarrels between the Whites and the Blacks, the late King Umbandine gave a Charter under which a White Committee was appointed to regulate the affairs of the Whites. We, the Commissioners, understand that on the 21st of last month, through your chosen representative, Mr. Shepstone, you dissolved (not abolished) that White Committee, and with reference to that at the meeting on the 21st October, a month previous, you chose Mr. Theophilus Shepstone as your representative. Do you now, before us, confirm that appointment?

*Tecuba.* Yes. Umbandine did appoint a White Committee, but on his death, we, the headmen of the nation, had no confidence in that Committee, but put our trust in Mr. Shepstone. We, the headmen of the nation, assembled here, and also the Queen Regent look to Mr. Shepstone as our Resident Adviser and Agent.

\* Jokova.

*Sir F. de Winton.* To prevent any misunderstanding, we want to know if there are any here present who have anything to say against the appointment of Mr. Shepstone.

*Tecuba.* There is no one here whose eyes do not look towards Mr. Shepstone, and I not only speak for those present, but also for those absent.

*Sir F. de Winton.* You are now to understand that in the words I am going to speak, both the Governments of Great Britain and the Transvaal have only your interests at heart. We want your heart to beat with ours, and then if we are of one heart together we can do what is best for all. Is not that so?

*Tecuba.* Yes.

*Sir F. de Winton.* You are all aware that many rights and privileges were granted by the late King to Whites, and if you want your integrity as a nation to remain, that point must be considered. To-day I have a paper here with reference to a question which has occurred between a White man and one of your Chiefs, and we require your authority to deal with that question as you have dissolved the White Committee. You see us now before you, myself, General Joubert, Colonel Martin, and General Smit. We have nothing to do with any concessions that have been granted in this country, as the White Committee had; we have therefore as much your interests at heart as those of any White men in the country. You are our friends, and, if I may so put it, our children; and a father never hurts his child. We, the Commissioners, are, as it were, your father. Therefore, the first thing I propose is that you give us the power to deal with all questions concerning the Whites while we remain in the country. I await your answer.

*Tecuba.* We thank you for what you have said, but we have already appointed Mr. Shepstone. We will be pleased if you will go into all those documents, but Mr. Shepstone is our mouth.

*Sir F. de Winton.* We quite understand this, but the Commissioners desire the sanction of the nation for their exercise of powers and management in conjunction with Mr. Shepstone as to the affairs concerning the Whites.

*Tecuba.* We thank you, and will give you full jurisdiction to go into all matters concerning the Whites, but Mr. Shepstone is our mouth.

*General Joubert.* I suggest that the Commissioners should draw up a statement which the Swazie Nation should sign, giving the Joint Commission full jurisdiction to deal with all matters concerning the Whites in Swazieland, during their stay in the country, through Mr. Shepstone.

*Tecuba.* We agree to this, and if you will draw up a statement and interpret it to us, we will sign it.

*Sir F. de Winton.* You know that a man can only carry a certain weight, and if too heavy a weight is put upon him, he sinks down and cannot move. While we are here we can help Mr. Shepstone, but when we go away the weight that will be upon him will be too great for him to bear, therefore, as we wish that all things should go on peaceably until the two Governments have come to some decision, we propose to help Mr. Shepstone, as regards the management of the Whites, by giving him two other men to help him when we are away—two men who have no interest like the other White men who have formed the Committee—two men who have no interest in any other than the affairs of Swazieland.

As far as the Queen of England is concerned, she is going to appoint a man who has been amongst you before, and one whom you all know, Colonel Martin. He will remain here after we have gone, to help Mr. Shepstone.

*General Joubert.* As regards the Transvaal, we have selected a man, not now present, Mr. Esselen, Landdrost of Vryheid.

*Sir F. de Winton.* This arrangement is not intended to be permanent; it is only to remain in force during the time the two Governments are considering the matter, and we propose this because it is entirely for your own good and interests. This arrangement was not proposed in order to deal with the management of the natives, but only matters relating to the Whites.

*Tecuba.* We have heard what you have said, but we cannot decide until we have first spoken to the Queen Regent.

*Sir F. de Winton.* If you have to speak to the Queen you must tell her that we speak on behalf of your own interests.

*Tecuba.* We will tell everything that has passed to the Queen.

*Sir F. de Winton.* Please express the wishes of the nation on concessions.

*Tecuba.* We wish you to go into all those documents which have killed us.

*Sir F. de Winton.* We are here to see that you are not killed, and we propose to

send proper persons into the country who have knowledge of all these matters to see whether they are right and just. It must be clearly understood that the nation will grant no more concessions. The trouble has arisen out of your own acts, not ours. Is it not so?

*Tecuba.* It is quite true. We hold the feather and sign. We take money, but we do not know what it is for.

*Sir F. de Winton.* Could you give us any idea of what you call wicked documents?

*Tecuba.* We could not tell you in particular, as they were never properly interpreted. We sold one thing thinking it was another.

*Sir F. de Winton.* We must do our best for you to find out which are wicked and which are not. We will look into the matter, but many of them form part of the revenue of the country.

*Tecuba.* It is so, but we do not know what the money is for.

After several names (about 40) had been taken down and read out, Sir F. de Winton asked whether they thought the names taken down were sufficiently representative of the Swazie Nation, and Tecuba replied that the names given were quite sufficient.

In closing the meeting Sir F. de Winton asked Tecuba whether he had any further questions to ask, and he replied that he had none, but would talk the matter over with the Queen Regent.

*Sir F. de Winton.* Several of you have come from a very great distance, and hunger being in the land, we would like to meet you as soon as possible, so as not to detain you here.

*Tecuba.* We will meet here again on Wednesday.

*General Joubert.* We are thankful to you for attending and giving us the consideration you did, and we hope that you will assist us in mutually working for and in the interests of Swazieland, and we hope to meet you again on Wednesday.

*Tecuba.* We have nothing more to say, but we may be delayed by rivers getting swollen.

(Signed) R. S. S. BADEN-POWELL, CAPT.,  
Secretary.

*List of Head Men present.*

9th December, 1889.

Nococo.	Umtshnga.
Jokovu.	Masuku (per Mena).
Maloyi.	Manzobe.
Maneibana.	Nombambo.
Umhlaba.	Utornga.
Unkonkoni.	Nombuziswa.
Kulumeni.	Mutiwake.
Mgogo.	Bagubu.
Kwahlakwahla.	Sonjani.
Makambani.	Matsha (Per Maskizela).
Nomantatsha.	Gunusa (Per Majozi).
Umbulawa.	Mtimuni.
Pasimanca.	Hlatshwaki.
Bulani.	Umbeni.
Nduma.	Matambo.
Nahlovula.	Uzulu.
Helm.	Zulongangenwa.
Sitshobana.	Mehlwana
Nonganga.	Jozana
Nombala.	Nomahatsha
Nomabibla.	Tekwana
Mlomo.	
Mtshaza.	
Indhdaluhluz.	

And upwards of 60 others, whose names are not taken down.

## FIFTH MEETING.

Embekelweni.

Wednesday, 11th Dec., 1889.

Proceedings commenced at 11.30.

*Present :*

THE MEMBERS OF JOINT COMMISSION.  
MR. THEOPHILUS SHEPSTONE.

Minutes of two previous meetings are read and confirmed, excepting paragraph 7.

Mr. Shepstone stated that when he got to Inkanini yesterday he found that the Indunas had been there before him and had told the Queen everything. She asked him what had taken place, and he told her again of all matters that had been discussed.

*Sir F. de Winton.* Mr. Shepstone has handed in this document, a memorandum signed by the Queen Regent and chiefs. On that document arises the question as to what proclamation we should issue.

*Dr. Krause.* Do we not understand that the proclamation should be issued by the Queen.

*Mr. Shepstone.* Might I suggest that the proclamation be issued by me on behalf of the Swazi Nation?

*Sir F. de Winton.* Yes, I think that would do, and that Mr. Schreiner and Dr. Krause draw up a proclamation. The matter now is to receive authority from the Queen for the Commissioners to administer justice during their stay in the country.

*Mr. Shepstone.* I wish to report to the Commission that a man got a concession some time ago, which has not been registered, for races, aunt Sally, and other gambling.

After short discussion it was decided to let the matter stand over, and Mr. Shepstone should obtain a letter from Mr. Stewart, the concessionaire, stating his wishes and the nature of his claim.

An affidavit made before Mr. Shepstone by witnesses and Umhuya was handed in, complaining that Elisha King had taken an ox, burnt a kraal and its contents, and taken away a girl of between seven and nine years. It was resolved that Mr. Shepstone issue a summons, and, if necessary, a warrant of arrest, to bring King and his accomplice, Howe, before the Commission, and issue a warrant to obtain the child said to be unlawfully detained by the said King and Howe, and to bring her before the Commission.

Read letter from Mr. Shepstone (226 D), 10th December, 1889, urging the necessity for providing a liquor law as regards natives, and the abolishing of canteens.

The Committee undertook to carefully consider this question, and pointed out to Mr. Shepstone that it was a matter in which the nation must assist.

The Committee decided that all canteen owners be summoned to discuss the question.

The meeting was then (1.30 p.m.) adjourned for an hour.

On re-assembling at 2.30 p.m., in addition to the Commission and Mr. Shepstone, about fifty headmen were present. Jekova, Trustee of the Nation, absent on account of the death of his child.

*Mr. Shepstone.* I have reported to the representatives of the nation that I have handed over the power given to me to the Commission for dealing with affairs of Whites.

*Sir F. de Winton.* We are happy to see you again. We have received from Mr. Shepstone a document which he took over yesterday to show to the Queen Regent, and which she signed and you signed, giving us power to act on your behalf with Mr. Shepstone as regards government of the Whites. We can now take care of your interests as well as those of the Whites so long as we remain here. We shall be glad to hear from you now what you have decided upon to do when we have to go away out of the country.

*Tecuba.* With regard to the appointment of the White Committee to help Mr. Shepstone we give our consent, but we must still point out that Mr. Shepstone is our representative.

*Sir F. de Winton.* We are glad to hear it, as Her Majesty's Government and the South African Republican Government both desire to maintain your independence. We know that when there was no Government in the country on the death of the late King you appointed the Queen Regent to act in his stead; so in the same way when the White Committee has gone you must have some one to rule the Whites; therefore, we are glad you have come to this conclusion, and we will arrange with Mr. Shepstone what will be the duties of the two delegates who are to act with him.

*Mr. Shepstone* (to nation). Speak out, keep nothing back. Tell the Commissioners what the Queen said yesterday.

*Tecuba.* The Queen Regent said Yes, so far as she is concerned, Mr. Shepstone represents the nation, but she has had trouble, and the nation has had trouble with the Committee of White People, so that to set matters straight she thinks it would be well that the Committee appointed by the two Governments should act together with Mr. Shepstone, and that he should be their Chairman.

*General Joubert.* We acknowledge your trouble with the White Committee, but that was the result of so many being appointed. We hold that the two men we appoint will be sufficient; the men appointed by you were not appointed by the Government; they were all more or less interested in the rights and privileges in the country which tended to bring about quarrels. The two men that we shall appoint will have no other interests but to look after the affairs of the country, and they will be responsible for their acts to their respective Governments, and we therefore trust that peace and quiet will be maintained, and that every man may sleep in his kraal without fear.

*Tecuba.* Yes. The Queen Regent is glad that two men are to be appointed as representatives of the two Governments, but she wishes it to be known that Mr. Shepstone, so far as the nation is concerned, is to be Chairman, and that the term of office which the Queen agrees to for these two gentlemen is to be four months. She also hopes that the gentlemen appointed will do their best to put straight those matters that are so much troubling her and the nation. Then she will be able to see that you really have come from the two Governments to assist us and they really act in the interests of the nation.

Mr. Shepstone then read to the Headmen present the following extract from the Memorandum of Procedure agreed upon by the two Commissioners at Pretoria:—

- "3. That with reference to the Concessions granted in Swaziland, it be arranged that the Joint Commissioners will make it plainly known that as soon as the Swaziland question has been settled between the two Governments a proper legal Court will be established, before which the legality of all Concessions can be tested, and by which a legal title can be established."

*Tecuba.* We approve of this. The documents were never translated, but were extracted or stolen from us.

*General Joubert.* What do you mean by stolen?

*Tecuba.* We cannot say which they are, but the contents of the documents, not the documents themselves, were stolen from us.

Mr. Shepstone then explained Clauses 3 and 4, Pretoria Memo.

*Sir F. de Winton.* Are you satisfied with this?

*Tecuba.* We leave it to the experienced legal gentlemen to decide these matters for us.

*Sir F. de Winton.* That is what we have come for, but you must be patient. These things must at present remain in abeyance.

With regard to the liquor question, we quite agree with you that young men and women ought not to drink that stuff, and you and they must try and join us in abolishing this evil, and we are going now to try and devise a means by which it can be done, but we shall expect you to help us in every way. Will you do this?

*Tecuba.* Yes. It is ruining the country and making it rotten.

*Mr. Shepstone.* The Swazies told me at a meeting yesterday that General Joubert advised them when he was here a few years ago that they ought not to allow the erection of canteens in the country, as it would kill the people and destroy their existence as a nation.

*General Joubert.* The King had granted the rights and the White Committee the licences; canteens could not therefore be put down without legal means, and we must therefore have your help.

*Tecuba.* We are much obliged for what you have said and we will listen to what you propose, and will help in carrying it out, not for one particular spot but for the whole country.

*Sir F. de Winton.* I think we are all agreed now upon the main points. A few days will elapse while we are going over these documents, but we will give you due notice when we are going over to the Queen. Would you like to meet us again before we go to Inkanini?

*Tecuba.* No, we will meet you at Inkanini.

*Sir F. de Winton.* Do they confirm the mineral as well as grazing rights?

*Mr. Shepstone.* Yes, they do.

*Sir F. de Winton.* We hope to be over at Inkanini about this time next week, but will give you due notice when we leave.

Meeting adjourned at 4.30 p.m.

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#### SIXTH MEETING.

Embekelweni.

12th December, 1889.

Proceedings commenced at 10.30 a.m.

*Present:*

THE MEMBERS OF THE JOINT COMMITTEE AND MR. SHEPSTONE.

The Minutes of previous meeting are read and confirmed.

The Proclamation signed by the Queen Regent, giving effect to Memorandum signed by Queen, conferring governing powers over Whites on the Joint Commission, was handed in. The Memorandum ordered to be annexed to the Proclamation, and the whole published together.

With regard to the question of what law is to be administered in all matters connected with the Whites by the Joint Commission and their successors pending the settlement of the Swazieland question by the Governments of Great Britain and the Transvaal, it is proposed by General Joubert, seconded by Colonel Martin, that—

“The law to be adopted shall be that in use in South Africa, viz., the Roman Dutch law.”

After discussion, in which Mr. Schreiner stated as his opinion that the native law was really the only law that could at present be applied to the Whites, it was therefore resolved that Mr. Shepstone issue a Proclamation to the effect that the law as proposed by General Joubert, which was the law under which the operations of the late White Committee were carried on, should continue in force till the settlement of the Swazie question.

The Committee is adjourned at 11.50, and resolves itself into a Court to deal with the case of Eli-ha King and James Howe.

The Committee re-assembles at 12.20 p.m.

With reference to the powers, pay, and other details for the Government of the Whites in Swazieland by two representatives, one appointed by Great Britain, one by the South African Republic, and Mr. Shepstone by the Swazie Nation, during the time between the departure of the Commissioners and the future settlement of the country by the two Governments,

Resolved:—“That Mr. Shepstone in conjunction with Mr. Schreiner and Dr. Krause be empowered to consider and report as to the powers that are necessary to carry on the Government as regards the Whites and appointment of J.Ps. Pay of the two Commissioners deferred until discussion of finance question.”

*Mr. Shepstone* states, as regards the finances, Customs duties have been levied, but very trifling amounts have been collected. That Mr. Bremer, one of the principal storekeepers, objects to payment of Customs dues as he has obtained a concession from the King freeing him from such payments (a copy of this concession to be referred to

Mr. Schreiner and Dr. Krause), and the other storekeepers follow his example. There is probably owing to the White Committee over 2,000*l.*, and it is not possible to carry on the administration unless the Customs are levied :

Resolved :—“That a meeting of storekeepers be summoned in order that the question may be fully discussed with them and some arrangement arrived at. Tuesday next, the 17th, is the date fixed, at the N'Dimba (Kannemeyer's), at 11 a.m.”

The Committee desire to express their opinion that the accounts furnished by the White Committee give little or no information as regards the actual state of Swazieland finances.

The total amount shown as collected from September 1888 to September 1889, is 1,837*l.* 12*s.* 8*d.*, out of which at least two-thirds are fees for concessions, which cannot be considered as revenue.

With reference to the Police, Mr. Shepstone states that the present force is as follows :—

1 Chief Superintendent and Inspector	} Whites.
3 Sub-Inspectors	
15 Natives.	

Total salaries about 80*l.* per month, which, with rations and other expenses, is at least 100*l.* per month.

Amounts per cash book show that the sums collected are quite inadequate to the expenditure.

The force not blameable for this, as they, being employés, could not levy duties due by their employers (storekeepers, &c., on the White Committee).

This is one reason why the duties have not been collected.

Mr. Shepstone proposes—

2 Whites	{ Chief Inspector at 20 <i>l.</i> per month, Sub-Inspector at 15 <i>l.</i> per month,
20 Natives at 1 <i>l.</i> per month,	
	Total 35 <i>l.</i> per month,

or 660*l.* (say 800*l.*) per annum.

Resolved :—“That the White Inspector and Sub-Inspectors be given a month's notice. Such notice to be current pending a full inquiry by the Committee who will have charge after the departure of the Commission as to the number of police actually required to preserve law and order.”

Sundry letters were then read and considered as follows :—

From Chas. Gordon—*re* Probate concession.

To be informed in terms of resolution.

From Mr. Shepstone, enclosing certificate *re* Thorburn's concessions.

To be registered.

From Mr. N. Cohen, resigning appointment as Umbandine's representative.

Noted and accepted.

From Mr. J. Ferreira, *re* Harington's concession in reply to Secretary's letter informing him of resolution directing it to be kept in abeyance. States such course is prejudicial to the concessionaire's interests.

Resolved :—“That Mr. Ferreira be informed that the Committee cannot approve of such a guarantee as mentioned in his letter, but that Mr. Shepstone will act with him in accordance with the terms of the resolution already communicated to him, which they consider the only course open.”

With regard to Postal and Telegraph concessions—

Resolved :—“That the arrangements already made for the Postal and Telegraph Service in Swazieland shall remain in force as they are for general good.”

Meeting adjourned at 5.30 p.m.

(Signed) R. S. S. BADEN-POWELL, CAPT.,  
Secretary.

## SEVENTH MEETING.

Embokelweni.

13th December, 1889.

Proceedings commenced at 4 p.m.

*Present :*

THE MEMBERS OF THE JOINT COMMITTEE.  
 Mr. SHEPSTONE.  
 Mr. ESSELEN.

The Minutes of the previous meeting are read and confirmed.

*Mr. Shepstone* requested that the Proclamation assigning powers to Commissioners be translated into Dutch. Agreed to.

Consideration of the report of Dr. Krause and Mr. Schreiner, who, in conjunction with Mr. Shepstone, were requested to arrange for the powers to be granted to the Provisional Government Committee.

General Joubert suggests certain alterations which were considered, and the document was amended in certain respects and then passed.

Mr. Esselen, having arrived, is appointed a member of the Committee.

Letter from Mr. Shepstone reporting that Mr. Doering had released prisoner Sinclair without proper authority.

Resolved :—"That the Secretary be instructed to write to Mr. Doering pointing out that he has exceeded his powers as a Justice of the Peace, and calling upon him to furnish the Commission with his reasons for this act. On this letter a discussion arose as to the appointment of Justices of the Peace in Swaziland, there being so few persons qualified for the exercise of such powers."

Resolved :—"That the Provisional Government Committee should adopt as a basis for all such appointments the powers granted to Field Cornets, reserving to themselves the power to curtail or extend such powers, as may appear to them necessary."

Upon the question of remuneration of the two members of the proposed Provisional Government Committee, the present uncertainty as to the revenue of Swaziland available was noted, and the fact that that Committee would be called upon to perform judicial functions in the recovery of that revenue, it was

Resolved :—"That in the opinion of this Committee the remuneration of Lieut.-Colonel Martin and Mr. Esselen as members of the proposed Provisional Government Committee should be paid in the first instance by the respective Governments appointing them, and be a charge against the revenue recovered under the proposed proclamation, or hereafter available for the Government of Whites' affairs."

Meeting adjourned at 6.30 p.m.

(Signed) R. S. S. BADEN-POWELL, CAPT.,  
*Secretary.*

## EIGHTH MEETING.

Camp ; Indimba.

Monday, 16th December, 1889.

Proceedings commenced at 4.30 p.m.

*Present :*

ALL THE MEMBERS EXCEPTING MR. SHEPSTONE.

Minutes of previous meeting (13th December) read and confirmed.

Correspondence :—Letter from Mr. Carter, dated 12th December, transmitting his appointment as Justice of the Peace.

Read and referred to the Provisional Governing Committee.

Letter from Mr. Doering concerning his action in not releasing the prisoner MacDonald.

Referred to Provisional Governing Committee.

(With reference to this, Mr. Doering appeared before the Committee and was informed that in delaying to release the prisoner he was exceeding his powers.)

Letter from Mr. Naphth. Cohen, asking that a White Committee appointed at a meeting held at Indimba on the 16th inst. may wait on the Joint Committee.

Resolved :—“ That Mr. Cohen’s committee be received during present sitting.”

Mr. Cohen’s committee waited upon the Commissioners and presented resolutions divided under eight heads. The Commissioners received this, and informed the committee that it would be referred to their respective Governments, and ordered two certified copies to be made, one for each Mission.

Salary of the members of the Provisional Government Committee discussed.

Resolved :—“ That they be paid at the rate of 4*l.* 4*s.* per diem while they remain in the country, and until they return to their respective duties. Such sum to be paid by their respective Governments, who will afterwards recover it from the Swazieland revenue, each Government undertaking to accept this condition in the event of the power being vested in them. Also their travelling expenses when engaged in Swazieland affairs, such sums being defrayed by the present Swazieland revenue.”

Meeting adjourned at 5.45 p.m.

(Signed) R. S. S. BADEN-POWELL, CAPT.,  
*Secretary.*

## NINTH MEETING.

Kannemeyer’s, Indimba.

17th December, 1889.

*Present :*THE MEMBERS OF THE JOINT COMMITTEE.  
MR. THEOPHILUS SHEPSTONE.

A number of the principal White residents, and (part of the time) T’KUBA, with several headmen of the Swazie Nation.

*Sir F. de Winton.* You have been asked to attend this meeting with a view to your conferring with us as to any steps you may propose to take with regard to the formation of some law by which the sale of liquor to natives may have some control. The natives have addressed us by letter through their Agent and Adviser saying that

they beg and pray that the White men will prevent the sale of liquor to natives. They state that it will kill the men and ruin the women. At the same time I am expressing the feelings of the Mission in stating that we have come to the conclusion that something must be done, and we will be glad to hear from any of you your opinions on the matter.

*Mr. Bremer.* May I ask you what evidence you have that the nation asks this?

*Sir F. de Winton.* You have the Indunas here, they are outside. We shall be very happy to show you the letter if any of you wish to see it.

*Mr. Darke.* I do not think that that is necessary.

*Mr. King.* The Swazies, as a rule, are not a liquor-buying people at all. You will find that the Whites buy the liquor and give it to the natives. If the natives had to buy the liquor themselves very little would be drunk.

*Sir F. de Winton.* Then you would have to impose a fine upon any Whites who gave them liquor.

*Mr. Darke.* Would that apply to the man who keeps the canteen?

*Sir F. de Winton.* That would have to be decided hereafter.

*Mr. Verral.* I understood from T'Kuba that their request only extends to the young girls, whom they do not like to see worse for liquor, but it does not apply to men.

*Mr. Bremer.* The canteen keepers would have no right to ask a White man what he wanted the liquor for.

*Sir F. de Winton.* That would be very easily proved if he gave liquor to natives. We must do something for this people as they are very bitter against it.

*Mr. Darke.* We understand from you then that the Swazies, as a nation, request that the liquor traffic be stopped.

*Mr. Shepstone.* They insist upon it, Mr. Darke.

*General Joubert.* In dealing with this liquor question we must be very careful, because liquor all over the world causes a great deal of trouble. It is just as they say; it is not the canteen keeper who supplies the natives with liquor, it is the Whites who give liquor to them; but if you punish every White who gives liquor to natives, the question arises, how much can they give? They will commence with a drink, then a glass, and then a bottle, and you must stop it entirely if you stop it at all.

*Mr. Shepstone.* The Indunas say that they do not deny that they drink it, but they want the temptation to be out of their way.

*Mr. Bremer.* I employ a great number of Swazies, and every Saturday night I give them a small glass all round, and if I were to stop that they would all go away.

*Mr. Shepstone.* That is only a matter of detail.

*Sir F. de Winton.* We, then, may understand it as a matter of general consent that all of you gentlemen approve of some form of law being adopted with a view to carrying out the wishes of the Swazie Nation. We will then proceed to discuss what would be the best law. We must speak to them very strongly to-morrow. Their idea is much more sweeping than ours. Their idea is to sweep every canteen away entirely.

*Mr. Shepstone.* It is because of the Indunas having this failing for liquor that the army are so strong about it, as they insist on it that it must be stopped, as trouble to the country has been brought about by these Indunas drinking.

About twenty Indunas then came in, including T'Kuba.

*Mr. Shepstone.* I have told them that we are assembled here in consequence of their petition as to the sale of drink, and that these gentlemen here present will ask them their own questions as to whether it is their wish to stop it or not. Their application was to remove the canteens. I told them that it was impossible to do that in a day, but that the matter would be referred to the Commissioners.

*Sir F. de Winton.* We told them that to remove the canteens was impossible, as they were established by themselves, but that we would do our best to prevent liquor being sold to natives.

*Mr. Rathbone.* Is it your wish that the liquor shall be stopped to natives alone?

*Ungoco.* I have reported to Mr. Shepstone to inform the Commission what is going on. The spirits of the Whites we have got accustomed to, and we wish that all canteens should be closed. We say so, and not Mr. Shepstone. We wish all liquor to be taken out of this country. You must not blame Mr. Shepstone, because we, the nation, told him.

*Sir F. de Winton (to Mr. Rathbone).* Tell him that we are not blaming Mr. Shepstone at all. We want to hear what these men who sell the liquor have to say.

*Ungoco.* Although we are starved, and like the drink, we wish it to be taken out of the country. The nation's opinion is that the drink is destroying the nation. Why

we are drinking now is simply because we are starving. We wish that liquor should not be brought into this country; we wish the liquor trade to be done away with entirely. If the White people drink, we will drink, and therefore we want all liquor done away with.

*Mr. Darke.* That is quite impossible.

*Sir F. de Winton.* I cannot quite agree with you, as if they gave you the concession they can take it away again at any time, but I want you to hear from these people what they themselves say.

*Mr. Bremer.* We wish to know your reason why you want to banish liquor that does not do any harm to White men. White men are used to drinking liquor, and they can get liquor over the whole world, and it can be sold to White men if they have had sufficient drink. It is a different matter with natives, and the storekeepers will agree to close the liquor trade so far as natives are concerned. We White men who have obtained concessions to trade, &c., are prepared to fight with our last breath against the question of stopping the liquor traffic entirely. It is a right given us by the Council and the late King. We have paid for it; we have invested money, and I think it a most unfair question to stop the liquor traffic altogether, import and export. Please tell them also again that we are willing to accept their wishes not to sell to the highest or to the lowest of the nation. We would not serve them if they came begging for liquor or for money. We are prepared to close the liquor traffic from to-day, and to cease serving liquor to any native in the country. Kindly tell them that we are here to listen to what they have to say.

*Sir F. de Winton.* Tell them that the Mission are here to listen to both sides of the question.

*Ungoco.* We say that on account of the children drinking, the female children, we wish that all canteens should be closed. We are all here now, and we wish the canteens to be done away with. So long as they are here we cannot help drinking, and we wish you to save us from it.

*Mr. Bremer.* I do not think that they have the right to ask such a question to close the canteens and to give up rights which have been given to us legally, and I would like Sir Francis to tell them that what they ask is simply impossible.

*General Joubert.* The Mission only wishes to gather from you gentlemen in what way they could stop the liquor traffic.

*Mr. Shepstone.* What the nation really ask for is for a check to be put upon their own drinking; they are only a barbarous nation, and their idea as to stopping their drinking is to do away with the canteens. They have no idea of a middle course, and having a law passed doing away with the evil without doing away with the canteens.

*Mr. Bremer.* If that is your idea, why did you not explain it to the natives that the White men's liquor trade could not be stopped.

*Mr. Shepstone.* I have already explained that to them at Inkanini, but it is their way of putting it.

*Sir F. de Winton.* This was explained to them by General Joubert. The late King having given them the right to build and keep canteens, we cannot pull them down, but must go to work in a lawful way to stop the drink. Then T'Kuba said, we are much obliged to you for what you have proposed and will assist you in carrying it out, but the law must be made for the whole of the country; but we wanted you to hear what the natives want; they want the whole of you out of the country, so far as the liquor is concerned. I think that there might be a private entrance to the bar, and the drink might not be carried on openly.

*Mr. Bremer.* I am building an hotel now to which I admit no natives whatever.

*Sir F. de Winton.* That is what we mean. We do not want your rights interfered with, but we still maintain that as they had the power to grant you the rights, they have the power to take them away again, provided, of course, they pay you compensation.

*Mr. Shepstone* then read the Proclamation published by the Commission.

*Mr. Bremer.* Why do you not include trade rights?

*Mr. Shepstone.* Trade rights are recognised under the heading of farming and grazing rights.

After consultation Mr. Bremer stated that all retail wine and spirit dealers in Swazieland were prepared to co-operate with the Provisional Committee in any necessary steps to prevent the sale and supply of intoxicating liquors to Swazie natives.

*Mr. Shepstone.* Then put this to the natives.

T'Kuba in reply stated, The canteen is ruining the nation and making it rotten, and the late King before his death endeavoured to put an end to the liquor being drunk

by the females. We have only got to point out that so long as the liquor is here by the roadside the Swazies will drink it.

*Sir F. de Winton.* Tell them that we will take measures that it won't be left by the roadside any more.

The meeting was then adjourned for a few minutes.

The question of revenue was then brought forward.

*Sir F. de Winton.* I find that the Finance Committee kept no record of their proceedings, and the amount of business done by the Committee appears very small. Even the Government of a small country like Swazieland cannot be carried on without a revenue. The Committee have found it one of the troubles of Swazieland, the collection of revenue. They drew up a very fair and just tariff of Customs, but there they stopped. Mr. Bremer is entitled to import any kind of merchandise free, but if he enters into trade with those goods he is liable to taxation on those goods.

*Mr. Shepstone.* I do not think Mr. Bremer has refused to pay his Customs. I think Mr. Bremer, so far as I can remember, was prepared to pay so soon as the debt which was owing to him by the Swazieland Government was paid him. This debt has now nearly been paid, and I think Mr. Bremer will be prepared to pay.

*Mr. Bremer.* If you consider my concession illegal I am willing to withdraw and scratch it out, and pay my duty as I have always said.

*Sir F. de Winton.* We ask you to consider the state of our finances. We ask you to carry on the government of the country, and if you are willing to help us we have really finished our work.

*Mr. Darke.* The reason we did not care to pay our Customs is that there were so many people who came simply to forward their own interests that we did not know how our money was spent at all, and I think that I might say that as soon as Mr. Shepstone resigned his office the whole Committee did really nothing.

*Mr. Bremer.* We are willing to pay duties from this time forward, but as regards back finances we do not pledge ourselves at all.

*Mr. Shepstone.* It is impossible to say what these gentlemen have imported; we are entirely on honour with them, as we have no check upon them whatever.

*Mr. Darke.* Back duties we should not recognise unless we were compelled.

*Sir F. de Winton.* You yourselves laid down a certain tariff, and I do not think we can ignore that. I think you might raise among yourselves a sum, say, 500*l.*, and then commence a clean sheet.

*Mr. King.* I do not think it right that I should pay the full Transvaal duty and then the Swazieland duty in addition. I could not compete with others.

*Mr. Darke.* I am on the Transvaal border, and I cannot buy anything from Natal. It must come through Delagoa Bay.

*Sir F. de Winton.* These matters will all be looked into, but what we want now is for you to consider the finances of the Provisional Government Committee by agreeing to some sum amongst yourselves, and paying it. Pigg's Peak have paid up regularly, and Forbes' Reef are willing to do the same.

*Mr. Howe.* I think matters want looking up, and there is a big district which is not looked after at all, and one-third of the goods that come into this country come in through there.

*Mr. Bremer.* I am quite willing to contribute my portion of the 500*l.*, provided my concession has been decided to be placed by the Provisional Government Committee with the other monopolies that are to be held in abeyance, without prejudicing my rights.

The other storekeepers, on hearing this, stated their willingness to commence paying all duties from date, and it was further determined that, with regard to the arrears, that the traders should meet the Provisional Government Committee, and find such necessary sum as would settle all arrears owing to the Swazieland Committee up to date, such sum not to exceed 500*l.*

## TENTH MEETING.

Held at Inkanini

18th December, 1889.

*Present :*

All the Members excepting Mr. ESSELEN and (part of the time) Mr. SHEPSTONE.

Proceedings commenced at 8.15 a.m.

Minutes of previous meeting were read and confirmed.

Sir F. de Winton states that Mr. J. Ferreira has not withdrawn his notice as to collecting revenues on Harington's concession, in accordance with the resolution of the Joint Committee placing that concession temporarily in abeyance, and that such failure to withdraw would make it appear as though two parties were collecting revenue at the same time. It was deemed necessary to explain to Mr. Ferreira that he should act in accordance with the resolution of the Committee.

A telegram received by General Joubert from the Government of the South African Republic on this matter was read, and General Joubert said that, in reply, he had telegraphed the resolution to the State President. Sir F. de Winton wished the Committee to state their views with regard to the Little Free State and its relation to Swazieland. After full discussion, and information furnished by General Smit, it was—

Resolved :—“ That the question whether the Little Free State shall belong or not to Swazieland during the term of the Provisional Government Committee, should, like other concessions, remain in abeyance pending the decision of the two Governments, and that the question of jurisdiction or collection of taxes in the Little Free State should not be undertaken by the Provisional Government Committee.”

A programme was discussed of what should be said at the meeting at the Inkanini Kraal with the Queen Regent and Chiefs, and was agreed to.

After a long discussion as to the necessary procedure to be followed in the treatment of concessions, on the suggestion of Mr. Schreiner—

1. Resolved :—“ That the Swazie Nation should be called upon hereafter to state in a legislative manner what concessions they are prepared to recognise.”
2. Resolved :—“ That the Legal Adviser of each Mission should prepare a memorandum embodying his views on the subject, in order that the respective Governments shall be able to institute the necessary procedure that will have to be followed in regard to the installation of a properly constituted legal Court to consider those concessions.”

Meeting adjourned at 10 a.m.

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MEETING HELD AT INKANINI AT 11 A.M. ON 18TH DECEMBER, 1889.

*Present :*

THE JOINT COMMISSION.

THEOPHILUS SHEPSTONE, ESQ., C.M.G.

THE QUEEN REGENT, T'KUBA.

And the principal Chiefs and Indunas of the Swazie Nation.

*Sir F. de Winton.* We are glad to meet you and your Council assembled, and we should not have deemed our mission to have been complete if we had not seen and paid our respects to you. We have also come to assure you and the nation that the indepen-

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dence of the Swazie Nation shall be preserved by the two Governments. We also have come to acknowledge the choice of the nation as to their King, and will also acknowledge and report to our respective Governments the appointment of Mr. Shepstone as your Resident Adviser and Agent. We also want to assure you and the nation that a proper legal tribunal shall be appointed who shall decide about the concessions.

*Tecuba.* The Queen has heard all that you have done for us and only wishes to be well assured that you will maintain the independence of the Swazie Nation. The Commissioners say that the independence of the Swazie Nation will be maintained, and we hope that the two Governments will take care of us. You know how the nation has been ruled, and we hope that you will continue to allow us to rule in this way. When Sir Evelyn Wood and Herr Rudolph came here they told the late King that he could rule the country in the same way as his late father. Your laws are written. We have got a code of laws which is not written, but they are still the same. That is all we have got to say upon that head, and I am speaking now when the Queen is present, although she is really not present, but is living in the hills.

*Sir F. de Winton.* We have considered the question which you have referred to us concerning canteens and the liquor that you say is killing the nation, and we will take such steps that it will be entirely the fault of the natives themselves if in future they take to drink.

*Tecuba.* The nation says "Yes" it is the canteens we complained of as the drink is ruining us, but we cannot thank you as yet for what has been done as the drink will still be in front of our eyes.

*General Joubert.* It is an evil that has been going on for many years, and we cannot prevent it in one day.

*Sir F. de Winton.* Two White chiefs have been lent to Mr. Shepstone to govern the Whites until the two Governments have decided what is to be done. I will now introduce to you the two gentlemen who have come here, one is Colonel Martin, whom you know, and the other is Mr. Esselen.

*General Joubert.* We can assure you that these two men will do their utmost to assist Mr. Shepstone to maintain law and order.

*Sir F. de Winton.* We, the Commissioners, feel assured that the nation will very soon feel what good it is to have two men like these to help Mr. Shepstone; you will have peace and quiet, but we want it clearly understood, however, that no future concessions will be acknowledged by the two Governments of Great Britain and the Transvaal unless it is agreed to by these two gentlemen. The concessions have created a great deal of trouble in the country, therefore we want it to be understood that no future concessions will be granted.

*Tecuba.* We hope that there will be no discussion between the three gentlemen, and you will be pleased to remember that Mr. Shepstone is the mouth of the nation, while the Queen is the head of the nation.

*Sir F. de Winton.* Our representatives, Colonel Martin and Mr. Esselen, will see that she is dealt with with all due respect, and her own man, Mr. Shepstone, will also look after the interests of the nation, so that every man can live in peace and quiet.

*Tecuba.* All we wish to say is that these two gentlemen are appointed to be our eyes here, but if anything goes wrong we put the blame on to Mr. Shepstone as he is responsible. We are thankful that you are coming to look at the documents as the Queen does not understand them. We want it understood that Mr. Shepstone is appointed by the nation for the time under the Queen, and that these two gentlemen should understand that they are under him. We thank you for what you have done about the canteens. We would like to let the holders finish their present stock off and then import no more.

*Sir F. de Winton.* We will consider that.

*Tecuba.* The King gave the holders rights to come here and erect canteens, but the thing has grown and grown until even the women have given way to the custom. The King gave these men rights to keep stores and canteens, and also gave down the law to them that they were not to give liquor to women, but they have passed all these bounds now.

*Sir F. de Winton.* It will be your own fault if you drink any more. The Commissioners desire to know whether you are aware that the late King owed Mr. Shepstone money.

*Tecuba.* Yes, it is true, the King did promise him money, but the King died. Now the money will be paid to the head of the nation, and Mr. Shepstone must apply to her and say that he has not received his money. I understand that it is the back

money that we are talking about now. We know that there is money owing to Mr. Shepstone, and we are prepared also to pay him out of moneys that come to us.

*Sir F. de Winton.* The Commissioners are now going back to tell all that they have seen and heard to their respective Governments, and these Governments will then be able to decide the best way for the government of the Whites. You must fully understand that under any Government the independence of the Swazies will be fully recognized, but you know also that the Swazies are unable to govern the White population now in Swazieland, and therefore for your own good it is necessary that a form of Government for the Whites which, while it does not interfere with the present Government of the Swazies, will be for the general good of all, and therefore they expect that the Swazie Nation will abide by the decision which the two Governments arrive at on this point. You will be told what the two Governments propose to do, and we expect that when you hear it you will abide by it.

*Tecuba.* We thank you, it is just what we want.

*Sir F. de Winton.* The Commissioners have to tell you of the great satisfaction of the Queen of England and the President of the South African Republic, and also of many other Kings of Europe, when they heard that on the death of the late King Umbandine no people were killed, and the great White Queen and the President of the South African Republic think now that the time has come when this custom of killing off people should cease without the people have a fair trial, the same as the Whites. No one likes being killed, and very few people are better for other people being killed, and therefore the Commissioners before they leave want the Queen and her nation to tell them that they will consider this, and put a stop to people being killed without having a fair trial as to whether they have done wrong or not.

*Queen.* I thank you for helping me in my distress and for your promise about the independence, and also for what you have said about the death of the King, but I cannot follow you in this case, as it is a time for people to cry, and by killing people it would cause grief and lamentation. I suggest that you would allow me to go on with the crying at the present moment and afterwards we would consider the matter.

*Sir F. de Winton.* I have now expressed the wishes of the two Governments, and it is a matter for you to consider whether you wish to please or displease them. I have nothing more to say except that the two Commissioners have to express their thanks to you for the kindness they have received at your hands.

*Queen.* We thank you very much for that, and hope that you will consider what I have said as to the crying, and that you will understand that the two gentlemen whom you are leaving here are to be Mr. Shepstone's juniors, and that at the end of the four months they will [leave ?] him alone to manage himself.

*General Joubert.* After we leave here Colonel Martin and Mr. Esselen will remain, but after the expiration of the four months the two Governments will decide as to the proper form of Government for the Whites.

*Jokoff.* We thank you for the words that have been said, but you talk about the independence of the Swazie Nation. We do not see that unless you allow us to rule in our own way there is any independence at all. Our way of ruling ourselves is to kill each other, and what shall the rule be if we are not allowed to kill.

*General Joubert.* I am very pleased to join Sir Francis in giving them the present of the 35 sacks of mealies, and also wish to express my thanks for the kind way in which you have received us, and for the oxen which you have given us.

*Tecuba.* Our custom is that when anything wrong is done we go to the witch doctors who form a ring, and the one that they point out is the one that has done the wrong, and he is killed.

*Sir F. de Winton.* We have better means of judging among the Whites.

*Queen.* I want you to understand that I wish you to report this matter to the two Governments for their consideration.

## TWELTH MEETING.

Held at Lake Chrissie.

21st December, 1889.

*Present :*

All Members except

COL. MARTIN, Mr. SHEPSTONE and Mr. ESSELEN, left in Swazieland ; and  
Mr. SCHREINER and CAPT. BADEN-POWELL.

Proceedings commenced at 10.30 a.m.

Minutes of previous meeting read and confirmed.

There being no further business to transact the Committee was then dissolved.

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 PRECIS OF ANNEXURES J., J<sub>1</sub>, J<sub>2</sub>, J<sub>3</sub> and J<sub>4</sub>.
 

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J.

## MEETING OF WHITES AT "MDIMBA."

*Present :*

127 Dutch and 17 English.

Following resolutions passed unanimously .

- (1) Concessions legally granted by Umbandine to be acknowledged.
  - (2) Present form of Government over Whites is inadequate and some other form should be initiated.
  - (3) The aid of some foreign Government should be called in for this purpose.
  - (4) That as majority of Whites are burghers of South African Republic this should be the only power to intervene.
  - (5) No oppressive taxation to be imposed on Whites.
  - (6) Revenue derived from such taxation to be devoted to maintenance of Government, roads, &c.
  - (7) All Whites to have a franchise in Swazie matters.
  - (8) Dutch and English languages to be equally spoken in Law Courts.
-

J<sub>1</sub>.

MEMORIAL signed by about 45 persons, all Concessionaires (apparently all English subjects).

Following points submitted for consideration :—

- (1) Concessions legally granted by Umbandine to be recognised.
- (2) Some regular form of Government to be at once established and franchise to be extended to memorialists.
- (3) Some taxation necessary, but should be all expended in Swazieland on public works, &c.
- (4) English and Dutch languages to be equally used in all Government departments.

J<sub>2</sub>.

MEMORIAL signed by about 20 residents of Pigg's Peak.

Submits following points for consideration :—

- (1) Country has been entirely pioneered by the British, and is now being exploited by British capital.
- (2) The residents are all British ; the Dutch only coming in wagons for a few months in each year.
- (3) The country should not be handed over to South African Republic, but a British Resident should be appointed, who should preside over a White Committee, elected by residents only, or by those having a *bona fide* interest in the country.

J<sub>3</sub>.

DECLARATION by Mr. E. TAYLOR, Manager of the Henderson Forbes Gold Mining Company.

Gives particulars of his Company and of the concessions granted to it by Umbandine.

The taxes imposed by the South African Republic on mining industries are greatly in excess of those imposed by other countries, and render it impossible to work the concessions at a profit.

It is most undesirable that the South African Republic should have the control of Swazieland.

J<sub>4</sub>.

PETITION from some of the principal Mineral Concessionaires.

Petitioners state that they represent Companies and Syndicates with a total capital of 2,225,000*l.*, which is mostly held by British subjects. Their concessions were purchased from Umbandine, relying on the declaration of the independence of Swazieland in the London Convention of 1884.

The Gold Mining industries would yield a fair profit if they were moderately taxed. All concessions should be carefully examined, and those illegally granted should be declared null and void.

## J.

Proposed by C. L. Ingelbrecht ; seconded by J. R. Harington :—

“This meeting, having been informed that the Commissioners of Her Majesty’s Government and the South African Republic were desirous of ascertaining the wishes of the White population interested in Swazieland, resolves that—(Firstly) Whereas it appeared that various leases, concessions, and grants, for valid considerations, had been granted by the late King Umbandine and his Council, such legally acquired leases, concessions, and grants shall be acknowledged by the future Government of Swazieland. (Secondly) Whereas no doubt exists that the Government of the White population, as it existed previously, was inadequate and defective, another form of Government over the White population be initiated. (Thirdly) Whereas a Government over the White population is impossible, if not supported by some other foreign Power, the assistance of such other foreign Power be called in. (Fourthly) Whereas the majority of persons interested in Swazieland are burghers of the South African Republic, or in sympathy with that Republic ; and whereas Swazieland, from a geographical point of view, can receive the benefits of civilization from that country alone, and the White population can alone acquire from that Republic substantial assistance, the said Government of the South African Republic be the only Power to intervene in Swazieland and take the Government of the Whites in the country. (Fifthly) That no oppressive taxation on the White population in Swaziland shall be imposed by that Government. (Sixthly) That the revenue derived from such taxation shall be devoted principally to sustain the Government of the White population, and for the construction of roads, bridges, and other works of a reproductive character. (Seventhly) That all Whites in the country shall have a franchise in matters appertaining to Swazieland affairs. (Eighthly) That in all Courts of Justice and Government offices the Dutch and the English languages shall have equal rights.

“FRANK WATKINS, *Chairman.*”

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VERGADERING VAN BELANGHEBBENDEN IN SWAZIELAND.

*Gehonden te M’Dimba.*

OPHEDEN, 16 *December*, 1889.

Voorgesteld door, C. T. ENGELBRECHT.  
Gesecondeerd door, J. R. HARINGTON.

Deze vergadering vernomen hebbende dat de Commissarissen van Harer Majesteits Regeering en het Gouvernement der Z.-A. Republiek verlangend zijn om de wengehen te vernomen van de blanke personen, die belang in Swazieland hebben.

Besluit dat :—

1. Aangerien het gebleken is lat door wiglen den Koning Umbandine en zijn raed verscheidem huurcontracten, concessies en vergumingen voor wettige consideratie zijn verleand,—alle wettig verkegrene huurcontracten, concessies en rechten door de toekomstige Regeering in Swazieland erkend zullen worden.
2. Aangerien er geen twijfel is, dat de Regeering der blanken door een Gouvernements, comite, sovals hetzelve voorheen huft bestaan, onoldvende en gebrekkig was,—een andere vorm van Gouvernement over de blanken moet worden opgericht.

3. Aangerien une Regeering der blanken vormogelijt is, indien hiel gerugsteund door een ander buitenlandsig Gouvernements,—Zoodanig ander buitenlandsig Gouvernement ingervepen zal worden om tot hulp te komen.
4. Aangerien de mieste belanghebbenden in Swazieland burgers zijn van de Zuid-Afrikaansche Republiek, af die Republiek toyenegen zijn, en Swazieland van een geographisch vogpunt beschouwd allun door deze Republiek de weldaden van civilisatie Pean ontrangen en de blanken bevolking allun van die Republiek krachtdadige hulp kan erlangen,—de Regeering der Z.-A. Republiek de eenige macht beloort te zyn, om in Swazieland te intervenieeren en de Regeering der blanken op zich te nemen.
5. Dat geen vertrukhende taxatie van de blanken in Swazieland door die Regeering sal worden geheven.
6. Dat de inkomsten verkregen van Zoodanige taxatie voornamelijl besteed zullen worden, om het Gouvernement over de blanken te onderhouden en wegen, bruggen en andere werkers van reproductieven aux aan te leggen.
7. Dat allen blanken en hetland stemrecht zullen hebben in saken aangaande Swazieland.
8. Dat in alle gerechtshoven en Gouvernements—kantoren de Hollandsche en Engelsche talen gelijke rechten zullen hebben.

C. Y. DOZEM, and 127 others.

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J.

BARBERTON,  
December 6th, 1889.

TO THE JOINT COMMISSIONERS OF HER BRITANNIC MAJESTY QUEEN VICTORIA AND OF THE SOUTH AFRICAN REPUBLIC IN SWAZIELAND.

SIRS,—In view of the entry into Swazieland of your Joint Commission for the purposes of settling as to the future Government of the country, and, as we understand, the adjustment of rights of persons interested in the future of the country; we the undersigned, being directly concerned, have the honour of laying before you the following statements and our views on the questions above stated.

During the reign of the late King Umbandine many concessions and grants of different descriptions were made by himself and councillors to a number of White people, and in connection therewith many Whites have settled in Swazieland whilst others have invested and expended large sums of money in these concerns.

Being ourselves holders of various interests, we would therefore respectfully place before you our views relative thereto, and submit for your consideration the following points:—

1. In consideration of the monies invested by us in acquiring such grants, rights, or privileges as may have been granted to us by Umbandine, or otherwise legally acquired, we request that such grants, rights, and privileges may be fully recognised and protected under whatever form of Government may hereafter rule in Swazieland.

2. We earnestly request that some recognised form of Government should at once be established in the country in which we shall be represented, and that the franchise in matters relating in any way to the legislation of the country shall be extended to us.

3. As the maintenance of any form of Government cannot be effected without taxation, we readily admit our liability to contribute the necessary revenue, but we trust that such taxation shall not be oppressive, but shall be just, fair, and reasonable. And we would insist, that the revenue so raised shall be entirely expended within the



J.

BARBERTON,  
9th December, 1889.

TO HIS EXCELLENCY SIR FRANCIS DE WINTON, K.C.M.G.

YOUR EXCELLENCY,

As agreed at my conversation with you, I now beg to enclose notarially executed copy of the evidence I wish to place before you in conjunction with that of the other persons deeply interested in the future of Swazieland.

My evidence is short, and is intended to point out to you the strong necessities of the English mining capitalists, who really are (next, perhaps, to the nation) those most interested in the future Government of the country.

I shall, I hope, see you again in the course of a few days.

I am, yours faithfully,  
EDGAR TAYLOR.

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*Aan allen dien het moge aangaan: Saluut!*

Ik, Johannes Zulch de Villiers, Landrost van het Distrikt Zuid kaap, in de Zuid-Afrikaansche Republiek, certificeer bij dezen dat Douglas Flemmer Gilfillan wiens Handteekening voorkomt op het certificaat hier aangehecht gemerkt "A" behoorlijk is toegelaten en be-eedigd als een Notaris Publiek, is in deze Republiek, en dat alle Acten, Documenten en Geschriften door hem in zijne voorzegde capaciteit geteekend, in alle opzichten als vertrouwbare en geldige Stukken worden aangenomen, zoowel binnen als buiten de Gerechtshoven van dezen Staat.

Gegeven onder mijne hand en zegel ten Landrost Kantore te Barberton, heden den zesden dag van December, A.D. 1889.

JOH. Z. DE VILLIERS, *Ldost.*

*Certificate.*

I, the undersigned Douglas Flemmer Gilfillan, of Barberton, South African Republic, Notary Public, by lawful authority duly sworn and admitted, do hereby certify that I was present at the signing of the document hereto annexed marked "A," and did see the persons whose signatures are affixed thereto sign the same, and that the signatures Edgar Taylor, as principal, and Rowland Thompson and Will. Hogan, as witnesses, are those of Edgar Taylor, Local Director of the Henderson & Forbes Gold Mining Company, Limited, Swazieland, residing in Barberton, and Rowland Thompson and William Hogan, clerks, also residing in Barberton, and that the said Edgar Taylor declared that he was aware of the contents of document A, and that the same was a statement of his evidence.

Of all which an act being requested, I have granted these presents under my hand and notarial seal, at Barberton aforesaid, this 6th day of December, 1889.

D. F. GILFILLAN, *Notary Public.*

(4708)

G

I, Edgar Taylor, by appointment Local Director of the Henderson & Forbes Gold Mining Company, Limited, which Company has a registered capital of 150,000*l.* in 150,000 £1 shares fully paid, and who are purchasers and holders of a concession of mining and other rights over an area of 22,045 acres or 34.4 square miles, situate in Swazieland, hereby declare that this concession was granted by the late Swazie King, from the 28th day of April, 1887, for fifty years, with a right of renewal for another fifty years, in consideration of an annual payment, viz., 50*l.*

The King's grant includes the exclusive right to extract all or any gold, minerals, or precious stones whatever, and includes grazing rights required for the working of such minerals, or for food, and also to cultivate sufficient land to supply food for the staff, cattle, and horses employed at the mines, or for prospecting.

Notarial copies of original titles are in my hands and subject to inspection at the option of the Commission. I also represent a London Syndicate who have entered into an agreement dated the 31st January, 1889, to exploit and explore the concession known as Pullen's Concession, in this country, consisting of that land granted to John Joseph Pullen, by deed of concession dated the 11th day of December, 1886, by Umbandine, the late King of Swazieland.

If, after this land has been thoroughly prospected, it proves to be as valuable as it is at present believed, it will be floated for an exceedingly large capital.

I have a mining experience extending over England, Wales, France, Italy, Spain, Canada, Central America, South America, India, Australia, and Africa. The imposts imposed upon the mining industry of the Transvaal are enormously in excess of similar imposts in any of the countries which I have mentioned, and are highly detrimental to such mining industry.

The large tract of Swazieland country which I now represent, was purchased on the faith of the Convention of 1884, whereby the Transvaal Government undertook not to interfere with the integrity of Swazieland, and whereby England also undertook to protect such integrity.

The concessions from the King and his successors were perfectly plain and above board, and, taken in conjunction with the Convention, gave a perfectly satisfactory holding, and such a holding as would warrant the expenditure of the large capital already referred to.

I consider it would be impossible to profitably work such concessions under the conditions of the mining and other laws of the Transvaal.

At the time of the formation of the first-mentioned Company, and of the purchase of the property, no such contingency as the occupation of Swazieland by the Transvaal was contemplated. The absence of representation, the high rate of taxation, the exclusive use of a language only understood by the minority of the inhabitants, the want of all enterprise such as railways, roads, or bridges, and the amassing of large sums of money by the Government of the Transvaal, make it highly undesirable that such Government should control the destinies of Swazieland, and it is unreasonable to suppose that if such country were absorbed by the Transvaal that they either could or would make different laws for that part then lately known as Swazieland.

In witness whereof I have hereunto set my hand this 6th day of December, 1889, in presence of the subscribed witnesses, at Barberton, South African Republic.

EDGAR TAYLOR.

As witnesses—

ROWLAND THOMPSON.

WILL. HOGAN.

## J.

COLONEL SIR FRANCIS DE WINTON, R.A., K.C.B., &C., HER MAJESTY'S SPECIAL  
COMMISSIONER IN SWAZIELAND.

We, the undersigned, being holders of mineral concessions in Swazieland, or representative of mining, developing, and prospecting companies and syndicates formed in connection with properties in that country, as laid down in schedule attached, respectfully submit this, our memorial, to your Excellency with the request that you would be pleased to lay the representations and humble petitions herein contained before Her Majesty, namely, that—

1stly. Whereas we, the undersigned, are representatives of concessions, companies, and syndicates, of a total capital of 2,225,000*l.* (two million two hundred and twenty-five thousand pounds), mostly held by subjects of Her Majesty.

2ndly. Whereas we, and certain other the concessionaires of properties now represented by us, principally subjects of Her Majesty, have, in reliance on the suzerainty of Her Majesty over South Africa, and on the recognition of the independence of the Swazie Nation laid down in the London Convention of 1884, purchased from the Swazie King and Nation, certain mineral and other rights and concessions, which said mineral and other rights and concessions have been granted and confirmed to us by the Swazie King and council in full accord with form and custom recognised among the Swazie people.

3rdly. And whereas, on the strength of the said grants and rights, and in reliance on the said suzerainty and convention, certain companies, syndicates, &c., as laid down in the schedule aforesaid, have been formed, mostly in England, for the purposes and with the capital so set forth, in connection with the said rights and concessions, which said rights and concessions are now in course of being exploited and developed.

4thly. And whereas it has now been decided by Her Majesty's Government, in conjunction with the Government of the South African Republic, to examine into the relations of their respective subjects in Swazieland as between themselves and with the Swazie Nation, and to decide as to the further mode of Government of the country.

Now we, the undersigned, in view of the above decision of Her Majesty's Government, in conjunction with the Government of the South African Republic, do desire to respectfully submit to your Excellency the following considerations in connection with the condition and prospects of the mining interests and industry of Swazieland, whereof we are representative, namely—

(a) That the companies, syndicates, &c., represented by us amount to a total capital of 2,225,000*l.* (two million two hundred and twenty-five thousand pounds) mostly held by subjects of Her Majesty.

(b) That the said companies, &c., are now mostly at work, and have been at work for periods ranging up to seven years.

(c) That the gold mining industry is at present, and is of promise to be for some period, the main industry and chief productive interest of Swazieland.

(d) That we, your memorializers, respectfully urge our claim to consideration on this basis.

(e) That further, the gold-bearing nature of the Swazieland gold districts is now sufficiently proven by work done and outlay of capital, to show definite promise of a permanent industry of fair average yield, capable of fair results under circumstances of fair and moderate burden.

(f) That we, your memorializers, are of opinion from the above considerations that the success of the gold mining industry, and in part, therefore, the consequent prosperity of Swazieland, is largely dependent on a future settlement of the country of such nature as to throw a minimum of burden on the prosecution of the gold industry, whether in form of general taxation, special gold legislation, or imposition of duties on use and importation of machinery and material required in the industry, or of necessaries of life,

inasmuch as, owing to the natural difficulties of the country, the uncertainty of labour, and the nature of the transport question, an additional burden in the way of heavy taxation must inevitably destroy the industry and thereby act detrimentally also to the general progress of the country, whereof in proof we submit evidence of costs of production in schedule.

Further, that—

We, your memorializers, desire respectfully to represent, in connection with the above considerations, that, owing to the unsettled state of the country prior to the late King's death, and owing in part to the intrigues of unscrupulous adventurers, not only is there reason to fear that of the later concessions several are of a nature conflicting with concessions previously existing, but that others have been granted and obtained of a kind detrimental and even fatal to the present and future welfare or development of the country, and even of such scope and purport as to have lain out of the power of the Swazie King to grant, or of the concessionaries to either legitimately obtain or practically carry into effect.

That, namely, the revenue concession (so called), being a sale of the entire future revenue of the country, is necessarily null and void and non-maintainable, in that it purports to bind future generations of the country in the levying and using the ordinary revenues that may be demanded by their circumstances as they arise, and is destructive of guarantee of the use of such revenues for their legitimate purposes.

That other concessions have been granted detrimental or fatal to the development of the country, in that they have confessedly aimed at the establishment of monopolies over every conceivable industry or interest which may be expected to develop with the natural development of the country; that there is reason to fear that of these, many are of a nature of which the Swazie King and council had no true conception, or which it lay beyond their power to grant, as being illegitimate restraints on the future right of action of the people.

Wherefore we, your memorializers, in view of the grave dangers threatened to the mining industry and the general progress of Swazieland by the existence of the said concessions, would desire to represent the earnest necessity for full enquiry into the whole position of concessions in Swazieland, and for the cancellation, as null and void, *ab initio*, of all such as may prove to be of the nature set forth above.

Further, that—

Whereas we, your memorializers, have respectfully received the notification given by Colonel Martin, on behalf of Her Majesty's Government, that it was impossible for Her Majesty's Government or for the Government of the South African Republic to entertain petitions for the annexation of Swazieland to either Her Majesty's dominions, or to the South African Republic, by terms of the London Convention.

And whereas we, your memorializers, have, therefore, abstained from the submission of petitions bearing on this matter.

And whereas we are forced to note that the above course has not been observed by other parties having, or purporting to have, interests in Swazieland, but that at a meeting purporting to be a general meeting of Swazieland electors, held at the Indimba station on the 29th July, 1889, a motion was carried in favour of annexation to the South African Republic.

Now we, your memorializers, desire respectfully to represent that whereas at the said meeting the formality of scrutinizing the voting power of those present was dispensed with, the proceedings of, as well as motions carried at, the said meeting were nugatory; and that whereas the mining interest of Swazieland is held principally in England, and represented locally by the local direction only, the so-called general meetings of interest holders, held in Swazieland, often without practical notice being given, cannot be accepted by us as in any way representative of, or binding on, the body of interest holders as it exists.

Wherefore we, your memorializers, do hereby desire to repudiate the action of the said general meeting (so-called), or of any similar meeting held in the past, or to be held in the future, under similar circumstances; and to respectfully claim the right of representation, before the Joint Commission, or on subsequent occasion or matter that may arise, according to interest, whether by memorials drawn up, or representatives chosen from, the various dominant interests now existing in Swazieland.

And we your memorializers desire respectfully to represent that the division of the Swazieland White interests into the three great divisions of mineral, grazing, and commercial interests, originally established at the foundation of the White Committee, is alone capable of affording a fair representation of the general mass of interests aforesaid.

Further, that—

In view of the action taken at the said meeting, and of the agitation in favour of annexation of Swazieland to the South African Republic, of which the said action afforded tangible proof.

In view also of the fact that many Swazieland concessions, including such as in our opinion are antagonistic to the development of the country, have been acquired by the agents of the Government of the South African Republic.

We, your memorializers, are compelled to respectfully submit that we are, many of us, holders of gold interests under the South African Republic; that we are well acquainted with the gold legislation, and with the general circumstances under which the mining industry is pursued under the said Government; and that, viewing the characteristics and circumstances of the Swazie gold districts as hereinbefore set down we are of opinion that it would be impossible to pursue the gold mining industry of Swazieland, with profit, under circumstances similar to those obtaining under the Government of the South African Republic. We would submit respectfully—

(a) That by the purchase, through their agents, of the Revenue Concession (so called) the Government of the South African Republic have obtained control over the future revenues of Swazieland by a grant which it was out of the power of the Swazie King and people to conclude.

(b) That the system of licenses for gold mining adopted by the South African Republic is out of proportion heavier than obtain in other gold fields in the world.

The licenses of the South African Republic are 1*l.* per claim, of 150 feet by 400 feet, per month for diggers, 5/- per month per claim for prospectors, and 10/- per morgen per month on mining leases.

For South America licenses are 6 dollars per annum for 25 acres.

For North America a registration fee of 5*l.* per claim.

(c) That the revenue of the South African Republic is drawn chiefly, either directly or indirectly, from the gold mining industry.

(d) That the revenue derived from the gold mining industry in the South African Republic exceeds the total annual output.

(e) That there is no proper representation of the mining population of the South African Republic in the Legislative Chamber.

(f) That there is no attempt on the part of the Government of the South African Republic to meet the increasing necessity for public works, such as bridges, roads, &c., out of the surplus revenue; nor is any desire displayed to hasten the opening up of the country by railways. The surplus revenue is devoted to the increasing of governmental salaries, to the purchase of Swazieland concessions, &c., or deposited in banks.

(g) That the importation of the necessaries of life into the South African Republic is hampered by heavy duties, while there is no corresponding increase in production in the country itself.

(h) That the veto on the use of the English language in the Courts and offices of the South African Republic, notwithstanding that the mining industry is almost exclusively in the hands of English speaking people, acts detrimentally on the said industry, and is contrary to the spirit of the London Convention of 1884.

(i) That the system of concessions obtaining in the South African Republic acts detrimentally on the gold industry; that the Explosives Concession removes competition, and compels the indiscriminate use at high price of an article unsuitable for every purpose.

(k) That unnecessary and vexatious restrictions are placed on the employment of Kaffir labour by the permit system and license of 1/- per head per month.

(l) That the administration of the Gold Law of the South African Republic, as it stands, is unsatisfactory, as is shown in the general delays in appointing or confirming diggers' committees, &c.

In fine, therefore, and in consideration of the above representations, We, the undersigned, respectfully request your Excellency that you would be pleased to submit the following our humble petition to Her Majesty, namely:

That whereas the gold mining industry is the chief industry of Swazieland.

Whereas the fact that the greater portion of the gold mining interest is held in England precludes a fair numerical representation of this interest locally.

Whereas the said gold mining interest is now of a value of 2,225,000*l.*, chiefly held by subjects of Her Majesty.

Whereas the said gold mining industry is of such character as to demand a minimum of burden.

Whereas the indiscriminate granting of concessions by the Swazie King has led to danger of confusion of title, as also of establishment of illegitimate rights, to the detriment of the progress of the country.

And whereas the motion carried at the meeting of the 29th July, 1889, in favour of annexation to the South African Republic, makes it incumbent on us, as representative of the gold mining industry in Swazieland, to state that the said industry could not support the taxation and other burdens obtaining in the South African Republic.

Now We, the undersigned, representatives of the Swazieland gold industry, desire to humbly petition Her Majesty—

That Her Majesty would be pleased to order that the whole position of concessions in Swazieland be examined, and that such as may prove illegal and to have been granted out of the power of the Swazie King, be repudiated and declared null and void, *ab initio*.

That the representation of the White inhabitants of Swazieland and of the general body of interest holders, whether before the Joint Commission, or as occasion may arise after, may be according to interest, in the division known hitherto, of mineral, grazing, and commercial.

And, further that Her Majesty, viewing the grave consequences that would result to the development of Swazieland, by reason of a decline or suppression totally or in part of the gold mining industry, would be graciously pleased to take into consideration the representations of Her Majesty's humble petitioners as laid down hereinbefore, that the Swazieland gold mining industry could not support burdens and taxation such as obtain in the South African Republic.

And your memorializers, Her Majesty's humble petitioners, will ever pray.

F. B. DOERING, Manager Forbes Reef Company,  
and Representative Southern Forbes Reef  
Company.

EDGAR TAYLOR, *q.q.* F. B. Doering, Henderson  
and Forbes Co.

HUGH J. McCUBBIN, representing Seaforth Con-  
cession, and Inspecting Manager, Havelock  
G. M. and E. Co.

FRANK ADDOCK, M'Dimba Mineral Concession,  
And 13 others.

## REGISTRATION OF CONCESSIONS.

Registered by.	Name of Concessionaire.	Description of Concession.	Date of Grant.	Annual Rental.	Page of Interdict.	To whom Transferred.	Date of Transfer.	Amount Paid.	Transfer Fee.	Date of Payment.
King ..	Lessack, Ephraim Lessack, Ephraim Eblersley, Fred ..	Sole right of auctioneering .. " " photography .. Farm and right to sulphur springs .. Inkuni Valley ..	22 Feb., '89 " " ..	£50 £10 £10	100 " "	R. H. Gohen.. .. One-third held by Kannemeyer (G.) transferred to Madden and Savage. Entirely transferred to J. C. Walton by order of the King.	25 May, '89 1 Sept., '89 4 Mar., '87	£1,000 " "	£40 " £50	2 Sept., '89 " "
King ..	Jackson, Rev. Joel.	Mineral rights ..	12 Oct., '86	..	..	..	..	..	..	..
King ..	Rudolph, G. J. .. Pigg's Peak Co. .. Gordon, Charles ..	Farm .. Renewal of mineral lease .. Electro-chemical gold and silver process.	27 Feb., '89 28 Feb., '89 "	Gift. £300 £50 for 4 years, £100 paid aftds.	.. 100 ..	..	..	..	..	..
King ..	McNab, Robert ..	Renewal of old right to Lebombo farm.	6 Mar., '89	Free	..	Charles Barran, Leeds, Scotland ..	3 Mar., '89	£100	£4	30 July, '89
Mr. Shepstone.	McNab, Robert ..	Monopoly for tanning and tanneries.	"	£10	..	Kannemeyer holds one-third share, transferred to Madden and Savage.	1 Sept., '89	..	..	..
Mr. Shepstone.	Murray, Alexander	Mineral ..	26 Feb., '87	£50	..	Transferred entirely to E. King, Mahamba.	8 Mar., '89	£500	£20	8 Mar., '89
Mr. Shepstone.	McNab, Robert ..	Monopoly for sale of patent medicines.	6 Mar., '89	£10	..	Kannemeyer holds one-third share, which is transferred to Madden and Savage.	1 Sept., '89	..	..	..
Mr. Shepstone.	Wells, Michael .. Bothma, C. J., Steyn, H. and J.	Insurance and Assurance .. Grazing right ..	12 Mar., '89 29 Jan., '84	£50 Two bucks and every 5 years a beast.	..	Vanderhinder, J. C., Ermelo, 1 farm Meyer, S. W. J., " Fourie, P., " Lourie, H. J., " Ackerman, G. (Barberton), transferred his one-tenth share to Karl Wiarda, Port Elizabeth.	9 Mar., '89 4 Mar., '89 7 Mar., '89 9 Mar., '89 19 Dec., '86	£300 £300 £50 £25 £30	£12 £12 £2 £1 Not paid.	22 Mar., '89 " " " "
Mr. Shepstone.	McCruddy ..	Mineral right ..	..	..	..	..	..	..	..	..
Mr. Shepstone.	Davis, Alexander, Morris, James.	Mineral ..	30 April, '87	£50	..	Transferred to Andrew Ewing; transferred by him to the Umbelous Exploration Land and Mining United Co., Ltd., W. S. Young-Riddell, Secy., Barberton.	28 Mar., '89	£1,500	£50	28 Mar., '89
Mr. Shepstone.	Wilson, W. G. D. Bird, William ..	Monopoly for lotteries .. Mineral ..	28 Mar., '89 30 Mar., '87	£20 £25.	..	First transferred 30 March, '87, and divided into quarters, held by W. Bird, E. R. Tailleur, W. R. Kennerley and G. Maber. Power of Attorney to negotiate given by Bird and Maber to Tailleur and Kennerley on 20 April, '87; transferred by Tailleur and Kennerley to Henry Marriot, 28 Feb., '89; transferred by Marriot to "Bird's Swaziland Concession" Office, 68 and 64, New Broad Street, London, A. E. Green, Durban, Local Manager.	22 Feb., '89	£500	£20	3 April, '89
Mr. Shepstone.	Forbes Reef G. M. Co. ..	Mineral ..	..	£300.	..	Local Manager: Forbes Reef G. M. Co., F. H. Faviell, Trustee. (Sham transfer only.)	8 Jan., '89	..	..	..

Registered by.	Name of Concessionaire.	Description of Concession.	Date of Grant.	Annual Rental.	Page of Interdict.	To whom Transferred.	Date of Transfer.	Amount Paid.	Transfer Fee.	Date of Payment.
Mr. Shepstone 14 Feb., '89.	Maber, G. L. D. . . . .	Printing . . . . .	20 Jan., '89	£20	100	John Thorburn (to be dealt with), T. Eckerley is to receive £100 out of Bennett's share of proceeds of sale.	..	..	..	..
	Simpkins, S. H. . . . .	Rights to deal in spirits on How and Wyldesdale Mineral Concessions.	3 April, '89	£10 and £10 for each hotel.	..	..	..	..	..	..
	Harington, J. R. . . . .	To manufacture and import diamond drills.	20 April, '89	£25 and 10 % on nett profits.	..	..	..	..	..	..
	Harington, J. R. . . . .	To build townships	"	£50 each town-ship.	..	..	..	..	..	..
	Cohen, N. H. . . . .	Customs (to collect and receive).	"	£100 and 10 % on nett profits.	..	..	..	..	..	..
	Cohen, N. H. . . . .	Tobacco (manufacture and im- port).	"	£50 and 10 % on nett profits.	..	..	..	..	..	..
	Wells, N. . . . .	Wood and farming, Mananga	23 April, '89	£25	..	Gilbert, H. E., holds one full quarter share.	..	..	..	..
	Meikle, Alexander . . . . .	Farming right over mineral con- cession.	29 Oct., '89	£10	..	..	..	..	..	..
Mr. Shepstone	Campbell, R. M. . . . .	Steam power . . . . .	26 April, '89	£50	100	..	..	..	..	..
	Stone, Max . . . . .	Horo townships (erection of)	30 Oct., '89	..	..	..	1 May, '89	£100	£4	1 May, '89
	Forges, Jules, Eckstein, H.	Agreement re protection of pro- perties . . . . .	1 May, '89	£100	..	..	..	..	..	..
Mr. Shepstone	Renny Tailour, E. R. . . . .	Manufacture cement . . . . .	7 May, '89	£25 when work starts.	..	Entirely transferred to Harington J. R., and Cohen, N. H.	..	£1,000	£40	1 May, '89
	Ewing, Andrew . . . . .	Milling . . . . .	8 Sept., '89	£25	..	Entirely transferred to Harington J. R., and Cohen, N. H.	..	£2,500	£100	"
Mr. Shepstone	Orton, J. H. . . . .	Mineral . . . . .	8 June, '87	£50	..	..	..	..	..	..
	Thorburn, M. F. . . . .	Gas Manufacture . . . . .	10 May, '89	£20	..	..	..	..	..	..
	Thorburn, M. F. . . . .	Advertising and Gov. Gazette	"	£20	..	..	..	..	..	..
Mr. Shepstone	Maber, G. L. D. . . . .	Mineral . . . . .	22 June '87	£300 when ma- chinery erected.	..	A. Meikle holds one full third	..	£27 6s.	22/-	2 May, '89
13 May, '89. . . . .	Miller Allister, M.	Farm Lebombo . . . . .	8 Dec., '88	£5	..	Transferred entirely to W. H. Acutt.	28 Mar., '88	..	..	..
Mr. Shepstone	Forbes and Henderson . . . . .	Mineral . . . . .	28 May, '88	£50	..	Transferred to Umdimhai Syn- Lim., represented by Fitz Her- bert R. Despard, Kimberley	10 May, '89	£5,000	£200	10 May, '89
	Gordon, Charles . . . . .	Oil extraction . . . . .	18 May, '89	£50	..	..	..	..	..	..
	Scott, W. (Havelock)	Agreement re taxation . . . . .	"	..	..	..	..	..	..	..
	Verrall, C. H. . . . .	Pawnbroking and Orphan Cham- bers . . . . .	28 May, '89	Agreement re terms.	..	..	..	..	..	..
Mr. Shepstone	Freeman, C. V. . . . .	Trading and store rights on Mdimba . . . . .	17 Oct., '89	£5	..	One full quarter transferred to J. Abraham by Maber.	2 June, '89	..	..	..
	Maber, G. L. D. . . . .	Farm . . . . .	3 June, '89	£5	..	..	..	..	..	..
	Henwood, J. C. . . . .	Store right . . . . .	"	£20	..	..	..	..	..	..
	Henwood, James C.	Right of wood on western slopes of Lebombo from Umbelosi South. The wood around caves not to be cut.	21 June, '89	£50	..	..	..	..	..	..

Registered by.	Name of Concessionaire.	Description of Concession.	Date of Grant.	Annual Rental.	Page of Interdict.	To whom Transferred.	Date of Transfer.	Amount Paid.	Transfer Fee.	Date of Payment.
	Fraser, James ..	Trading right south of Uento ..	21 June, '89	£5 for each station.	..	One full third held by F. Watkins, Harberton.	Aug., '89	£100	£4	Aug., '89
	Botha, T. J. ..	Grazing .. .. .	5 Jan., '80	2 head cattle	..	Small portion to— J. D. Botha, north of river M. J. Botha, west of river J. B. Van Reinberg, do. Joshua Colovelli, east of river T. J. Botha, jun., south of drift J. P. J. Botha, east of river	..	..	..	..
Mr. Shepstone	Steyn, H. J. ..	Grazing .. .. .	..	..	..	One full half transferred to J. J. Janneke.	24 April, '89	£100	£4	30 April, '89
	Tosen, C. J. ..	Grazing .. .. .	10 Sept., '84	Freehold	..	A piece to N. F. D. Retief, a piece to Daniel A. Louw, and a piece to Johannes T. Retief, D. A. Louw transfers a piece of his to J. P. Retief.	20 April, '89 " " 14 June, '89	£650 £600 £250 £25	£26 £24 £10 £1	.. .. .. ..
27th June, '89.	Hutchinson, Geo. ..	Farm over Kobolondo Concession	20 June, '89	£10	..	..	..	..	..	..
	Leadley, Fred. ..	Farm Pigg's Peak .. .. .	26 June, '89	£10	..	..	..	..	..	..
	Pigg, William ..	Farm Black Diamond Creek ..	18 June, '89	£59	..	..	..	..	..	..
	Towson, William..	Grazing rights .. .. .	15 June, '80	Gift.	..	..	..	..	..	..
	Forbes, David ..	Wood right over Acton's and Lebombo Concession.	18 June, '89	..	..	..	..	..	..	..
	Forbes, David ..	Wood right over Forbes' Coal Concession.	"	..	..	..	..	..	..	..
	Forbes, David ..	Wood right over Necoman's Concession.	26 June, '89	£20	..	..	..	..	..	..
	Trent, S., Maber, G. L. D. Rathbone, Thos. B. ..	Farm (renewal of old grant) .. Wood right over Seaforth Concession.	27 June, '89 27 June, '89	£5 £10	..	..	..	..	..	..
	Cohen, N. H. ..	Importation of machinery ..	6 July, '89	£100	..	..	..	..	..	..
	Cohen, N. H. ..	Importation of cement .. .. .	"	£35	..	..	..	..	..	..
Mr. Shepstone.	Harington, J. R. ..	Central reduction Mills .. ..	"	£25	..	..	..	..	..	..
	Botha, J. P. and M. ..	Grazing .. .. .	4 July, '81	..	..	..	..	..	..	..
	Vandermerwe, J. P. and G. ..	Grazing .. .. .	7 July, '80	..	..	..	..	..	..	..
	Middleton, Henry ..	Farm .. .. .	6 July, '89	£5	..	..	..	..	..	..
	Leesak, R. ..	Right to apply for concessions ..	9 July, '89	£50	..	..	..	..	..	..
	Harington, J. R. ..	Power of Attorney to collect King's private revenue.	6 July, '89	£1,200	..	..	..	..	..	..
	Parkinson, J. ..	Farm and store .. .. .	7 July, '89	£10	..	..	..	..	..	..
	Ewing, Andrew ..	Farm .. .. .	"	£5	..	..	..	..	..	..
	Major, J. A. ..	Farm and store rights .. .. .	19 July, '89	£10	..	..	..	..	..	..
	Pincocks and Bogle ..	Extension for 50 years of mineral right.	18 June, '89	..	..	..	..	..	..	..
Vandermerwe, P. J. J., Van Rensburg, H. W. J., Van Rensburg, F. J. J. ..	Grazing rights .. .. .	2 July, '89	..	..	..	A small piece sold to P. Uys in northern corner. A portion ceded W. L. G. Stoop by F. J. J. Van Rensburg.	28 July, '88 ..	£250 £15	£10 ..	.. ..

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Registered by.	Name of Concessionaire.	Description of Concession.	Date of Grant.	Annual Rental.	Page of Interdict.	To whom Transferred.	Date of Transfer.	Amount Paid.	Transfer Fee.	Date of Payment.
Mr. Shepstone.	Nel, S., Nel, J. P.	Grazing right	7 June, '87	10 sheep.	..	..	4 July, '89	£15	15s.	18 July, '89
	Maritz, F...	Grazing right	22 June, '87	£3	..	..	1 July, '89	£30	£1 10s.	"
Mr. Shepstone.	Joubert, D.S., Joubert, G.	Grazing right	25 April, '88	£3	..	This transfer does not come into force until 1893.	20 June, '89	£600	£24	18 July, '89
	D. J. Joubert, G. Joubert, S. Bothma, M. J. J. Grobelaar, J. N. Grobelaar, Jacob Steyn, W. K. Joubert, C. G. Steenkamp, J. H. Bothma, J. S. Joubert.	Grazing right	11 May, '88	..	..	Wm. Joubert transfers his portion to C. G. Steen Kamp. M. J. J. Grobelaar sells the whole of his interest, half to A. J. Louw (21 January, '88), and half to J. Fischer.	8 Nov., '89 21 Jan., '88 7 Nov., '88	£300 £250	£12 £10	" 18 July, '89
Mr. Shepstone.	McNab, Robert, Faddy William	Farm, Jobbe's Wood right	5 July, '88 21 June, '89	£10	..	Transferred to Andrew McNab, Esq., Midtown, Renfrewshire, Scotland.	30 July, '89	£100	£4	30 July, '89
Mr. Shepstone.	Joubert, C. Gerhardus, Joubert, P. C., Bekker, J. C.	Grazing	19 May, '88	£3	..	J. C. Bekker transfers half of his third to J. N. Grobelaar.	15 May, '89	£50	£2	18 July, '89
Mr. Shepstone.	Bestor, H...	Grazing	6 Aug., '80	One ox.	..	J. N. Grobelaar transfers his share to D. C. Gilderhuis.	10 July, '89	£80	£3 8s.	"
Mr. Shepstone.	J. Englebucht, C. Englebucht, G. Englebucht, and D. Englebucht.	Grazing	21 June, '87	£5	..	Transferred to E. L. Botha in its entirety, Elizabeth Botha has a small piece (2,000 acres).	18 July, '89	Gift.	..	..
Mr. Shepstone.	Hatting, C. J. J...	Grazing	6 July, '87	One beast.	..	J. P. Englebucht. J.'s son holds one-sixth share.	8 July, '89	Gift.	..	..
20 July, '89	Klaas Gnamel, Mabilia... Purocks, V., Purocks, B., Bogie, A.	Farm	26 July, '80 15 Oct., '86	£2	..	One-half transferred to J. H. Hatting.	19 July, '89	Gift.	..	..
Mr. Shepstone.	Dupont, E. C.	Mineral	July, '88	£5	..	Bogie transfers his one-third interest to H. S. Hampton (Mrs.) of Barberton.	12 Aug., '89	£350	£14	16 Sept., '89
Mr. Shepstone.	Schrur, John	Mineral	20 Feb., '87	£50	..	A portion transferred to C. E. Dupont.	7 Sept., '89	£100	£4	Not yet paid.
	Mayoss, W. F., Ewing, Andrew, Cruering, C.	Farm	6 Oct., '89 2 Oct., '89 22 Aug., '80	£5 £20 £5	50 years only.	Transferred to New Guelderland, Schrur's Concession, Syndicate, Peachey and Way, Agents. Transferred to Charles E. Read. Transferred by Read to S. Zealand Gold Exploration and Land Company, Limited.	23 Feb., '89 18 Jan., '89 2 Feb., '89	£100 £1,750 £125,000	.. £70 Shares.	16 Sept., '89 " "
		Farm		£5	..	Transferred to N. H. Cohen	8 Oct., '89	£300	£12	8 Oct., '89

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Mr. Shepstone.

Registered by.	Name of Concessionaire.	Description of Concession.	Date of Grant.	Annual Rental.	Page of Interdict.	To whom Transferred.	Date of Transfer.	Amount Paid.	Transfer Fee.	Date of Payment.
	Wylde, Joseph Herbert; Kideon, John Carlton; Simpkins, Samuel H.	Mineral .. .. .	15 Sept., '86	£40	..	Thane Allen, J., George Rowe, J. Ceded and assigned to the Wyldedale Gold Exploration and Developing Company, Limited; G. A. Lomas, Barber-ton, Agent.	1 Oct., '89	£15,000	£800	9 Oct., '89
	Great Ophir .. .. .	Kannemeyer's Mineral Con- cession.	..	..	..	Kannemeyer's share transferred to Madden and Savage.	1 Sept., '89	..	..	..
	Gowrie Concession .. .. .	Mineral .. .. .	..	..	..	Kannemeyer's share transferred to Madden and Savage.	1 Sept., '89	..	..	..
	Horo Farms .. .. .	.. .. .	..	..	..	Kannemeyer's share transferred to Madden and Savage, together with his other interests, for the sum of	..	£200	£8	21 Sept., '89
Mr. Shepstone .	Meyer, T.; Lammerding, F. A.	Grazing .. .. .	20 April, '88	£5	..	The portion between the Mgovuna and the Transvaal border has been divided into tenths, viz. H. Kolns, junr., H. Kolns, F. Meyer, A. Dollenburg, Ch. Mebuhr, H. Kabe, senr., H. Rabe, junr., E. Rabe, C. Steffen. That portion of grazing right lying between Mgovuna, the Mhloya and Matjisa, and Telwanna's lime, has been divided equally amongst following: T. T. Meyer, F. A. Lammerding, E. Meyer, H. Hanbrocke, A. Hentze, H. Prigge, senr., C. J. H. Mullen, F. Volker, F. Weber, and W. Meulke.	22 July, '89	£400	£16	27 July, '89
31 July, '89 ..	Arnoldi, Bernard..	Grazing right .. .. .	10 July, '89	£5	..	Transfers one-half to J. B. and F. C. Arnoldi.	19 Aug., '89	£480	£19	24 Aug., '89.
31 July, '89 ..	Joubert, J. F. ..	Grazing right .. .. .	7 July, '87	Beest.	See papers laid aside.	Transferred to William Gouns. Transferred by Gouns to J. B. Arnoldi.	15 Oct., '87. 8 Oct., '88.	£30	£1 10s.	21 Aug., '89.
5 Aug., '89 ..	Breed, J. H. P. ..	Grazing right .. .. .	4 Aug., '80	2 bucks.	..	About half sold to F. C. de Klercq and J. S. de Klercq.	6 August, '89.	£200	£8	16 Aug., '89.
5 Aug., '89 ..	Wylde, J. H. .. Mini, Stephen ..	Farm over Wyldedale .. .. . Planting farm .. .. .	7 Aug., '89 27 Aug., '89	£10 £40	..	One-half transferred to Joseph Marsden Parsonson, M'tzburg. Concession being divided by agreement as follows: Stephen Mini, J.; John Gama, J.; J. M. Parsonson, J.; Alfred Dewa, J. (not transferred). Transferred to the Mdimba Land Exploration Syndicate; F. Adcock, Agent.	18 Feb., '89.	£200	£8	19 July, '89.
	Halle, Gustave ..	Mineral, Mdimba .. .. .	17 Sept., '88	£50	..		..	£1,250	£50	3 Sept., '89.

Registered by.	Name of Concessionaire.	Description of Concession.	Date of Grant.	Annual Rental.	Page of Interdict.	To whom Transferred.	Date of Transfer.	Amount Paid.	Transfer Fee.	Date of Payment.
5 Aug., '89	Craufert, F. M. H., and Grobelaar, S. Middleton, H. R.	Grazing .. .. Farm Lebombo .. ..	30 July, '83 25 Aug., '89	3 goats. £5	..	.. .. . Transferred to A. Amoretti. Registered by Mr. Shepstone.	4 Jan., '89.	£60	£8 11s. 6d.	4 Jan., '89.
Mr. Shepstone.	Amoretti, Alex. .. .. Joubert, M., Joubert, J.	Farm Lebombo .. .. Grazing .. ..	1 Dec., '89 12 July, '86	£5 Two bucks.	..	Transferred by A. Amoretti to Wm. P. Frazer. Transferred to Wm. P. Frazer, Johannesburg. One-half transferred to B. Oshuyesen.	4 Feb., '89. " .. .. 19 June, '88	£100 £100 ..	£4 £4 ..	9 Sept., '89. 9 Sept., '89 ..
	National Manufacturing Company, McNab and Alex. Meikle. Rathbone, T. B., Shepstone, W. S.	Manufacture of cotton, linen, &c. Dynamite and gunpowder ..	5 July, '88 31 March, '87	£10 Agreement.	..	M. Joubert transfers his quarter to M. F. V. Berning, q.q. J. Joubert transfers his quarter to J. P. de Jager. .. .. . .. .. . Rathbone transfers his half to N. H. Cohen. Shepstone transfers his half to N. H. Cohen. N. H. Cohen transfers his half to the Swaziland Explosives and Dynamite Concession Syndicate, Limited. .. .. . Transferred by new document to Andrew McNab, Renfrewshire.	29 April, '89 6 April, '89 .. .. . .. .. . .. .. . 24 July, '89	£200 £100 .. .. £5,000	£8 £4 .. .. £200	12 Sept., '89 Not yet paid. .. .. . .. .. . 16 July, '89
Mr. Shepstone.	De Klercq, H. .. .. Klaas Suamels .. .. Rathbone, T. B. .. ..	Grazing .. .. Building licence .. .. Store and farm .. ..	11 July, '89 5 April, '87 6 July, '87	£5 .. £5	..	.. .. . .. .. . .. .. .	.. .. . 24 July, '89	.. £150	.. £6	.. .. . 24 July, '89
25 July, '89	Van Rooyen, R. T. J., Junr. Piensar, N. (Piet Retief)	Grazing right .. .. Wool washing and pressing ..	24 July, '89 18 July, '89	£3 £2 £10	..	.. .. . S. Ryan holds one-quarter of Rathbone's half.	.. .. . 25 Feb., '89	.. .. £50	.. .. £2	.. .. . 25 July, '89
25 July, '89	Rivers, E. . . . . Kratzinger, J. J., Steenkamp, T. C., and T. J. and G. J. Rudolph.	Farm .. .. Grazing .. ..	31 July, '88 25 July, '89	£5 £4	..	.. .. . .. .. .	.. .. . .. .. .	.. ..	.. ..	.. .. . .. .. .
26 July, '89	Kratzinger, P. H. Badehorst, F. L. L. and W. J. J. Watkins, Frank .. .. Thorburn, John.	Grazing .. .. Grazing .. .. Concession for all vacant lands south of Komati for farming purposes.	25 July, '89 18 April, '88 26 July, '89	£3 .. £50	.. 100 years.	.. .. . .. .. . .. .. .	.. .. . .. .. . .. .. .	.. .. ..	.. .. ..	.. .. . .. .. . .. .. .
Mr. Shepstone.	Town, Henry, Thorburn, John. Krogh, J. C. .. .. Davel, J. A. H. .. ..	Right to bill batteries, to treat ballings and concentrates. Grazing .. .. Grazing .. ..	" .. .. 9 June, '84 5 May, '88	£25 £10 £5	..	.. .. . One-half transferred to A. M. Lees One-third transferred to H. J. Potgieter.	21 April, '88 22 March, '88	Free. £40	.. .. £2	.. .. . .. .. . 27 July, '89

## INTERDICTS.

Concession.	Holder.	Amount of Interdict.	By whom.	Date.
Printing .. .. .	Maber and Bennett ..	The whole Concession. Special power for Thorburn to deal with Concession.	J. Thorburn.	1889. April 15.
All Maber's Concessions	Maber .. .. .	The whole right transferred to J. Abraham.	Madden holds power of Attorney.	August 5.
Steam .. .. .	Campbell .. .. .	R. McNab interdicts unless his claims are recognised.	R. McNab, Swaziland.	August 8.
Martin's Concessions ..	J. Martin and others ..	By Dr. Bertram until claims are satisfied. By Rancher, who alleges no Victoria Concession exists.	Dr. Bertram, Barberton. Rancher, Gowrie Con- cession, Swaziland.	Rancher's Inter- dict withdrawn December 1.

## RENTS ON CONCESSIONS.

Date.	Concessionaire.	Concession.	When due.	Amount.	Remarks.
1889.			1889.	£. s. d.	
February 11 ..	Alba and Davis .. ..	Mineral, Little Usuto ..	February 28..	200 0 0	Paid.
March 9 ..	Forbes Reef G. M. Company..	Minerals .. .. .	March 10 ..	300 0 0	"
" 12 ..	Forbes Spirit Concession ..	Spirituuous liquors .. ..	" " ..	10 0 0	"
" 12 ..	McNab .. .. .	Mineral .. .. .	" 19 ..	50 0 0	2 years paid £100.
" 28 ..	Grobelaar, H. .. ..	Grazing .. .. .	" ..	2 10 0	Paid.
" 28 ..	Davis and Morris .. ..	Mineral .. .. .	April 30 ..	50 0 0	"
" 28 ..	Peachey and Handford ..	Seaforth Mineral .. ..	February 9 ..	50 0 0	"
April 1 ..	Horo Concession .. ..	Mineral .. .. .	May 1 ..	300 0 0	"
" 1 ..	Kannemeyer's † .. ..	† paid by Mr. Simpkins on behalf of holders of † share.	February 9 ..	100 0 0	"
" 2 ..	Meikle's Concession .. ..	Paid £50 for Natal trip, 50 in gold.	" 21 ..	100 0 0	"
" 8 ..	Stretcher's Concession ..	Mineral at Myimbeere..	March 28 ..	50 0 0	"
March 8 ..	Murray's Concession .. ..	Mineral .. .. .	February 21..	50 0 0	"
" 8 ..	Bird's .. .. .	" .. .. .	March 30 ..	25 0 0	"
May 17 ..	Havelock (Balance) .. ..	" .. .. .	December 13..	50 0 0	Total £100.
" 17 ..	Ridz Creek (Carters) .. ..	" .. .. .	May 1 ..	100 0 0	Paid.
" 30 ..	King's (Babaan) .. ..	" .. .. .	" ..	50 0 0	"
" 30 ..	Bayly .. .. .	Farm .. .. .	" ..	5 0 0	"
June 18 ..	Pigg's Peak .. .. .	Mineral .. .. .	May 1 ..	300 0 0	"
" 19 ..	Davel, J. .. .. .	Grazing .. .. .	" ..	5 0 0	"
" 18 ..	Kobolondo .. .. .	Mineral .. .. .	May 1 ..	40 0 0	"
" 19 ..	Kemp, Cortzer, Uys and Vermaas.	Grazing .. .. .	(Say £4)	One ox each..	"
May 9 ..	Wyldesdale (Heller) .. ..	Mineral .. .. .	May 1 ..	20 0 0	"
June 19 ..	Murphy, G. .. ..	" .. .. .	" ..	3 10 0	"
" 19 ..	Murphy's Post £2 .. ..	" .. .. .	" ..	" ..	"
" 16 ..	Murphy's Station 30s..	" .. .. .	" ..	" ..	"
" 16 ..	Thorburn's (Hiller) .. ..	Mineral .. .. .	" ..	50 0 0	"
" 19 ..	Potgieter, I. K., £5 .. ..	" .. .. .	" ..	" ..	"
" 19 ..	J. Potgieter, £3 .. ..	Grazing .. .. .	" ..	10 0 0	"
" 19 ..	N. Piennar, £2.. ..	" .. .. .	" ..	" ..	"
" 19 ..	Wyld .. .. .	Candles and guns .. ..	" ..	50 0 0	"
" 19 ..	Pretorius, M. .. ..	Grazing .. .. .	(Say £15)	One horse ..	"
July 26 ..	Thorburn, J. .. ..	Farm (Peeble Syn.) .. ..	" ..	30 0 0	"
June 15 ..	Lubuschagnie .. .. .	Grazing .. .. .	" ..	5 0 0	"
July 26 ..	Thorburn, W. L. V. .. ..	Farm .. .. .	" ..	5 0 0	"
" 13 ..	Steyn, Jacob .. .. .	" Usuto .. .. .	" ..	3 0 0	"
" 15 ..	Labuschamp .. .. .	Grazing .. .. .	" ..	1 0 0	"

Date. 1889.	Concessionaire.	Concession.	When due.	Amount.	Remarks.
1889.			1889.	£ s. d.	
June 15	Lammerding, A.	" £5			
	Ferreira, G.	" "			
	Ferreira, J.	" "			
	Ferreira, G.	" "			
	Van Rooyen, C.	" "		35 0 0	Paid.
	Steyn, J. J. H.	" £4			
	Steyn, M. J. H.	" "			
	Steyn, M. J. D.	" £2			
July 15	Schroeder and Stamm	Farm		5 0 0	"
June 15	Ferreira, J. and Greyling, A. C.	Grazing	(Say £4 each)	One cow each	"
	Botha, J. and J. P.	"		1 0 0	"
July 15	Smit, N.	"		5 0 0	"
" 3	Klupper.	"		1 0 0	"
" 17	Maritz, M. F.	"		3 0 0	"
" 18	Maritz, F. J.	"		3 0 0	"
	Gouns, J. P.	"		3 0 0	"
	Joubert, David S.	"		3 0 0	"
	Joubert, W. F.	"		5 0 0	"
	Joubert, G. J.	"		1 10 0	"
" 19	Englebucht, C.	"		5 0 0	"
	Wallerstein and Bremer	Store and farm	July 30	20 0 0	"
" 20	Rivers, S. per Bremer.	Farm		5 0 0	"
" 25	Krutzinger, Van Rooyen, and Piennar.	Grazing, £3 each		9 0 0	"
" 27	Reed Mahamba.	"		5 0 0	"
" 30	Val Staader, A. L.	" Farm		5 0 0	"
	Laas	N. Kwimpiasi's grazing.		5 0 0	"
" 31	Mayoss, W. F.	Farm		5 0 0	"
	Forbes and Henderson	For right to cut eight loads of wood in any part of Swaziland, where no wood rights exist.		12 0 0	"
August 3	Roberts, C. I.				
	Roberts, G.				
	Deckken, J.				
	Deckken, F. A.	Grazing, £1 each		6 0 0	"
	Liversedge, A. J.				
	Steenkamp, T.				
July 19	Liquor Concession	(Acutt for his half)		50 0 0	"
August 17	Smith	Farm Lebombo.	September 8.	5 0 0	"
" 28	Tobacco Concession	Per Acutt		25 0 0	"
September 1	Fisher	Farm		5 0 0	"
" 3	Adcock, F.	"		5 0 0	"
" 5	Darke and Henderson	Store and trading		10 0 0	"
	Wells, M.	Farm, &c.	April 24	5 0 0	"
	Eloff, J. C.	Telegraph Concession	August	25 0 0	"
" 10	Granman, H.	McNab's mineral	February 14.	50 0 0	"
" 16	Meikle, A.	Woollen Concession	July 5	10 0 0	"
" 25	Rathbone and Adamson	Havelock trading right	" 28	5 0 0	"
	Eckersley and F. Rathbone	Farm Lebombo.	" "	5 0 0	"
	Fullerton, I.	Planting Concession	" "	50 0 0	"
	Fullerton, J.	Store right	" "	5 0 0	"
October 9	Freeman, C. V.	M'Dimba mineral		50 0 0	"
	Freeman, C. V.	" trading	October 17	5 0 0	"
" 21	Harington, J. R.	Grinding Concession	September	25 0 0	"
			Total	2,531 10 0	

**K<sub>1</sub>.**

## CONCESSIONS.

1.	Cohen	..	..	..	..	Importation of Cement.
2.	Thorburn	..	..	..	..	Manufacture of Gas.
3.	Thorburn	..	..	..	..	Treatment of Tailings.
4.	Verrall	..	..	..	..	Pawnbroking.
5.	Wilson	..	..	..	..	Lotteries.
6.	Cohen	..	..	..	..	Customs.
7.	Harington	..	..	..	..	Refractory Ore Mills.
8.	Harington	..	..	..	..	Townships.
9.	Rathbone	..	..	..	..	Wool Washing.
10.	Cohen	..	..	..	..	Importation of Machinery.
11.	Harington	..	..	..	..	Revenue.
12.	Wells	..	..	..	..	Insurance.
13.	Thorburn and Watkins	..	..	..	..	Land south of Komati.
14.	McNab	..	..	..	..	Patent Medicines.
15.	Harington	..	..	..	..	Diamond Drills.
16.	Lessack	..	..	..	..	Photography.
17.	Cohen	..	..	..	..	Tobacco.
18.	Watkins	..	..	..	..	Farming.
19.	Cohen	..	..	..	..	Mint.
20.	Prosser and Gordon..	..	..	..	..	Silver.
21.	Wyld	..	..	..	..	Glassware.
22.	McNab	..	..	..	..	Tanneries.
23.	Lessack	..	..	..	..	Marketmaster.
24.	Gordon	..	..	..	..	Oil.
25.	Harington	..	..	..	..	Postal.
26.	Gordon	..	..	..	..	Electro Extraction Gold.
27.	Thorburn	..	..	..	..	Advertising.
28.	Ewing	..	..	..	..	Grinding.
29.	Forbes	..	..	..	..	Electric.
30.	Wells..	..	..	..	..	Chlorination.
31.	Stewart	..	..	..	..	Veterinary Surgeons, &c.
32.	Lessack	..	..	..	..	Represent Concessions.
33.	Hales..	..	..	..	..	Prospecting, &c.
34.	Parr ..	..	..	..	..	Railway Refreshment Bars.
35.	Player	..	..	..	..	Pound Concession.
36.	Thorburn	..	..	..	..	Abandoned Concessions.
37.	Shepstone	..	..	..	..	Dynamite.
38.	Steyn..	..	..	..	..	Railway Concession.
39.	Johnston	..	..	..	..	Tobacco.
40.	Abrahams	..	..	..	..	Farming.
41.	Bremer	..	..	..	..	Import of goods free.
42.	Thorburn	..	..	..	..	Surveying

**K<sub>2</sub>.**

EMBEKELWENI, SWAZIELAND,  
3rd December, 1889.

YOUR EXCELLENCY.—I have the honour to enclose for the information of the honourable the Commission, a copy, found among the official records of Mr. Miller, the late King's Secretary, of a power of attorney granted by Umbandeni to J. R. Harington, together with its substitution to Mr. F. C. Eloff.

\*Enclosure  
I.

Enclosure  
II.

\* Not received in Colonial Office.

I have the honour further to enclose a Memorandum I have written thereon.

As the former document is an official one, I have the honour further to request that it may be returned to me after perusal.

Enclosure  
III.

I have the honour to be,

Your Excellency's obedient servant,

THEOPHILUS SHEPSTONE,

*Resident Adviser and Agent, Swazie Nation.*

To His Excellency SIR FRANCIS DE WINTON,  
H. B. Majesty's Commissioner to Swazieland,  
K.C.M.G., &c., &c., &c.

## II.

Under and by virtue of the Power of Substitution contained in the Power of Attorney granted to me by the King of the Swazie Nation and his Councillors, on the 6th day of July, 1889, whereunder I was authorised to collect the revenue derivable by the said Swazie King, subject to certain conditions, I, the undersigned, John Robert Harington, do hereby substitute and appoint Fredrik Christoffel Eloff, of Pretoria, to act in my place and stead under the said Power of Attorney, copy whereof is annexed.

Dated at Barberton, S. A. R., this 27th day of September, 1889.

As witnesses,

(Signed) NAPH. H. COHEN

(Signed) W. B. LOEMOR.

(Signed) J. R. HARINGTON.

Transfer or substitution noted.

ALLISTER M. MILLER,  
Resident Secretary and Agent, Swazie King.

Embekelweni, 4th October, 1889.

## III.—MEMORANDUM.

### *Power to collect the King's Revenues &c., &c.*

(1) This document was not signed "by and with the advice and consent of the headmen and councillors;" Tikuba is the only headman and councillor whose cross appears thereon, and he declares that the document was never interpreted to him, as do also the other two signatories.

(2) The document takes away certain rights and privileges granted by the King, to the Committee, in full council, and in my presence.

(3) It also takes away, and interferes with, rights on various other concessions and grants—such as transfer dues—which had already been given away.

(4) By the powers purported to be conveyed by the document the appointee or concessionaire, whichever he may be, could forthwith levy hut and other taxes, on the Swazie Nation, and it is absurd to pretend for a moment that it was so interpreted to or understood by the King, or those signing, although the interpreter says he "expounded" it. If it had been explained the document would never have been signed.

(5) The document gives unlimited powers to increase the King's revenue, and the White and Black population would be at the mercy of the appointee.

(6) The document purports to be an irrevocable power of attorney. How it can be an irrevocable power when there is no cession of the King's rights, none of the necessary formalities of an irrevocable power observed, and when it is optional to the person appointed to act thereunder when he may elect to do so, is for the able and experienced legal gentlemen who accompany the Commission to decide.

(4708)

I

(7) If the document is not an irrevocable power, it is an agreement with no mutuality in it, for while it purports to be absolutely binding on the one contracting party (the King), it is optional with the other contracting party.

(8) Under the document the appointee has the right to collect the revenue of the King, increased or otherwise, for a period of twelve months without paying anything to the King.

(9) The right to select sites and erect buildings, as set forth in the document, is an absolute gift which is beyond the King's power to make without the consent of the nation, and that those places should be under "the jurisdiction and control of the appointee, free of the interference of the King or his successors, or any other person," is a granting away of the King's and nation's sovereign rights—a thing impossible for a native King to do.

(10) The interpreter\* who gives the certificate of interpretation is unable to interpret the document, and there is no doubt that it was not interpreted, much less "expounded."

(11) The cession of the document is registered by Mr. Miller, on the 4th October, 1889, in the following terms:—

"Transfer or substitution noted.

"(Signed) ALLISTER M. MILLER,  
Resident Secretary and Agent, Swazie King.

"Embekelweni, 4th October, 1889."

This was only about thirty-six hours before the death of the King, and when he was insensible. This was not an ordinary transfer, and it should have been obvious that before, in an off-hand way, noting such a transfer, the matter should have been mentioned to the headmen.

(12) No duty or consideration appears to have been paid to the King on the transfer, or substitution, of the document in question.

(13) The document is a breach of the independence of the Swazies, and the nation relies with confidence on the justice and fairness hitherto extended to them by the two Governments, parties to the London Convention, to prevent the perpetration of a grave injustice.

THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie Nation.

Embekelweni, November 29th, 1889.

**K.**

EMBEKELWENI, SWAZIELAND,  
December 3rd, 1889.

YOUR EXCELLENCY,

Herewith I have the honour to enclose, for the information of the Honourable the Commission, a list, as complete as is possible without further enquiry, of Concessions granted by the late Swazie King.

This list does not include grazing and farming grants.

I have the honour to be

Your Excellency's obedient Servant,

THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie Nation.

To His Excellency Sir FRANCIS DE WINTON,  
H.B. Majesty's Commissioner to Swazieland,  
K.C.M.G., &c., &c., &c.

\* Interpreter's name is Cooper.

## LIST OF MINERAL GRANTS REPRESENTED.

	£
Forbes' Reef .. .. .	400,000
Cobolondo (underwritten) .. .. .	375,000
Southern Forbes' .. .. .	250,000
Piggs' Peak .. .. .	250,000
Pullen's (under offer) .. .. .	250,000
Wyldsdale .. .. .	250,000
Henderson and Forbes .. .. .	150,000
Havelock .. .. .	120,000
Horo .. .. .	100,000
Ruby Creek Syndicate .. .. .	25,000
Diamond Creek .. .. .	25,000
Seaforth .. .. .	15,000
M'Dimba .. .. .	15,000
	<b>£2,225,000</b>

Name.	Date of Grant.	Nature of Grant.	Remarks.
	1882.		
Forbes, James .. .. .	March 10th ..	Mineral.	
McLachlan and Carter .. .. .	May 7th ..	Mineral.	
	1883.		
McLachlan and Carter .. .. .	November 10th	Mineral.	
	1885.		
Forbes Reef Company .. .. .	June 20th ..	Mineral .. .. .	A Cession from J. Forbes.
Wyld, Kidson, and Simpkins .. .. .	May 1st ..	Mineral	
	1886.		
MacLachlan and Scott .. .. .	August 19th ..	Mineral .. .. .	(Horo Concession).
Purcocks, Purcocks, and Bogie .. .. .	October 15th ..	Mineral.	
Shepstone, A. J., Ferreira, J. J., and G. T.	December 10th	Mineral.	
Acton, C. B. .. .. .	November 20th	Mineral.	
Wyld, Truter, Lomas, and others	November 20th	Mineral.	
Rathbone, T. B. .. .. .	December 17th	Mineral .. .. .	(Havelock Concession).
Henderson, A. F., and Shepstone, W. S.	December 10th	Mineral.	
Maber, G. .. .. .	.. .. .	Mineral.	
	1887.		
Handford and Peachey .. .. .	February 9th ..	Mineral.	
Kannemeyer, G. .. .. .	February 9th ..	Mineral.	
Albu and Davis .. .. .	February 11th	Mineral.	
Purcocks, D. .. .. .	February 17th	Mineral.	
Gama, J. .. .. .	February 17th	Mineral.	
Martin, Rancher, Kaanemeyer, and Stuart	February 17th	Mineral.	
Macnab, R... .. .	February 19th	Mineral.	
Forbes, D. .. .. .	February 19th	Mineral.	
Schrner, J. .. .. .	February 20th	Mineral.	
Meikle, A. .. .. .	February 21st	Mineral.	
Mini, S. .. .. .	February 21st	Mineral.	
Hales, G. E. .. .. .	February 21st	Mineral.	
Murray, A... .. .	February 24th	Mineral.	
Stretch, C. L. .. .. .	March 28th ..	Mineral.	
King, E. .. .. .	March 29th ..	Mineral.	
Bird, W. .. .. .	March 30th ..	Mineral.	
Rathbone, T. B., and Shepstone, W. S.	March 31st ..	Explosives.	
Du Pont, E. C. .. .. .	April 2nd ..	Mineral.	
Shepstone, T. .. .. .	April 4th ..	Mineral .. .. .	Half profits to Swazie King.
Shepstone, T. .. .. .	April 4th ..	Mineral .. .. .	Half profits to Swazie King.
Dupont, Erskine, and Henderson	April 6th ..	Mineral.	
McCreeedy, G. B. .. .. .	April 1st ..	Mineral.	
	1886.		
Pullen, J. G. .. .. .	December 11th	Mineral.	

Name.	Date of Grant.	Nature of Grant.	Remarks.
	1887.		
Fels, J. H. .. .. .	February 24th	Mineral.	
Meek, Vos, Vos, and Koch	February 19th	Mineral.	
Forbes, J., jun. .. ..	April 22nd ..	Mineral.	
Henderson and Forbes ..	April 8th ..	Mineral.	
Du Preez, C. .. .. .	April 30th ..	Mineral.	
Davis and Morris .. ..	April 30th ..	Mineral.	
	1883.		
Forbes, Swears, and others	August 14th ..	Mineral.	
	1887.		
Du Pont, E. C. .. .. .	May 10th ..	Mineral.	
Neumann, A. H. .. ..	February 23rd	Mineral.	
Mason and Rule .. ..	May 21st ..	Mineral.	
Wisbeach, C. C. .. ..	May 21st ..	Mineral.	
Thorburn, J. .. .. .	May 25th ..	Mineral.	
Smith, H. H. .. .. .	June 8th ..	Mineral.	
Orton, J. H. .. .. .	June 8th ..	Mineral.	
Laas and Michaelson ..	June 30th ..	Mineral.	
	1888.		
Forbes Reef Company ..	April 19th ..	Canteen .. .. .	Sole right on Concession.
Martin, J. .. .. .	.. .. .	Mineral.	
Forbes, F. W. .. .. .	August 15th ..	Electricity, &c.	
Rathbone and Adamson ..	July 28th ..	Trading .. .. .	Sole right on Havelock Concession.
Renny-Tailyour, E. R. ..	May 7th ..	Cement Manufacture.	
Maber and Bennett ..	February 11th	Liquor Manufacture.	
Fullerton, J. .. .. .	August 23rd ..	Plantation.	
Thorburn, J. .. .. .	August 20th ..	Sole right of surveying.	
Wells, M. .. .. .	September 11th	Extraction of metals.	
Mini, S. .. .. .	August 27th ..	Plantation.	
Hallé, G. .. .. .	October ..	Mineral.	
Maber and Freeman ..	October 17th ..	Canteen and store and farming right.	Sole right on M'Dimba Concession.
Harington, J. R. .. ..	October 29th ..	Postal and carrying.	
Johnston, J. .. .. .	August 24th ..	Plantation of tobacco and manufacture of ditto.	
Stone, Max. .. .. .	October 30th ..	Trading and township ..	North of Umbeloose River.
Dacombe, H. L. .. ..	November 13th	Inland navigation.	
Wyld, J. H. .. .. .	April 20th ..	Manufacture of soap, candles, and matches, and importation of firearms.	
Dacombe, H. L. .. ..	November 16th	Ferry boats and bridges.	
Cohen, N. H. .. .. .	December 3rd..	Mint.	
Parr, C. .. .. .	December 26th	Railway bars.	
Prosser and Gordon ..	December 29th	Gold extraction.	
	1889.		
Duncan, J. ... .. .	January 18th ..	Foundrys.	
	1888.		
Murphy, G. H. .. .. .	September 25th	Mineral.	
Player, J. E. .. .. .	September 4th	Pounds.	
Thorburn, J. .. .. .	December 22nd	All mineral land ungranted, and reversion of all concessions.	
Ewing, A. .. .. .	.. .. .	Milling concession.	
	1889.		
Maber, G. L. D. .. ..	January 20th ..	Printing and publishing.	
Cohen, Naph. H. .. ..	April 20th ..	Customs and treaties of commerce.	
Eckersley, F. .. .. .	February 21st	Sulphur springs and farming.	Inkanini Valley.
Harington, J. R. .. ..	July .. .. .	Reduction works for treatment of refractory ores.	
Thorburn and Town ..	July .. .. .	Treatment of tailings.	
Lissack, E. ... .. .	July 18th ..	Right to make application for concessions.	
Harington, J. R. .. ..	July 6th ..	The King's P/a to collect revenue and to increase or decrease it, &c.	
Meikle and Macnab ..	.. .. .	Manufacture of linen, cotton, and woollen goods.	

Name.	Date of Grant.	Nature of Grant.	Remarks.
	1889.		
Ewing, A. . . . .	October 2nd . .	Timber on Lebombo . .	On Davis and Morris Concession.
King, E. . . . .	.. ..	Practice of law.	
Rathbone, T. B. . . . .	June 27th . .	Timber grant . . . .	Seaforth Concession.
Forbes, D. . . . .	June 26th . .	Timber grant . . . .	Neumann's Concession.
Forbes, D. . . . .	June 18th . .	Timber grant . . . .	Forbes, Swears and others Concession.
Forbes, D. . . . .	June 18th . .	Timber grant . . . .	Acton's Concession.
Wyld, J. H. . . . .	June 18th . .	Manufacture of glass ware.	
Porges and Eckstein . . . . .	May 1st . .		
Simpkins, S. H. . . . .	April 3rd . .	Canteen right . . . .	Wyldesdale and Horo Concession.
Harington, J. R. . . . .	February 19th	Imposition of licenses, &c.	
Lissack, E. . . . .	February 22nd	Auctioneer and Market-master.	
Lissack, E. . . . .	February 22nd	Photography.	
Prosser, Gordon . . . . .	February 18th	Process of silver extraction.	
Wells, M. . . . .	February 18th	Process of gold extraction.	
Gordon, C. . . . .	February 28th	Process of gold extraction.	
Macnab, R. . . . .	March 6th . .	Patent medicines.	
Wilson, W. G. D. . . . .	March 28th . .	Lotteries and sweepstakes.	
Wells, M. . . . .	March 12th . .	Insurance and assurance.	
Harington, J. R. . . . .	April 20th . .	Townships.	
Cohen, N. H. . . . .	April 20th . .	Importation of tobacco, &c.	
Harington, J. R. . . . .	April 20th . .	Importation of diamond drills.	
Wells, M. . . . .	April 23rd . .	Timber and farming grant.	On Mananga Concession.
Verral, C. H. . . . .	May 22nd . .	Pawnbroking; issue of certificates for bonds, hypothecation, &c.; probate of wills, &c.	
Gordon, C. . . . .	May 18th . .	Mineral oils.	
Campbell, R. M. . . . .	April 26th . .	Use of steam.	
Macnab, R. . . . .	June 21st . .	Timber grant . . . .	On Lebombo Mountains.
Thorburn, M. F. . . . .	May 1st . .	Advertising, book-binding, lithography, and Government Gazette publication.	
Thorburn, M. F. . . . .	May 1st . .	Manufacture and use of gas.	
Cohen, Naph. . . . .	July 6th . .	Importation of machinery and tools.	
Cohen, Naph. . . . .	July 6th . .	Importation of cement.	
Thorburn and Watkins . . . . .	July 26th . .	All ungranted land south of Komatie River.	
Rathbone and Darke . . . . .	July 18th . .	Wool washing and pressing.	
Macnab, R. . . . .	March 3rd . .	Tanneries.	

No. 4.

SIR F. DE WINTON TO LORD KNUTSFORD.

Horse Guards, War Office,  
25th February, 1890.

MY LORD,

I have the honour to enclose further petitions from White residents in Swazieland, received since my return to England. These petitions are all drawn up on the same form, and the signatories are principally miners engaged in the different gold mining properties in Swazieland.

I also enclose the statement promised by Mr. Doering, the manager of the Forbes Reef Gold Mining Company, conveying information concerning the present position of the Company he represents, as well as a letter from a Mr. Adcock transmitting certain other documents.

I suggest that all these reports be attached to the Appendix.

I have, &amp;c.,

F. DE WINTON.

The Right Hon. Lord KNUTSFORD,  
Colonial Office, S.W.

To Colonel Sir Francis de Winton, R.A., K.C.B., &c., Her Majesty's Special  
Commissioner in Swazieland.

SIR,

As requested, I beg to submit the following, my views, on mining and mining interests in Swazieland.

I am at present manager of the Forbes' Reef Gold Mining Company, Limited, and have had mining experience since the summer of 1855, in various parts of the world; namely on the Gold Coast of West Africa, Mexico, Spain, India, Portugal, Bavaria, Galicia, Westphalia, Belgium, England, and Wales.

Forbes' Reef Gold Mining Concession covers an area of about 52,000 acres. It is bounded on the north by the Komati River, on the west by the Transvaal boundary, on the south by the Henderson and Forbes Gold Mining Concession, and on the east by C. S. Acton's Gold Mining Concession.

Geologically, the northern gold bearing region of Swazieland belongs to the lower Silurian group, and consists of various schists, coarse Silurian sandstones, conglomerates, quartzites, talcose slate, &c. Gold-bearing reefs intersect the strata. Some of these are true fissure veins, others are bed veins lying conformably with the strata encasing it, and this stratification extends uninterruptedly in a direction slightly east of north between Steynsdorp and Barberton, and apparently continues for many miles north of Barberton, and in an easterly direction for about 20 to 25 miles.

This comprises the so-called northern auriferous belt of Swazieland.

Recently a portion at the southern end of the Forbes' Reef property, comprising about 15,000 acres, has been detached and floated as a separate company, with a working capital of 90,000*l.* of which first issue, 40,000*l.*, is fully subscribed.

The capital invested in Forbes' Reef Gold Mining Company, Limited, previous to the present year, I am given to understand, amounts to about 30,000*l.*

The expenditure during the year 1889, under my personal supervision for labour on mines, permanent buildings, prospecting, and developing .. .. .	£
For new machinery about .. .. .	33,000
During the coming year to complete the work in progress it will require .. .. .	12,000
	25,000
Making a total of .. .. .	<u>£100,000</u>
The amount paid to King Umbandine for the Forbes' Reef Concession, in cash .. .. .	3,000
The annual rent paid by the Company is .. .. .	300
The sum already spent in prospecting .. .. .	9,000

Forty stamps at present at work of a weight of 750 lbs. each, thirty stamps of a weight of 850 lbs. each, together with the requisite concentrating machinery, &c., are now on the way up country from Durban. Seventy-eight White workmen and officials are employed, and 300 Kafirs and a manager, and ten British workmen have just

arrived from England and are now on their way up country to develop the property of the subsidiary Company.

It is the intention during the coming year to separate two or three other portions and form new companies with newly created working capital so soon as the necessary surveys and prospecting have been completed.

In dividing off these properties, the guiding influence is represented by the capabilities and facilities for working such properties; and these resolve themselves into the following conditions: the water power and the timber supply. Without these, any ordinary gold-bearing property would be valueless. No matter what the number of reefs may be, at this present time without the aid of cheap transport in the shape of railways, if there is not an adequate supply of power and timber, the working of these reefs would prove unremunerative, and for many years to come, until railways are built, the available water power must prove the limit which bounds the working of the gold mines in Swaziland and the Transvaal.

At Forbes' Reef (proper)—by this I mean that portion which is being thoroughly exploited and developed by the original Company, and which, when the sub-companies have all been abstracted, will still have an area of at least 15,000 to 20,000 acres—the water power at command may be estimated at 1,000 h.p., theoretical, which, when brought into practical use through the medium of a water-motor (turbine or pelton wheels), which in its turn will have to convert its force for the purpose of easy transmission into electric power, we may assume that the utmost effective power available will be about 500 h.p.

The machinery at present erected and that which we contemplate erecting will absorb one-half of this, hence we have still 250 horse-power available for new discoveries, and when discoveries are made this power will be at once requisitioned.

I mention this because a general impression prevails in the mind of the Transvaal Government and the uninitiated that dividing a country into small mining setts is more advantageous to the public than granting large concessions. I think I can prove satisfactorily that if Forbes' Concession were divided into small claims it could not, under existing circumstances, be made to pay; and I feel sure that anyone with ordinary mining experience will bear me out when I say that this has been one of the principal causes of disaster in the Transvaal. As already stated, the amount of water-power available in a district like Forbes' is the measure of the amount of mining which can be effected. In many instances where small mining setts prevail a poor and insignificant mine secures the sole right to use the limited water supply, by which means a richer and more worthy property is deprived of the means of working, unless the owners of the richer buy the inferior property, which, except for the water right, has no value, or the two properties amalgamate, necessarily to the detriment of the richer mine.

At Forbes' Reef the prospecting and developing is at present being vigorously conducted on the eastern slope of the Ingweniberg range, and although up to the present time nothing actually payable has been discovered, still the surface indications, the large amount of gold in the surface soil and stringers, are so strong that we have every reason to expect payable reefs in two or three places. Several thousands of pounds have been spent in prospecting on these slopes, which, in the hands of the ordinary claim-holder, would long ago have been abandoned. Should payable reefs be discovered on this slope of the Ingwemberg, the intention is to erect a central mill at the foot of one of the spurs of this range, about three-fourths of a mile from the present Forbes' Reef station, and run the quartz from these reefs by wire tram lines to the central mill. The power to work this mill will be obtained from a series of falls three miles off, and is the power already referred to, and the only source available. About 100 horse-power from this fall will have to be appropriated to supplement the 70 horse-power already existing at the main reef and existing mills. This extra power is necessary to drive the pumps, winding gear, and concentrating machinery at the Mills No. 1 and No. 2.

The area which these works will cover is about 15,000 to 20,000 acres. The number of draught oxen in use for hauling timber and stone required on the works about 90; milch cows, calves, and young bullocks about 80. The grass grown on this rough rocky surface is barely sufficient during the winter months to maintain without careful husbanding the above number of cattle absolutely necessary for carrying on this work.

Let me now assume the argument that this 15,000 acres is divided into small claims, such as prevail in the Transvaal, 150 feet on the run of the reef and 400 feet across it, for which a tax of 1*l.* per claim is payable. In order to obtain immunity from

interference, the existing company would have to secure the whole of this property by pegging out claims all over it, which would cost in monthly licenses 10,890%. It is needless to say that this is impossible, as it far exceeds the profits which the company contemplates earning. Hence the company would have to submit to other properties being interspersed between the several reefs at present in course of opening out, and these interloping companies would naturally try, and probably succeed, in obtaining some of the water-power available on the concession, and as this power is very limited in proportion to the amount of mineral to be treated, by so much of this power as they receive would they reduce the development and working of the present Forbes' Reef Company.

The position of these interloping companies, or some of them, would be such as to materially interfere with the communications between the said reefs and a central mill, a matter of some importance in the economical working and treating of the ores. Also the intervening companies would find it necessary to maintain cattle for hauling purposes and grazing. This, together with the mining timber they would require, which is decidedly limited on the property, would again abstract from the ability of the existing Company to carry on work.

The summary of the above may be taken as follows :—

- 1stly. The water-power is primarily the measure of the amount of work which can be executed in a given district such as that described as the central part of Forbes' Reef (proper).
- 2ndly. That if that property, instead of remaining in the possession of one company, had been divided into several smaller companies on the claim system, the water-power, distant three miles, might, and probably would, have been secured to one or more of the inferior reefs lying nearer the source of power, reefs perhaps scarcely worth working.
- 3rdly. The transport of the produce of the several reefs worked by Forbes' Reef Company to a central mill might be very much hindered and subject to a vexatious, and perhaps ruinous, taxation by intervening companies.
- 4thly. The Forbes' Reef Company, holding as it does the exclusive right to mine over a given district, has induced enterprising men to come forward with large capital, systematically prove the ground, abandoning no reef until satisfied that further expenditure would not be justified by the discoveries made. When prospecting at one place is abandoned, it is immediately taken up at another in a manner that private individuals or small companies would not find means to accomplish.

In this manner a sum exceeding 9,000% has been spent in prospecting and driving levels to prove ore ground outside of the main reef.

The Company, owing to the exclusive right it has to mine over a given area, is able to choose those reefs which appear the most promising, and therefore are able to apply the available water-power to the best advantage. Further, they can place their mill in the most advantageous spot for receiving quartz from several reefs without hindrance from or interfering with other companies.

These are great advantages, and greatly tend to the success of a mining enterprise, and this is fully recognized in all civilized countries where mining has been an industry carried on for many generations.

As an instance of how a valuable property may be damaged, I refer to the Sheba Mine, one of the greatest discoveries as yet made, not only in South Africa but in the whole world. This mine, if it had not been so hampered by the restrictive and unsuitable laws of the Transvaal, would, after so long a period of development, have become the greatest dividend-producing mine in the world.

In European countries, England excepted, where the minerals belong to the lord of the soil, mining grants usually contain 1,000,000 square metres, and the mining companies generally acquire several concessions adjoining one another, so as to obtain a proper control over water and other rights, and so as to bring a large area of mining land under one management, which is essential to economical production. These grants, when obtained direct from the Government of the country, cost nothing beyond the nominal fee for registration; and in some countries it is necessary to do a small portion of work per annum to retain the proprietorship of the concession—this is the case in Spain and Mexico. In all the countries of the world, the Transvaal excepted, the governing bodies are careful to tax mining as lightly as possible, being fully aware that any opposite policy would at once crush an industry, which, in England, taking the average of the successful and unsuccessful mines, does not pay three per cent. on the

capital invested. I believe a similar rate of profit holds good in other countries. It is only the occasional prize which turns up at intervals which tempts men to invest money in mining.

In conclusion, I beg to draw your attention to the fact that, as far as my experience goes, that portion of the gold-bearing district of Swazieland with which I am familiar is not richer than other gold regions which I have seen, and will require the same careful management and the same liberal treatment as gold mining receives in other countries.

Forbes' Reef owes its value to its position and the splendid water power it at present commands; take these from it and it must sink into insignificance, and the large capital expended will be unable to realise a profit. The same argument would apply to smaller companies, if allowed to peg out on this property within the sphere of this company's working, a course which would result in hindering development, and a prevention of profits all round. The system of small claims is also unfair from another standpoint. It is a very easy matter, when a payable reef has been discovered, for a person other than the discoverer, to peg out a claim on the line of reef only a few, say 100, feet from the rich discovery, and without having borne the toil and expense of prospecting. This in itself, apart from the important reasons already stated, ought to be sufficient to denounce the granting of small claims.

From the foregoing statements it will be seen that to apply the gold and other laws of the Transvaal to Swazieland would be to destroy the rising mining industry of that country.

Hoping that the above remarks, which I humbly submit to you, - may be of value in assisting you and the British Government in coming to a satisfactory conclusion,

I am, &c.,  
F. B. DÖERING.

Swazieland, *December 31st*, 1889.

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Barberton, Transvaal,  
*7th January*, 1890.

SIR,

In accordance with your instructions, I have the honour to enclose documents as per list attached.

Since the evidence of the representatives of the mining industry in Swazieland and this State was penned, another nail has been driven into the coffin of such industry by the enactment of a law (which came into force on the 28th of last month), whereby all persons who are even one day behind in the payment of their claim licenses, are fined one shilling and eight pence *per day per claim*; and whereby all claim holders are compelled to have a survey and plans made of their ground, thereby adding a further tax of from ten to one hundred pounds for surveyor's charges, to the, elsewhere, already unheard of imposts upon mining, and to the practical extinction of the industry so far as the prospector and the miner without capital are concerned.

These laws, being in Dutch, are of course quite unintelligible to 999 out of every 1,000 interested in mining, and great is the distress and loss they have caused and will cause.

I may mention that these facts have been pointedly brought to my personal notice. Having been away in Swazieland I was unaware of the existence of such a law, but on my return—though but a few days in arrear—was duly fined to the extent of some 25*l.*, in respect of properties upon which licenses have been paid for years, and from which there is no likelihood of any return for years to come.

This adds another reason to the many already adduced, which, in my humble opinion, entitles those interested in the mining industry of Swazieland to ask you to save it from the Transvaal and consequent extinction.

I have, &c.,  
FRANK ADCOCK.

To Colonel Sir FRANCIS DE WINTON, R.A., K.C.B., &c., &c.,  
Her Majesty's Special Commissioner,  
Government House, Cape Town.

[To be forwarded to the Colonial Office, London, if Sir Francis de Winton has sailed.]

(4708)

K

*List of Enclosures.*

1. Signed plan of the Havelock Concession, Swazieland.\*
2. Statement of George Hutchinson.
3.       "       Walter Carter.
4.       "       Harold Wheeler.
5.       "       William Scott and Hugh T. McCubbin.
6.       "       Gustave Hallé.
7.       "       Frederick Bernard Dœring.†
8. Addendum to Memorial of 16th December, 1889.
9. Memorial of residents in Swazieland and interest holders.

## STATEMENT OF GEORGE HUTCHINSON.

George Hutchinson of Kobolondo Concession, Swazieland, has been an inhabitant of Swazieland since February, 1883; has also had considerable experience in the Transvaal.

With regard to the boundaries of Swazieland as described in the Blue Book, one is the crest of the Makonjwa to the Tovainschlove, and thence to the poort where the Komati passes through at Forbes' beacon. The Transvaal have wrongly placed the beacons from the Boshlan to the Secelaselembi or Devil's Bridge, and thence to the poort where the Komati passes through as before mentioned. By this means the Transvaal have acquired about 60 square miles of Swazie territory, and taxes are now being collected by one Samuel Broadbent, against which Gomba, the cousin of the King, has protested. This matter requires immediate adjustment. With regard to the Transvaal the whole system of representation, taxation, and legislation, is in favour of a small clique and to the detriment of the European inhabitants generally. He has had much experience on the Transvaal gold fields. The mining laws of such fields are absurd, and totally opposed to the proper development of the mining industry. As a matter of fact, the imposts on mining far exceed the output of gold. The tenure of land is also very insecure, being only from month to month, and the taxes levied are at the rate of 10s. per month for 50 feet by 50 feet for residences, and one pound per month per claim of 150 feet by 400 feet. The treatment of natives by the Dutch is harsh in the extreme, and the whole of the Swazie Nation is bitterly opposed to being under their control. As an instance of Boer treatment, on the occasion when one Abel Erasmus (a Transvaal tax collector) was putting up the beacon at Newman's Peak, he demanded that certain Swazies should work at the erection of such beacon. These Swazies were under no obligation to work for Erasmus, and declined, on the grounds that they had to mind their cattle. Erasmus would not accept this excuse, and tied up five of the natives and thrashed them with a jambok most brutally. This Abel Erasmus is a perfect terror to the natives. Bovan, the Swazie General, came down to Matamas and objected to the beacon being placed where it was (Newman's Peak or Kamshlabuni) as being in Swazie territory. The whole of the White inhabitants are opposed to the Transvaal having any hand in the Government of Swazieland, and are quite able to govern the country themselves. The appointment of a British Commissioner in accordance with the terms of Convention of 1884, would be beneficial to Swazieland, and all that is necessary, and the expenses attending such appointment would be willingly borne by the inhabitants. One of the greatest annoyances, and much injury to the English people in the Transvaal, is the exclusive use of the Dutch language. No man's life, liberty, or property is safe in consequence of proceedings being held in a foreign tongue, and, moreover, it imposes heavy taxes on Englishmen by reason of translations which have to be made. There is no occasion for the exclusive use of the Dutch language, as all the officials speak English. Already the use of the Dutch language is attempted to be forced upon the English

\* Not printed.

† See page 74.

inhabitants of Swazieland, as instanced by the publication of all telegraph forms and notices in that language.

On witness's first visit to the late King of Swazieland (in 1883), the King said to him, "When the English gave the Transvaal back to the Boers they should have returned the strip of country which I gave not to the Boers but to the English, back to me."

GEORGE HUTCHINSON.

Witnesses—

ALLISTER M. MILLER.

STATEMENT OF WALTER CARTER.

Walter Carter, residing at Pigg's Peak, Swazieland, says, that he has been a resident in Swazieland for the last 10 years; he came into Swazieland with McLachlan, found the first gold, and obtained the first mineral concession conjointly with McLachlan. He is a member of the Swazieland Government Committee since its formation, and a Justice of Peace for the whole of Swazieland. He is well acquainted with the natives and with the feeling which prevails amongst them. They are extremely well disposed to the English, and he has met every consideration from them; although so well disposed to the English they have a rooted objection and distrust of the Boers, and if the country were to be handed over to the Boers there would unquestionably be bloodshed. Already the Swazies complain that the Boers are seeking to collect taxes within Swazieland, viz., on the Transvaal border, adjoining Moodie's Farms, the boundary of which was fixed by Major Alleyn; in fact, the beacons have been removed and replaced further into Swazieland, and an independent survey is necessary. Another cause of complaint is, that the strip of country extending to the Kantoor, which was handed by the Swazies to the British when the Transvaal was British territory, should not have been given up by the British to the Boers, as it was never intended that that strip of country should belong to any other country than the British. There are practically no Boer residents in Swazieland; they only come in at certain seasons to graze their flocks for some three months in the year, and for such permission pay two or three sheep or some other nominal consideration.

Witness is the holder of mineral rights, and represents a capital subscribed of 275,000*l.* He is well acquainted with the Gold and other Laws of the Transvaal, and he is certain that if these laws are inflicted upon Swazieland the gold industry of this country would be ruined. The exclusive use of the Dutch language, which is only spoken by the minority of the inhabitants of the Transvaal, would also prove highly detrimental and irritating. And the absolute refusal on the part of the Transvaal to admit of the representation of the European inhabitants is another gross injustice, which would be extended to Swazieland if that country were placed under their control, whilst the heavy taxation and the hoarding of the funds of the so-called Republic, instead of spending them in the erection of railways, roads, and bridges, is another cause of well-merited distrust on the part of the majority of residents in this country. I may state I am not one of the hungry concession seekers who have flocked into this country, and who have been the means of creating all the trouble and disturbance we have met with. I have never asked from King Umbandine anything but the extension of the lease of the ground granted to McLachlan and myself in the year 1880.

WALTER CARTER.

Embekelweni,

3rd December, 1889.

As Witness—

ALLISTER MILLER.

## STATEMENT OF HAROLD WHEELER.

Harold Wheeler, residing at Cobolondo, in Swazieland, says: I have resided some 14 years in the Transvaal and Swazieland, and am interested in gold mines in that country, and am well acquainted with both countries.

The whole system of Government in the Transvaal is directed to advantage the Boers and to impose disabilities upon the English, and this position is effectually maintained by the exclusion of the English from any part in the representation of the so-called Republic. Another restriction which is most prejudicial to the English inhabitants of the Transvaal is the statutory exclusive use of the Dutch language in all Courts and in all public markets, &c. This enactment can only be attributed to pure malice and race hatred on the part of the Boers, for the majority of the inhabitants are English-speaking, as are the officials of the Republic. So bitter is the hatred of the English and their language that the latter was publicly denounced in the Parliament of the Republic and compared to the gobble of a turkey!

The mining laws of the Transvaal are most oppressive, and render the effectual development of the gold industry impossible. In no other country do such oppressive laws exist, and these drawbacks are accentuated by the utter absence of railways, roads, and bridges, although the taxation is excessive; and notwithstanding the lavish expenditure of money in salaries of Government officials, an immense surplus lies idle in the public treasury. There is no security of tenure, and yet taxes upon land are exacted which would only be reasonable in the densely crowded towns of an old country. At the rate charged by the Transvaal Government for 50 feet by 50 feet of land for residential or business purposes, its value if capitalised at 5 per cent. would amount to the ridiculous sum of 2,090*l*.

From my long experience of the Swazie people I am able to say that they both hate and dread the Boers. They may not have the courage to come before the Commission and say so, but it is certain that if the Boers are permitted to have the country the Swazies will arm, and they will undoubtedly be assisted by the English in Swazieland, and probably by a large contingent from the Transvaal, where the disgraceful treatment of the English has caused a deep-rooted hatred as is proved by the expression of opinion of the public press, two editors of which are now being prosecuted for sedition, *i.e.*, having stated the case of English oppression.

Were Swazieland handed over to the Transvaal it would be impossible for that country to have two different sets of laws, and the consequence would be that the Gold Laws of the Transvaal would prevail. Should this occur, the rapidly developing mining industry of Swazieland would be doomed to extinction, and the rights, liberties, and property of the English inhabitants jeopardized.

HAROLD WHEELER.

Embekelweni,

4th December, 1889.

Witness to the signature of Harold Wheeler—

FRANK ADCOCK, *Advocate*,  
Swazieland.

## STATEMENT OF WILLIAM SCOTT AND HUGH T. McCUBBIN.

Be it hereby made known—

That on the Thirtieth day of December, in the year One thousand eight hundred and eighty-nine, I, Douglas Flemmer Gilfillan, of Barberton, South African Republic, by lawful authority duly admitted and sworn, did see William Scott and Hugh T. McCubbin, the persons whose names appear in the within paper, writing, or statement, duly sign and execute the same, in the presence of Edgar Taylor and Henry J. Hillary as witnesses; and that the signatures, W. Scott, Hugh T. McCubbin, Edgar

Taylor, and H. J. Hillary, are of the proper handwriting of the said persons ; of all which, an Act being requested, I have granted these presents, under my hand and notarial seal, this Thirteenth day of December, 1889, in the presence of the subscribed witnesses.

D. F. GILFILLAN,  
*Notary Public.*

As witnesses—

JNO. J. FISHER.  
M. J. BUTTERMAN.

Statement of William Scott, Manager, and Hugh T. McCubbin, Inspecting Manager, by appointment representatives in South Africa of the Company known as the Havelock Gold Mining and Exploration Company, Limited ; sheweth—

1. That this concession is a grant of land for mining and other purposes, obtained by Thomas McLachlan from the Swazie King in the year 1882. Thomas McLachlan ceded this portion to the Havelock Syndicate on the 17th December, 1886, and on the same date a special grant or ratification of grant in respect thereof was given by Umbandine, the Swazie King, with certain alterations.

2. The grant is situate on the northern boundary of Swazieland, and is divided from the ground of the Forbes' Gold Mining Company by the Komatie River, and bounded [? by that River] on the west, by the Pigg's Peak Gold Mining Company's Concession on the east, by the Ruby Creek Company's Concession on the south, and by the Transvaal Convention line on the north.

We beg to bring to your notice the fact that we do not consider or acknowledge that the boundary line as at present claimed by the Transvaal Government is the correct one, or that it is in accordance with the Convention of 1884, and it does not agree with the line laid down by the Convention Commissioners, of whom Major Lane was one. The Transvaal Government now claim the watershed of the Makongwe, whereas the Convention states the crest of the Makongwe to be the boundary, which is a variation of the description, and makes, in this instance, a great difference in the extent of the grant owned by the Havelock Company.

We recommend this statement to the consideration of H.B.M. Commissioner.

3. The present grant is to work all minerals on the concession for fifty years, with right of renewal for a further period of fifty years from the 17th December, 1886.

4. The above Company was formed and registered in England in 1888, with the object of prospecting and working the said concession.

5. Since May, 1887, prospecting and mining have been systematically carried on, and the sum of 15,000*l.* sterling has been spent in developing the resources of the mineral grant, the following work having been effected, viz. :—

The erection of a ten-stamp battery, and turbine, &c.	
The construction of a water-race and placing of fluming.	
Driving in mining	= 2,000 feet.
Sinking	„ = 1,000 „

There are 20 White men employed on the grant, all British subjects, and about 100 natives of various nationalities.

6. The registered capital of the Company is 120,000*l.* ; the head office is at Liverpool.

7. We consider that many monopolies and other concessions granted by Umbandine are detrimental to mining interests, and against the terms of our original grant. The King denied to us that the Revenue and the Import and Export Concessions were intended by him to affect our grant, and he gave the Company a document to that effect on the 17th May, 1889.

8. The Havelock Concession was purchased by the Havelock Gold Mining Company on the faith of the Convention of 1884, whereby the Transvaal Government undertook not to interfere with the integrity of Swazieland, and whereby England also undertook to protect such integrity.

The laws of the South African Republic upon mining, its customs tariff, its amassment of money, its laws as affecting foreigners, do not indicate an amicable disposition

towards mining industry, and we believe that in the event of the South African Republic obtaining the governing power in Swaziland, the inhabitants would gain no privilege beyond the people of the South African Republic.

In witness whereof we have hereunto set our hands on this the 13th day of December, 1889, in the presence of the subscribed witnesses, at Barberton, South African Republic.

WM. SCOTT.  
HUGH T. McCUBBIN.

As witnesses—

EDGAR TAYLOR.  
H. J. HILLARY.

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STATEMENT OF GUSTAVE HALLÉ.

Steynsdorp, 28th December, 1889.

I, Gustave Hallé, Managing Director Unity Gold Mining Co. (Ltd.), London, 100,000*l.* capital, Manager Komati Gold Fields Syndicate (Ltd.), London, 30,000*l.* capital, Concessionaire Imdimba Concession, Swaziland, floated 16,500*l.* capital, formerly Head of the Public Works Department, Orange Free State Government, hereby depose and certify that, as holder of a mineral concession in Swaziland, I am entirely opposed to the charge of the administration of Swaziland being in any way or form confided to the Government of the South African Republic.

1st. Because a five years' experience as Head of the Public Works Department in a South African Dutch Republic, the Orange Free State, during which period some 400 works, bridges, railway and irrigation surveys, buildings, &c., were erected throughout the country, enabling acquisition of a thorough knowledge of the Boer people, has convinced me of the insufficiency and incapability of the Boer people, as rulers of a country in process of rapid development. A four years' experience of the existing administration in the South African Republic as Managing Director and Manager of various gold mining companies and syndicates having strengthened the above convictions.

2nd. Because for the under-mentioned practical reasons, the present actual administration of the South African Republic, as affecting the gold mining industry, is most unsatisfactory and detrimental to the said industry and its proper development, and the committal of the administration of Swaziland to the said Republic would inevitably subject the gold industry of Swaziland to the same disadvantages, disabilities, and evils.

The following are some objections to the present gold legislation and regulations of the South African Republic regarding the mining industry:—

- (a.) The licenses on gold properties, namely, 1*l.* per month per claim of 400 feet by 150 feet for diggers; 5*s.* per month per claim for prospectors, and 5*s.* per month per morgen for mining leases, are far too high, and are, out of proportion, heavier than obtain in other gold mining countries. Licenses in Queensland are merely nominal. Licenses in South America are six dollars for 25 acres per annum. On the Unity Mine, of which I am Managing Director, the licenses amount to—

£576	per annum for claim licenses ;
48	„ „ on powers of attorney ;
3	„ „ for machine stands ;
<hr style="width: 10%; margin: 0 auto;"/>	

A total of £627 „ „ on 48 claims ;

or 70 acres, as against 16 $\frac{4}{5}$  dollars, or under 5*l.* per annum, that would be charged in South America for an equal extent of ground.

- (b.) The Kafir labour tax of 1*s.* per month per boy, or 60*l.* per annum per 100 boys, is harassing and costly, and the method of enforcement by imprisonment of natives interferes gravely with the working of the mines.

- (c.) The license on cutting timber for mining purposes of 2*l.* per load, or 1*l.* per ton, is excessively high.
- (d.) The dynamite concession granted by the South African Republic Government acts most injuriously on the mining industry, by removing competition and compelling the indiscriminate use of an inferior article, available only for certain kinds of rock.
- (e.) The import duties on machinery and necessaries of life are excessive and crushing to the mining industry. Production in the South African Republic is insufficient for the needs of the country, and is not increasing, and even if there were an effort on the part of the Boer population to meet requirements, the difficulties of transport would be sufficient protection against competition from without.
- (f.) The compulsory use of the Dutch language is a serious inconvenience and cause of expense, and an evil only mitigated by connived-at evasion.
- (g.) The enormous sums derived from mining licenses, &c., are not employed on public works, or reliefs to the mining industry, but are squandered away on political measures, such as the purchase of Swazie concessions, &c. Serious inconvenience and loss is caused by the absence of bridges, and the consequent regular interruption and complete breakdown of the postal service every rainy season.
- (h.) When sums are granted for roads, &c., they are inadequate, and the administration is so faulty and inefficient that the money is expended to no purpose. As an instance, 1,000*l.* was voted for a road to Steynsdorp. One-half packet of dynamite was used in its construction, and it is now impossible to draw an empty wagon up it with 14 oxen. The 1,000*l.* was paid the Contractor, a brother-in-law of General Smit, and the road, though only completed last year, is now unused and abandoned.
- (i.) The administration of the gold law, such as it is, is neglected by the Government. The diggers' committees in the Komati, Barberton, &c., have practically lapsed owing to the impossibility of obtaining confirmation from Government of the required regulations.
- (j.) The opposition of the Volksraad to practical commencement of a railway system, or granting of private tram rights, is not only injurious, but evidence of a spirit of hostility to the new industries and progress generally.
- (k.) The following points in the gold law and common law affecting the mining industry are objectionable and harassing, and their evasion connived at :—

The heavy fine on Sunday working, if carried into force, would compel the raising of capital of companies by 15 per cent., by limiting present output. Sunday work is, moreover, at times unavoidable.

The requirements of reports, diagrams, &c., are harassing and impossible of execution in the manner laid down in the gold law.

The requirements of this kind laid down place one dangerously at the mercy of officials acknowledged to be, as a class, of an inefficient and insufficient character, and often venal.

No reliable water rights are granted. No regard is had to the future requirements of companies when more machinery requires more power. Acquiring additional power by purchase is not even admitted. The tendency of the gold law is to create a number of small concerns, multiplying expenses and lessening chances of carrying out mining operations successfully.

There is no right of purchasing ground in mining districts even when not mineral bearing, for use as deposits for tailings and ottele, erection of buildings, &c., all holdings for such purposes, being limited to very small plots, held under heavy rents, and on precarious tenure.

The extension of area of gold properties, under the present necessity for treating any adjacent ground desired as a separate and independent block, is rendered difficult and costly.

- (l.) The administration of justice and security to life and property, are defective throughout the South African Republic. The choice of officials as Landdrosts, mining commissioners, &c., being limited to a small body of Hollanders and Transvaalers is often unsatisfactory and insufficient. The methods of administration are marked by hostility to the newer population. For instance, in the recent lynching case in the Komati, eight men were confined for six months, without trial, on evidence dismissed ultimately as utterly insufficient.

(m.) There is no representation of the mining industry in the Volksraad. There is an openly expressed determination on the part of the President and the majority not to allow of one, or to postpone it to the uttermost limits (sitting of Volksraad 26th July, 1889).

The difficulty of obtaining representation is most injurious to the mining industry.

In fine, the above points are, in my opinion, indicative not only of insufficiency on the part of the present administration, but of hostility of the Boer portion of both Government and population towards the newer population; and to all sufficient progress or recognition, so long as it can be avoided, of the rights of the mining communities.

My experience as an official under a Boer Government has convinced me that these are the ruling characteristics of both the Orange Free State and Transvaal Volksraads.

Not only therefore would the handing over of Swazieland to the South African Republic mean the placing that country under a Government of proved incapacity and inefficiency, but it would subject the care for the progress of the country to a people avowedly hostile to all progress.

Moreover the present administration of the South African Republic contains points (such as the compulsory use of the Dutch language, the limiting of the franchise, and representation, &c.) so detrimental to the mining and general interests of Swazieland in event of such annexation, that it would be impossible to voluntarily accept such annexation without firm guarantees of security against them. These points, however, are so determinately fixed in the Boer policy, and so hateful to the newer population of the South African Republic itself, that it would be impossible to expect a genuine respecting of such guarantees, nor a confirmation of them by the Volksraad, nor the submission of the mining population of the South African Republic to their maintenance in the South African Republic if abrogated in Swazieland. Conflict and disturbance being inevitable on these grounds.

The whole question of concessions in Swazieland is, moreover, so complex, that it would be impossible to view without grave apprehensions, the handing over the settlement of this question to a Government that has established in its own borders a system of hardly less confused or detrimental a character, and which has already spent 90,000*l.* in acquiring Swazie concessions, sometimes of very doubtful description.

GUSTAVE HALLÉ,

*Assoc. Mem. Inst. C.E.*

Managing Director Unity Gold Mining Co.

Concessionaire Indimba Concession, Swazieland.

ADDENDUM TO MEMORIAL OF 16TH DECEMBER, 1889.

We the undersigned having read the memorial sent in to Sir Francis de Winton, by the representatives of the mining interests of Swazieland, hereby express our concurrence with the views and petitions therein contained, and our conviction of the danger to the said mining interests that would accrue from the introduction into Swazieland of the system of taxation, and gold legislation that obtain in the South African Republic.

HAROLD WHEELER,

Cobolondo Concession.

WM. PIGG,

Black Diamond Creek Concession (Proprietor).

## MEMORIAL OF RESIDENTS IN SWAZIELAND AND INTEREST HOLDERS

Colonel Sir F. de Winton, R.A., K.C.B., &c., Her Majesty's Special Commissioner  
in Swazieland.

We, the undersigned, residents in Swazieland, or holders of interests in that country, beg to submit the following our memorial to your Excellency, with the request that you would be pleased to lay the representations and humble petitions herein contained before Her Majesty, namely—

1st. That whereas the undersigned, in reliance on the suzerainty of Her Majesty over South Africa, and on the recognition of the independence of the Swazie Nation, set forth in the London Convention of 1884, have elected residence in Swazieland for the pursuit of their lawful callings, or have acquired rights and interests in that country, whether by direct purchase from the King and nation, according to form and custom recognised among the Swazie people, or by purchase and acquirement, wholly or in part, of rights and interests purchased and acquired from the Swazie King and nation, by others, in similar reliance on the said suzerainty and convention, and in full accordance also with form and custom recognised by the Swazie people.

2nd. And whereas it has now been decided by Her Majesty's Government, in conjunction with the Government of the South African Republic, to enquire by Commission into the relations of the subjects of both Governments in Swazieland, both as between themselves and with the Swazie people, and to decide on the form of the future Government of the country.

Now, therefore, the undersigned desire to respectfully submit the following representations regarding the present position and prospects of the general interests of the White inhabitants of Swazieland, and of the great body of interest holders in that country, namely :—

- (a) That the general body of interests held by the White inhabitants and interest holders aforesaid may be best divided into the three great branches of the mining, commercial, and agricultural or grazing interests.
- (b) That the mining interest is now represented by companies, syndicates, &c., floated mostly in England, for an aggregate capital of close on 3,000,000*l.* (three million pounds), now mostly at work, for periods ranging up to seven years. Also, by concessions of value, as yet undeveloped, and in process of flotation.
- (c) That the results of work done, and capital laid out to date, have been to show definite promise of a permanent mining industry of fair value, capable of paying fair returns under fair and moderate burdens.
- (d) That the commercial interest is now represented by stores, hotels, and places of general business, of an estimated value of upwards of 85,000*l.* ; by a transport plant of an estimated value of 25,000*l.* ; by an annual import of close on 250,000*l.* ; by, further, a cattle trade of an estimated value of 20,000*l.* (annual) ; by a mealie trade of an estimated value of 10,000*l.* (annual) ; by a floating trade (of feathers, hawking, &c.) of close on 5,000*l.* (annual) ; by a hide trade of an estimated value of 2,000*l.* (annual).
- (e) That trade generally may be said to be in a favourable position and rapidly increasing.
- (f) That the commercial interest is now established on a firm footing, and shows definite promise of permanent and satisfactory progress and development under fair and moderate burdens, and established governmental security.
- (g) That the agricultural and grazing interests are showing an increase in value of farming and grazing rights, and an increase also in the number of holders of interests in this class ; that ground is being gradually brought under cultivation ; and that a considerable portion of the eastern district is being planted with tobacco and mealies for export *via* Delagoa Bay ; that this interest is now established on a firm footing, and shows definite promise of permanency and development.
- (h) That, therefore, the mining and agricultural interests are now established as permanent productive industries, and that the commercial interest is developing in sympathy and accordance.

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- (i) That the establishment of the said interests and industries of the country has been accomplished without injury to, or interference with, the native population, and that their development is at present affording benefit and an increase of prosperity and comfort to the said native population, and shows definite promise of a continued and increased benefit and advantage in the future.

Your memorialists would, therefore, point to the definite and peaceful establishment of White interests in the country now accomplished, and to the total absence of injury to, or interference with the natives, caused thereby, as rendering the establishment of a firm, equitable, and permanent form of government of the most urgent necessity and desirability in the interests of the White interest holders and natives alike. Further—

Your memorialists would desire to represent that, owing partly to the unsettled condition of the affairs of the country prior to the late King's death, there is reason to fear that not only are several of the later concessions of a nature conflicting with rights and concessions previously existing, but that others have been granted which are opposed to the general welfare and prosperity of the country. It is not to be concealed that there is apparent in the multiplicity of objects and purposes for which concessions have been applied for and obtained an intention and desire to create monopolies over every conceivable industry, interest, and occupation which may be expected to develop with the natural development of the country.

Your memorialists are, therefore, of opinion that it is desirable and necessary in the interest of the future safety and progress of the country that a judicial examination be made as immediately as may prove practicable into the position of the whole question of Swazieland concessions, to the permanent establishment of all legitimate rights and title; to the final decision of conflicting claims; and to the security of the whole interest of the country in such cases wherein it may be proved that concessions have been granted of a nature illegitimately restrictive of the future freedom and right of action of the population, and thereby out of the power of the Swazie King to grant, or of the concessionaires to legally obtain or practically carry into effect. Further—

Your memorialists would represent the urgent necessity for an examination into the whole question of the so-called Little Free State, and also into the boundary question on the north-east border, east of the Komati Poort. Further—

Your memorialists beg respectfully to represent that having received a notification from Colonel Martin, on behalf of Her Majesty's Government, at a meeting at the Indimba Station on the 29th July, that it would be impossible for Her Majesty's Government, or for the Government of the South African Republic, to entertain petitions for the annexation of Swazieland to either Her Majesty's dominions or to the South African Republic, the London Convention of 1884 having bound both Governments to the recognition of the independence of the Swazie Nation, your memorialists have abstained from the formulation of petitions bearing on this subject.

Your memorialists are, however, compelled to note that this course has not been adopted by other parties having or purporting to have interests in Swazieland, but that at the said meeting of the 29th July, a motion was carried in favour of annexation to the South African Republic.

Your memorialists would therefore represent that whereas at the said meeting the formality of a scrutiny of the voting power of those present was dispensed with, the proceedings of and motions carried at the said meeting were nugatory.

Further, that the heavy proportion of Swazieland interests held by persons resident in Europe or at a distance from the country, makes it a matter of entire impossibility to obtain general meetings in Swazieland itself, which can be accepted as in any way representative of the body of interest holders as it exists.

Your memorialists would represent that the grazing right holders, forming a large proportion of those present at the said meeting and similar meetings, are subjects of the South African Republic, resident in that country, and that the said grazing rights have been sub-divided among a number of subjects of the South African Republic, living within easy distance of the Swazie border and easily massed for purposes such as the meetings aforesaid.

That your memorialists would represent that the above persons cannot be held as grazing right holders (where properly qualified) to represent a stake in the country equal to that of either of the other interests, in that they are not resident in Swazieland, that they take up abode, in tents and wagons, in that country for a period of three months only, per annum, and that they provide nothing to the public revenue, payments for such rights being made to the natives in goats and cattle.

Your memorialists, therefore, respectfully notify that they hereby repudiate the action of the meeting of July 29th, or of any other so-called general meeting held previously, or that may subsequently be held under similar circumstances, as in any way binding on the whole body of interest holders.

They would represent that the said whole body of interest holders can only adequately be represented by memorial from or representatives chosen, severally, by the three great bodies of interest holders acknowledged in the country, and set forth above, the mining, commercial, and agricultural or grazing, or by general memorial endorsed by signatures capable of being verified as those of persons qualified to act as holders or representatives of Swaziland interests.

Further, the said action of the so-called general meeting of the 29th July, having afforded tangible proof of the existence of an agitation in favour of annexation of Swaziland to the South African Republic, your memorialists desire hereby to repudiate all sympathy or connection with the said agitation.

They would draw attention to the fact that many Swazie Concessions such as the railway, postal, telegraph, and so-called revenue concessions, have been purchased by the agents of the South African Republic, and have in part been already initiated in connection with the Government service of the South African Republic, and on the exclusively Dutch system obtaining in that Republic; that the stamps of that Republic are now being brought into use in Swaziland, and that the necessary notices in connection with the above telegraph and postal concessions are being published in the Dutch language only. They would represent that the above facts afford proof of an assumption as to the fate of the country and a disregard of the English interests therein which your memorialists cannot regard but with the gravest apprehension.

Your memorialists desire to represent that they are, many of them, holders of interests—mining, commercial, and other—in the South African Republic, and that they are abundantly acquainted with the legislation of that Government whether as regards mining legislation or the common law, as also with the general circumstances under which the mining, commercial, and general industries are pursued in that Republic.

That the whole system of licenses and mining legislation of that Republic throws an excessive burden on that industry, and thereby acts directly to the detriment of the mining, and indirectly to the detriment of the commercial, industries of that country.

That the revenues of the South African Republic are drawn for the greatest part from the mining industry, and but to a small degree from the agricultural, and that so unequal a distribution of burden cannot fail, and has not failed, to act detrimentally on the welfare of the whole country.

That the revenue derived annually from the mining industry of the South African Republic exceeds the total annual output of gold, a position of affairs financially unquestionably unsound.

That a considerable annual surplus has thereby resulted; that the apparent soundness of the financial position thereby obtained has, in reality, been effected at heavy cost to the mining and other industries of the country; that it has not been utilized, when obtained, to the benefit of the general industries of the country, in the raising of loans for the railways and public works urgently demanded by the said industries, but has been devoted to the excessive augmentation of salaries, to transactions such as the purchase of Swaziland concessions, &c., or deposited in banks.

That no commencement has been made in the South African Republic with the public works, bridges, roads, &c., demanded by the industries of the country, nor any desire shown to hasten the opening up of the country by railways.

That the system of concessions, such as the Explosives Concession, &c., existing in the South African Republic is fraught with detriment to the mining and commercial interests of that country.

That the veto on the use of the English language in the Courts and offices of the South African Republic, notwithstanding that the mining and commercial interests and the professions are almost exclusively in the hands of English-speaking people, acts detrimentally on the pursuit and progress of the said industries and professions, and is in opposition to the spirit of the London Convention.

That the prohibitive nature of the import duties on the necessaries of life in the South African Republic, unaccompanied as it is by any sufficient increase in production in the country itself, combined with the delays in initiation of a railway system, constitutes a danger to the welfare of the country, and to the personal security of the inhabitants alike, that is sufficiently testified to by the late danger of famine in that country.

That the insufficient representation in the Legislature of the greater industries  
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and interests of the South African Republic, combined with the disproportionate representation of the agricultural interest only, acts to the serious detriment of, and is of grave danger to, the mining, commercial, and general interests of the country.

That the system of native government existent in the South African Republic, the restrictions thrown on the employment of Kaffir labour by the pass and permit systems, acts detrimentally to the mining, commercial, and general interests of the country, and affords evidence of a general system and principle in the native question the introduction of which into Swaziland could only be viewed by your memorialists with the gravest apprehension.

That the said system and principle with regard to the native question, in the South African Republic, has been the cause of a widely-spread feeling of distrust and hostility on the part of the Swazi native population towards the Government of the South African Republic.

Your memorialists are therefore of opinion that the annexation of Swaziland to the South African Republic, or the introduction of the general systems, principles, and circumstances obtaining in that Republic, could not fail to act detrimentally on the pursuit and progress of the mining, commercial, and general industries of Swaziland, and on the welfare and safety of the native population.

In fine, Your memorialists viewing the fact that—

The peaceful establishment of consolidated White industries in Swaziland is now an accomplished fact :

That the said industries and interests are already of considerable importance, and afford promise of permanency and development :

That the said establishment of industries has been accomplished without injury to, or interference with, the native population ; that it has, on the contrary, contributed to their prosperity :

Would respectfully urge the necessity for the prompt establishment of a firm, equitable, and permanent form of Government, in the interest of the White and native populations alike, whether as regards internal progress or outward protection.

They would point to the grave danger to which the peaceful development of the country is exposed, in the present total absence of a definite and organized White governmental service and police.

Further, and for the reasons hereinbefore set forth, your memorialists, viewing the complications that have arisen with regard to the later concessions, would urge the necessity for judicial examination into the whole question of concessions.

Further, your memorialists would urge the necessity for an examination into the question of the so-called Little Free State.

Further, your memorialists, viewing the agitation now in progress in favour of annexation of Swaziland to the South African Republic, viewing the fact of the purchase of important Swazie concessions by the Government of the South African Republic, and their initiation in Swaziland, in connection with the service of that Government, and in a spirit of exclusion of English language or influence ; viewing the unsatisfactory nature of the system, principles, and circumstances under which the mining, commercial, and general interests and industries are now pursued under the Government of the South African Republic, and in that country ; viewing, finally, the grave dangers of complications of the native question that would arise from the introduction into Swaziland of the systems pursued by the Government of the South African Republic towards the natives of that country.

Are compelled to represent that the annexation of Swaziland to the South African Republic would be fraught not only with grave injury to the development of the general White interests of Swaziland, but would be accompanied with serious dangers also of complications of the native question.

Wherefore, your memorialists would respectfully request your Excellency to present the following, our humble petition, to Her Majesty :

That Her Majesty would be graciously pleased to provide for the early establishment of a permanent form of Government in Swaziland.

And that Her Majesty would be graciously pleased to order that the said form of Government be directly under the protection and suzerainty of the British Crown.

And your memorialists, from a long residence in Swaziland or intimate knowledge and experience of the wishes and disposition of the native population, are firmly of opinion that a settlement of the country on the lines of the above humble petition would be accepted as satisfactory by the said native population.

And Her Majesty's humble petitioners will ever pray.

J. W. T. McCUBBIN,

And 197 others.

No. 5.

LORD KNUTSFORD TO SIR F. DE WINTON.

DOWNING STREET,  
March 9th, 1890.

SIR,

I have the honour to acknowledge the receipt of your letter of the 25th ultimo,\* enclosing your report on Swaziland, and to convey to you the thanks of Her Majesty's Government for the care, tact, and judgment with which you discharged the important duty entrusted to you, as well as for your clear and complete statement of the conditions which have to be dealt with.

Although Her Majesty's Government will probably not be able to adopt your recommendations in their entirety, they have no hesitation in accepting the greater part of your conclusions, and are glad to find that you were able to obtain the concurrence of the Commissioners of the South African Republic to a considerable extent.

I shall have pleasure in conveying to Sir Henry Loch and to the Secretary of State for War your appreciation of the good services rendered by the members of your Mission.

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

Colonel Sir FRANCIS DE WINTON, K.C.M.G.

\* No. 3.



SWAZILAND CONVENTION (MR. HOFMEYR'S REPORT).

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RETURN to an Address of the Honourable The House of Commons,  
dated 5 June 1891 ;—for,

“ COPY of Mr. *Hofmeyr's* REPORT on his recent MISSION to *Pretoria* in  
connection with the SWAZILAND CONVENTION.”

Colonial Office, }  
12 June 1891. }

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ROBERT G. W. HERBERT.

---

( *Mr. Whitley.* )

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*Ordered, by The House of Commons, to be Printed,*  
*15 June 1891.*

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---

COPY of Mr. HOFMEYR'S REPORT on his recent MISSION to *Pretoria* in  
connection with the SWAZILAND CONVENTION.

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Sir *H. B. Loch* to Lord *Knutsford*. (Received 16 September 1890.)

Government House, Cape Town,  
22 August 1890.

My Lord,

I HAVE the honour to enclose, for your Lordship's information, a letter which I have received from the Hon. J. H. Hofmeyr, reporting on his mission to Pretoria.

Mr. Hofmeyr speaks in the highest terms of the courtesy of the Government of the South African Republic, and the sincerity of their desire to arrive at an amicable settlement. I have already in a separate Despatch\* expressed to your Lordship my appreciation of the great services which Mr. Hofmeyr has rendered to South Africa.

I trust your Lordship will note the favourable terms in which Mr. Hofmeyr speaks of Mr. Smuts, who is a young man of much ability in the Cape Civil Service employed in my office.

I have, &c.,  
(signed) *Henry B. Loch*,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.  
&c. &c. &c.

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Enclosure.

Sir,

Cape Town, 18 August 1890.

THE many telegrams and the copies of my letters to his Honour President Kruger, which I had the honour to address to your Excellency from Pretoria, together with the verbal communications I have made to you since my return to Cape Town, contain full details of the manner in which I have carried out the mission to the Government of the South African Republic with which I was entrusted by your Excellency on behalf of Her Majesty's Government, and which led to the signing by his Honour on the 2nd instant of the Swaziland Convention, altered and amended to be more in accord with the views of the Government of the South African Republic, and to its subsequent ratification by the Volksraad.

I have very little to add calculated to throw fresh light on the subject.

The negotiations at Pretoria were considerably protracted, owing greatly to the fact that the time of his Honour the President and of other members of the Executive Council was very much taken up by the Volksraad, which happened to be in Session during my stay at Pretoria. I, however, found not only his Honour specially, but also the Executive Council as a whole, ever prepared to give me audience, to frankly explain the difficulties which stood in the way of their acceptance of the Convention as originally drafted, and to assist in the devising of compromises on various points, which, while to some extent removing their objections, might prove more or less acceptable to Her Majesty's Government.

Strong

Strong though the feeling of his Honour the President and of the Executive Council was with reference to various clauses of the proposed Convention, the good understanding between us was never once disturbed. They fully realised that it was highly necessary that an arrangement should be arrived at between Her Majesty's Government and the South African Republic before the Provisional Government Committee in Swaziland expired on the 18th of this month, and for that reason they accepted the Convention as finally modified, although they regarded several of its provisions as far from satisfactory.

It appeared to me that not only in the Executive Council and in the Volksraad, but also among the burghers throughout the length and breadth of the South African Republic, there is an intensely strong feeling prevalent with reference to Swaziland, viz., that that territory, both historically and geographically, belongs to the Republic and should be incorporated with it. I feel firmly convinced that this feeling is so strong that if no arrangement had been arrived at and Her Majesty's Government had under Article II. of the London Convention, appointed Commissioners in Swaziland to maintain order and had supported such Commissioners by force, many Transvaal burghers would have offered armed opposition to such a course, whatever the attitude of their President and Government, and the results may have been most disastrous for the peace of South Africa.

I cannot close this communication without acknowledging the unstinted hospitality with which I was everywhere received in the South African Republic. As soon as I had crossed the borders I was treated as a guest of the State. Not only were the resources of every hotel placed at my disposal without charge, but I was helped along the road with relays of fresh horses, had the free use of post and telegraph, and was favoured with letters under Government seal, instructing the burghers to render me every assistance I might require.

I regret that I had to return without my secretary, Mr. Jno. Smuts, as he had a sharp attack of malarial fever, and I was consequently obliged, under medical advice, to leave him behind in the Princess Christian Nurses Home at Johannesburg, where he is now slowly recovering. While regretting Mr. Smuts' illness, I have great pleasure in bearing testimony to the great assiduity and high intelligence with which he acquitted himself of the arduous duties I had to impose on him at Pretoria. To the ordinary qualities indispensable in a secretary he joined a keen interest in his work, a thorough knowledge of the contents of all Blue Books bearing on, and a complete grasp of, the subject, such as are but seldom found combined in one and the same officer.

Thanking Her Majesty's Government and your Excellency for the confidence imposed in me,

To His Excellency the High  
Commissioner, Government House,  
Cape Town.

I have, &c.  
(signed) *J. H. Hofmeyr.*

SWAZILAND CONVENTION  
(MR. HOFMEYER'S REPORT).  

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COPY of Mr. Hofmeyr's Report on his recent  
Mission to Pretoria in connection with the  
SWAZILAND CONVENTION.

(Mr. Whitley.)

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*Ordered, by The House of Commons, to be Printed,  
15 June 1891.*

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SOUTH AFRICA.

A C O N V E N T I O N

BETWEEN

HER MAJESTY AND THE SOUTH AFRICAN REPUBLIC,

FOR THE SETTLEMENT OF THE

A F F A I R S O F S W A Z I L A N D.

WITH CORRESPONDENCE RELATING THERETO.

*(In continuation of [C.—6200] August 1890.)*

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Presented to both Houses of Parliament by Command of Her Majesty.  
November 1890.

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SOUTH AFRICA.

A C O N V E N T I O N

BETWEEN

HER MAJESTY AND THE SOUTH AFRICAN REPUBLIC

FOR THE SETTLEMENT OF THE

A F F A I R S O F S W A Z I L A N D,

WITH CORRESPONDENCE RELATING THERETO.

No. 1.

A CONVENTION

BETWEEN

HER MAJESTY THE QUEEN OF THE  
UNITED KINGDOM OF GREAT BRITAIN  
AND IRELAND

AND

THE SOUTH AFRICAN REPUBLIC.

EENE CONVENTIE

TUSSEHEN

HARE MAJESTEIT DE KONINGIN VAN  
HET VEREENIGD KONINKRIJK VAN  
GROOT-BRITTANJE EN IERLAND

EN

DE ZUID-AFRIKAANSCH REPUBLIEK.

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic, as representing the Government of the said Republic, have agreed that it is expedient that they should enter into a Convention relative to the settlement of the affairs of Swaziland, and with regard to other matters of importance connected with the affairs of South Africa ;

Now, therefore, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic as representing the Government of the said Republic, do hereby consent and agree that the following Articles, accepted finally by and between Her Majesty and his Honour shall, when duly signed, sealed, and executed by Her Majesty's High Commissioner for South Africa on behalf of Her Majesty, and by his Honour the State President of the South African Republic on behalf of the Government of the said Republic, and when duly ratified by the Volksraad of the South African Republic, shall constitute and be a Convention by and between Her Majesty the Queen of

AANGEZIEN Hare Majesteit de Koningin van het Vereenigd Koninkrijk van Groot-Brittanje en Ierland, en zijn Hoog-Edele de Staats President van de Zuid-Afrikaansche Republiek, als vertegenwoordigende de regering van genoemde Republiek, overeengekomen zijn, dat het raadzaam is dat zij een Conventie sluiten betrekkelijk de schikking van de zaken van Swaziland, en met betrekking tot andere zaken van belang in verband met de zaken van Zuid-Afrika :

Nu, derhalve, stemmen Hare Majesteit de Koningin van het Vereenigd Koninkrijk van Groot-Brittanje en Ierland en zijn Hoog-Edele de Staats President van Zuid-Afrikaansche Republiek, als vertegenwoordigende de regering van genoemde Republiek, hiernevens toe en komen overeen dat de volgende artikelen finaal aangenomen door en tusschen Hare Majesteit en zijn Hoog Edele, als zij behoorlijk ondertekend, gezegeld en bekrachtigd zijn door Harer Majesteits Hoogen Commissaris van Zuid-Afrika voor Hare Majesteit, en door zijn Hoog Edele den Staats President van de Zuid-Afrikaansche Republiek voor de regering van genoemde Republiek, en als zij be-

the United Kingdom of Great Britain and Ireland and the South African Republic.

Article 1. The independence of the Swazis, as recognised by the Convention of London of 1884, is affirmed, and no inroad on that independence shall be allowed, even with the consent of the Swazi Government, without the consent of both Her Majesty's Government and the Government of the South African Republic.

Article 2. With the consent of the Swazi Government, expressed in the form of an organic Proclamation by the Queen Regent and Council, the powers and authorities of the Provisional Government Committee, conferred by Proclamation dated the 18th December 1889, and extended by subsequent Proclamation for a further period, to be continued for an indefinite period, subject to the following alterations and additions, and to the establishment of the following constitution and machinery of Government :

(a.) Each of the three Governments, Her Majesty's Government, the Government of the South African Republic, and the Swazi Government, to have power from time to time to cancel the appointment of its nominated representative in the Government Committee, and to appoint another representative in his stead.

(b.) A Government Secretary and Treasurer to be appointed by the Government Committee upon the joint nomination of Her Majesty's High Commissioner and the State President of the South African Republic, such officer to furnish periodical reports to Her Majesty's High Commissioner and the State President of the South African Republic, and to communicate officially with them by instruction from the Government Committee upon matters relating to the affairs of Swaziland.

(c.) A Chief Court to be established composed of three judicial members approved of by Her Majesty's High Commissioner and the State President of the South African Republic, or of only one member, if Her Majesty's

hoorlijk bekrachtigd zijn door den Volksraad van de Zuid-Afrikaansche Republiek, zullen uitmaken en zijn eene Conventie door en tusschen Hare Majesteit de Koningin van het Vereenigd Koninkrijk van Groot-Brittanje en Ierland en de Zuid-Afrikaansche Republiek.

Artikel 1. De onafhankelijkheid van de Swazis, gelijk erkend door de Conventie van Londen van 1884, wordt bevestigd, en geen inbreuk op die onafhankelijkheid zal worden toegestaan, zelfs met de toestemming van het Swazi Gouvernement, zonder de toestemming zoowel van Harer Majesteit's Gouvernement als van de Regeering van de Zuid-Afrikaansche Republiek.

Artikel 2. Met de toestemming van het Swazi Gouvernement uitgedrukt in den vorm van een organische Proklamatie door de Koningin Regentes en Raad, de macht en het gezag van het Provisioneel Gouvernement-Comité verleend door Proklamatie gedateerd den 18den December 1889, en uitgebreid door latere Proklamatie voor een verder tijdperk, te blijven voortduren voor een onbepaalden tijd, onderworpen aan de volgende veranderingen en toevoegselen, en aan de vestiging van de volgende constitutie en machinerie van regeering :—

(a.) Elk der drie Gouvernemenen, Harer Majesteit's Gouvernement, het Gouvernement, van de Zuid-Afrikaansche Republiek en het Swazi Gouvernement, de macht to hebben om van tijd tot tijd de aanstelling van zijn benoemden vertegenwoordiger in het Gouvernement-Comité te vernietigen, en een anderen vertegenwoordiger in zijne plaats aantestellen.

(b.) Een Gouvernements Secretaris en Thesaurier te worden aangesteld door het Gouvernement-Comité, op de gezamenlijke nominatie van Harer Majesteits Hoogen Commissaris en den Staats President van de Zuid-Afrikaansche Republiek, zoodanig ambtenaar op vaste tijden rapporten te moeten inleveren aan Harer Majesteits Hoogen Commissaris en aan den Staats President van de Zuid-Afrikaansche Republiek, en officieel aan hen mededeelingen te moeten doen op last van het Gouvernement-Comité, over onderwerpen betrekking hebbende op de zaken van Swaziland.

(c.) Een Hoog-Gerechtshof te worden aangesteld, bestaande uit drie rechtsgeleerde leden, goedgekeurd door Harer Majesteits Hoogen Commissaris en den Staats President van de Zuid-Afrikaansche Republiek, of uit

High Commissioner and the State President of the South African Republic should deem one member sufficient, and approve such member.

- (d.) Such Court to have full power and jurisdiction over all persons of European birth or extraction in Swaziland and over all questions, matters, and things in which any such persons are concerned, with full power to decree against all persons execution by all forms of legal or equitable procedure, approved by Her Majesty's High Commissioner and the State President of the South African Republic, of every order, judgment, decree or sentence made by it in the exercise of its jurisdiction.
- (e.) All subordinate judicial appointments, whether of Magistrates, Justices of the Peace, or the like, and all appointments of Police Officers to be made by the Government Committee, the persons appointed to be previously approved of by Her Majesty's High Commissioner and the State President of the South African Republic.
- (f.) The jurisdiction conferred upon such subordinate judicial officers to be such as shall be approved by Her Majesty's High Commissioner and the State President of the South African Republic.
- (g.) The laws to be administered by all Courts of Justice to be the Roman-Dutch Law as in force in South Africa, but subject to such alterations, additions, or amendments as may be made by Proclamation of the Government Committee of any laws, rules or regulations approved of by Her Majesty's High Commissioner and the State President of the South African Republic, without whose joint consent no law, rule or regulation shall be proclaimed by the Government Committee, or if proclaimed be binding; provided that laws enacted during the period of power of the provisional Government Committee shall continue in force until altered, amended or repealed by some law, rule, or regulation proclaimed after approval as aforesaid.

slechts één lid indien Harer Majesteits Hooge Commissaris en de Staats President van de Zuid-Afrikaansche Republiek één lid genoegzaam achten, en zoodanig lid goedkeuren.

- (d.) Zoodanig hof volle macht en jurisdictie to hebben over alle personen van Europeesche geboorte of afkomst in Swaziland, en over alle kwesties, zaken en dingen waarbij zoodanige personen belang hebben, met volle macht tegen alle personen executie te bepalen volgens alle vormen van wettig of billijk proces, goedgekeurd door Harer Majesteits Hoogen Commissaris en den Staats President van de Zuid-Afrikaansche Republiek, van elke order, uitspraak, beslissing of vonnis door het hof gegeven in de uitoefening van zijne jurisdictie.
- (e.) Alle ondergeschikte judicieele aanstellingen, hetzij van Magistraten, Vrederechters of dergelijken, en alle aanstellingen van Politie-beambten, te worden gemaakt door het Gouvernement-Comité; de aangestelde personen vooraf te worden goedgekeurd door Harer Majesteits Hoogen Commissaris en den Staats President van de Zuid-Afrikaansche Republiek.
- (f.) De jurisdictie verleend aan zoodanig ondergeschikte judicieele beambten zoodanig te zijn als goedgekeurd worden zal door Harer Majesteits Hoogen Commissaris en den Staats President van de Zuid-Afrikaansche Republiek.
- (g.) De wetten te worden ten uitvoer gelegd door alle Gerechtshoven te zijn de Romeinsch-Hollandsche Wet, gelijk zij van kracht is in Zuid-Afrika, maar onderworpen aan zoodanige veranderingen, toevoegselen of wijzigingen als gemaakt mogen worden door Proklamatie van het Gouvernement-Comité van eenige wetten, voorschriften of bepalingen goedgekeurd door Harer Majesteits Hoogen Commissaris en den Staats President van de Zuid-Afrikaansche Republiek, zonder wier gezamenlijke toestemming geene wet, voorschrift of bepaling geproklameerd zal worden door het Gouvernement-Comité, of indien geproklameerd zal zij niet verbindend zijn; mits dat wetten uitgevaardigd gedurende den tijd toen het provisioneel Gouvernement-Comité de macht in handen had, van kracht zullen blijven tot dat zij veranderd, geamendeerd of herroepen worden door eene wet, voorschrift of bepaling geproclameerd na goedkeuring gelijk boven vermeld.

- (h.) The Chief Court to undertake judicial inquiry into the validity of disputed concessions, so soon as the Swazi Government shall have framed and proclaimed a list of those concessions which it approves of; such inquiry to be conducted in accordance with such laws, rules, and regulations as aforesaid.
- (i.) The administrative and executive powers under such organic Proclamation as aforesaid to be vested in the Government Committee, but no powers or jurisdiction to be claimed or exercised by the Government Committee, or any judicial tribunal in respect of any question, matter, or thing in which Swazi natives alone are concerned.
- (j.) All lawfully acquired rights vested in any person to be recognised by the Government Committee, and all judicial tribunals subject to such laws, rules, and regulations as aforesaid.
- (k.) The revenue from sources approved by the Proclamation of the 18th December 1889, to be collected by officers appointed by the Government Committee, and to be by such officers paid over to the Government Treasurer, subject to such rules and regulations as to accounts and audit as shall be approved of by Her Majesty's High Commissioner and the State President of the South African Republic, provided that no revenue shall be derived from any source not lawfully recognised at the date of the organic Proclamation, unless and until a Proclamation establishing such source of revenue shall have been published in Swaziland by the Government Committee with the consent and approval of Her Majesty's High Commissioner and the State President of the South African Republic.
- (h.) Het Hoog-Gerechtshof op zich te nemen gerechtelijk onderzoek naar de geldigheid van betwistte concessies, zoodra het Swazi Gouvernement eene lijst zal hebben gemaakt en geproklameerd van die concessies die het goedkeurt, zoodanig onderzoek te worden gedaan overeenkomstig zoodanige wetten, voorschriften en bepalingen boven vermeld.
- (i.) De administratieve en executieve macht onder zoodanige organische Proklamatie boven vermeld, te bevesten bij het Gouvernement-Comité, maar op geene macht of jurisdictie te worden aanspraak gemaakt of te worden uitgeoefend door het Gouvernement-Comité of eenig Gerechtshof met betrekking tot eenige kwestie, zaak of ding waarin Swazi inboorlingen alleen betrokken zijn.
- (j.) Alle wettig verkregen rechten, berustende bij eenig persoon, te worden erkend door het Gouvernement-Comité en door alle Gerechtshoven, onderworpen aan zoodanige wetten, voorschriften en bepalingen boven vermeld.
- (k.) De inkomsten uit bronnen goedgekeurd door de Proklamatie van den 18den December 1889, te worden ingezameld door ambtenaren door het Gouvernement-Comité aangesteld, en door zoodanige ambtenaren te worden betaald aan den Gouvernements-Thesaurier, onderworpen aan zoodanige regelen en bepalingen omtrent rekeningen en auditeeren als goedgekeurd zullen worden door Harer Majesteits Hoogen Commissaris en den Staats President van de Zuid-Afrikaansche Republiek, mits geene inkomsten verkregen zullen worden uit eenige bron niet wettig erkend op den datum van de organische Proklamatie, tenzij en tot dat eene Proklamatie zulk een bron van inkomsten instellende gepubliceerd zal zijn in Swaziland door het Gouvernement-Comité met de toestemming en goedkeuring van Harer Majesteits Hoogen Commissaris en den Staats President van de Zuid-Afrikaansche Republiek.

Article 3. Her Majesty's Government and the Government of the South African Republic mutually guarantee that they will enforce the due observance by the Swazi Government and the Swazis of the provisions of the organic Proclamation aforesaid, and of good and orderly government established thereunder, but no steps shall

Artikel 3. Harer Majesteits Gouvernement en het Gouvernement van de Zuid-Afrikaansche Republiek, waarborgen onderling dat zij de behoorlijke naleving door het Swazi Gouvernement en de Swazis zullen handhaven van de bepalingen van de organische Proklamatie voormeld, en van goed en ordelijk Gouvernement daar-

be taken, and no act be done, by either Government to compel such due observance by force without the approval of the other, which approval shall be deemed to be given if no objection to any such step or act shall be communicated to the Government giving notice of intention to take such step or do such act within two weeks from the date of such notice; provided that either of the said Governments may, upon application by the aforesaid Government Committee, interfere by force in any urgent case to compel such due observance as aforesaid; and provided that, in case of such interference being applied for, the other Government may act upon such application.

Article 4. In all the Courts of Justice in Swaziland, and in all official communications of the Government Committee, the English and Dutch languages shall have equal rights.

Article 5. Saving all existing rights, the sovereignty and ownership of the Swazi nation in respect of all land within the boundaries of Swaziland shall be recognised and respected, but no disposition of any such land, or of any right in respect of such land, and no grant or concession whereby any privileged or exclusive right is granted or conceded, or any right directly or indirectly interfering with the powers and jurisdiction of the Government Committee shall, after the date of such organic Proclamation be recognised as of any legal validity, unless it shall be made with the approval of Her Majesty's High Commissioner and of the State President of the South African Republic.

Article 6. The control and management by the Swazi Government of all affairs in which natives only are concerned shall remain unaffected by such organic Proclamation as aforesaid, and shall be regulated according to native laws and customs, save in so far as by such laws and customs any danger may arise affecting good and orderly government under the provisions of the organic Proclamation aforesaid.

Article 7. Her Majesty's Government recognises the validity of the concessions over and in respect of which the Government of the South African Republic

onder gevestigd, maar geen stap zal er genomen worden en geen daad gedaan worden door één der beide Gouvernementsen om zoodanige behoorlijke naleving met geweld te verplichten zonder toestemming van het andere, welke goedkeuring zal beschouwd worden verleend te zijn als er geen objectie tegen zoodanigen stap of daad zal worden medegedeeld aan het Gouvernement, dat kennis geeft van zijn voornemen om zoodanigen stap te nemen of zoodanige daad te doen, binnen twee weken van den datum van zoodanige kennisgeving; mits één der genoemde Gouvernementsen, op aanzoek van voormelde Gouvernement-Comité, met geweld mag tusschen beide komen in eenig dringend geval om zoodanige voormelde behoorlijke naleving te verplichten; en mits, in geval om zoodanige tusschenkomst aanzoek gedaan wordt, het andere Gouvernement op zoodanig aanzoek mag handelen.

Artikel 4. In alle Gerechtshoven in Swaziland, en in alle officieele mededeelingen, van het Gouvernements-Comité zullen de Engelsche en Hollandsche talen gelijke rechten hebben.

Artikel 5. Behoudens alle bestaande rechten, zal de souvereiniteit en het eigendomsrecht van de Swazie natie met betrekking tot alle land binnen de grenzen van Swaziland erkend en geëerbiedigd worden, maar geene beschikking over zoodanig land en geene schenking of concessie waardoor eenig bevoorrecht of uitsluitend recht geschonken of verleend is, of eenig recht direct of indirect in strijd met de machte en jurisdictie van het Gouvernemente-Comité, zal na den datum van zoodanige organische Proklamatie erkend worden als van wettige kracht, tenzij het gedaan is met de goedkeuring van Harer Majesteits Hoogen Commissaris en den Staats President van de Zuid-Afrikaansche Republiek.

Artikel 6. Het beheer en bestier door het Swazi Gouvernement van alle zaken waarin inboorlingen alleen betrokken zijn, zal ongedeerd blijven door zoodanige organische Proklamatie als voormeld, en zal geregeld worden volgens inboorlingenwetten en gewoonten, behalve voor zover als er door zoodanige wetten en gewoonten eenig gevaar moge ontstaan, rakende goed en ordelijk Gouvernement onder de bepalingen van de organische Proklamatie voormeld.

Artikel 7. Harer Majesteits Gouvernement erkent de geldigheid van de concessies waarover en ten opzichte waarvan de regeering van de Zuid-Afrikaansche

possesses controlling power with respect to postal and telegraphic services with respect to the construction of railways in Swaziland, and the keeping of refreshment places thereon, and with respect to the making and navigation of waterways and to land surveying.

Article 8. Her Majesty further consents to the acquisition by the South African Republic, under and by virtue of a Treaty with the Queen Regent of the Swazis and her Council, of the ownership of land in Swaziland for the purpose of construction of a railway across Swaziland from the border of the South African Republic, the extent of such land to be three miles in width at the most ; provided that

- (a.) The sovereignty over land so acquired shall not be deemed to be acquired by the South African Republic, but such land shall in like manner with any other part of Swaziland remain under the Government and Administration of the Government Committee referred to in this Convention ; and
- (b.) Her Majesty shall, if occasion require, have the right of passage across such railway and land so acquired.

Article 9. Any deficiency on the revenue for the Government of Swaziland under the organic Proclamation shall, when duly certified according to the rules aforesaid as to accounting and audit, be borne in equal share annually by Her Majesty's Government and the Government of the South African Republic, and any surplus shall be carried over to the account of the next succeeding year.

Article 10. The Government of the South African Republic withdraws all claim to extend the territory of the Republic, or to enter into Treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company.

Article 11. Notwithstanding anything to the contrary contained in the Convention of London of 1884, Her Majesty's Government approves of the acquisition by the

Republiek macht van beheer bezit met betrekking tot post- en telegraafdiensten, met betrekking tot het bouwen van Spoorwegen in Swaziland, en het houden van ververschingplaatsen er op, en met betrekking tot het maken en bevaren van waterwegen en tot landmeten.

Artikel 8. Hare Majesteit stemt ook toe in de verkrijging door de Zuid-Afrikaansche Republiek, onder en krachtens een verdrag met de Koningin Regentes van de Swazis en haren Raad, van het eigendom van land in Swaziland voor het bouwen van een spoorweg door Swaziland van de grens van de Zuid-Afrikaansche Republiek, de uitgebreidheid van zoodanig land niet meer dan drie mijlen in breedte te zijn ; mits

- (a.) De souvereiniteit over land alzoo verkregen niet zal beschouwd worden als verkregen door de Zuid-Afrikaansche Republiek, maar zoodanig land zal op gelijke wijze als eenig ander deel van Swaziland blijven onder het Gouvernement en Administratie van het Gouvernement-Comité in deze Conventie vermeld ; en
- (b.) Hare Majesteit zal, als de omstandigheden het eischen, het recht van passage hebben over zoodanig spoorweg en land alzoo verkregen.

Artikel 9. Eenig tekort op de inkomsten voor het Gouvernement van Swaziland onder de organische Proklamatie, als het behoorlijk gecertificeerd is volgens de regulaties voormeld met betrekking tot rekeningen en auditeeren, zal jaarlijks in gelijke deelen gedragen worden door Harer Majesteits Gouvernement en het Gouvernement van de Zuid-Afrikaansche Republiek, en eenig surplus zal overgebracht worden in de rekening van het daarop volgend jaar.

Artikel 10. De regeering van de Zuid-Afrikaansche Republiek trekt alle aanspraak terug om het gebied van de Republiek uit te breiden, of om verdragen te sluiten met Inboorlingen of met Inboorlingen-stammen ten noorden of noord-western van de bestaande grenslijn der Republiek, en neemt op zich de vestiging van orde en gouvernement in die landen door de Britsch Zuid-Afrikaansche Compagnie door haren begunstigenden invloed te helpen en te steunen, binnen de grenzen van macht en gebied bepaald in de Charter door Hare Majesteit aan genoemde Compagnie verleend.

Artikel 11. Niettegenstaande al dat hiermede strijdt vervat in de Conventie van Londen van 1884, keurt Harer Majesteits Gouvernement goed de ver-

Government of the South African Republic of rights under Treaty with the Chieftain Umbegesa and the Queen Zambili of Amatongaland, over a strip of land not exceeding three miles in width, north of the 27th parallel of South Latitude, for the construction of a railway or for other purposes between the frontier of Swaziland and the sea-coast at or near Kosi Bay : provided that Her Majesty's Government undertakes to use its influence to obtain a concession to the South African Republic of an area of ten miles in radius from a point to be mutually agreed upon situate on the coast of Amatongaland, which area of land shall be deemed to be and to form portion of the Territory of the South African Republic.

Article 12. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland agrees to recognise the Sovereignty of the South African Republic in respect of

- (a) The land acquired as aforesaid by such Treaties as are in the last preceding Article contemplated with the Chieftain Umbegesa and the Queen Zambili of Amatongaland, for the purposes therein referred to ;
- (b) So much land, connected with the land acquired from the said Chieftain as aforesaid for the purposes aforesaid as may be acquired for the purposes of the navigation of the Pongola River by the South African Republic by Treaty with the said Chieftain, as may not exceed in area an extent of four miles as the crow flies in radius from some point within the territory of the said Chieftain and on the Pongola River ;

and (c) A strip of land for constructing a line of railway or other purposes, which strip of land may be acquired by a Treaty or Treaties with the Chieftains Zambaan and Umbegesa, and shall not exceed three miles in breadth, running lengthwise, either from Nyawos Hill, along the frontier of Swaziland, or from a point south of that hill along the Pongola River to a point north of the 27th parallel of South Latitude, where such strip of land would cut across the strip of land referred to in the last preceding Article.

krijging door het Gouvernement van de Zuid-Afrikaansche Republiek van rechten onder verdrag met het Opperhoofd Umbegesa en de Koningin Zambili van Amatongaland, over een strook lands niet meer dan drie mijlen breed ten noorden van den 27sten breedtecirkel zuider breedte, voor het bouwen van een spoorweg of voor andere doeleinden tusschen de grens van Swaziland en de zee kust te Kosibaai of in de nabijheid ervan ; mits Harer Majesteits Gouvernement op zich neemt zijn invloed te gebruiken om een concessie te verkrijgen aan de Zuid-Afrikaansche Republiek van een oppervlakte van tien mijlen in straal van een punt onderling te worden overeengekomen gelegen op de kust van Amatongaland, welke oppervlakte van land beschouwd zal worden te zijn en deel uitmaken van het gebied van de Zuid-Afrikaansche Republiek.

Artikel 12. Hare Majesteit de Koningin van het Vereenigd Koninkrijk van Groot-Brittanje en Ierland, komt overeen om de souvereiniteit van de Zuid-Afrikaansche Republiek te erkennen ten opzichte van

- (a) Het land verkregen als voormeld door zoodanige verdragen als in het laatst voorafgaande Artikel bedoeld worden met het Opperhoofd Umbegesa en de Koningin Zambili van Amatongaland, voor de doeleinden daarin vermeld ;
- (b) Zooveel land, verbonden met het land van genoemd Opperhoofd verkregen voor de doeleinden voormeld als verkregen moge worden voor de bevaring van de Pongola Rivier door de Zuid-Afrikaansche Republiek door een verdrag met genoemd Opperhoofd gesloten, als in oppervlakte niet mag te boven gaan eene uitgebreidheid van vier mijlen in een rechte lijn in een straal van een of ander punt binnen het gebied van genoemd Opperhoofd en op de Pongola Rivier ; en

(c) Eene strook land voor het bouwen van een spoorweglijn of voor andere doeleinden welke strook land verkregen kan worden door een Verdrag of Verdragen met de Opperhoofden Zambaan en Umbegesa, en niet meer dan drie mijlen breed zal zijn loopende in de lengte hetzij van Nyawos Heuvel langs de grenzen van Swaziland of van een punt ten zuiden van den heuvel langs de Pongola Rivier naar een punt ten noorden van den 27sten graad zuider breedte, waar zoodanige strook lands de strooklandsin het laatst voorgaande Artikel vermeld, snijden zal.

Article 13. If by any such Treaty as is referred to in Article 12 hereof the right of navigation of the Pongola River is conceded by the Chieftain Umbegesa to the South African Republic, Her Majesty's subjects, and all ships, vessels or other craft used in the navigation of the said river, and owned in whole or in part by any of Her Majesty's subjects, shall be entitled by such Treaty and by this Convention to the free navigation of the said river without obstruction from, and without the imposition of any duties or charges by, the Government of the South African Republic, or by any person or company holding rights protected by or derived from the said Government, other or higher than such lowest duties or charges as shall be imposed upon any person, or upon any ship, vessel, or other craft as aforesaid not owned as aforesaid by any of Her Majesty's subjects.

Article 14. In the event of the Government of the South African Republic acquiring rights by Treaty to land for the construction of either or both the lines of railway, or for other purposes as referred to in Articles 11 and 12 of this Convention, and notwithstanding the acquisition by the South African Republic of sovereignty in terms of this Convention, in respect of any land under and by virtue of any approved Treaty with the Chieftain Zambaan, the Chieftain Umbegesa, or the Queen Zambili of Amatongaland, Her Majesty reserves the right of passage across such lines of railway and all land so acquired by the South African Republic, at places to be mutually agreed upon, the further right to claim convenient facilities for crossing each of the said lines and the said land with one line of railway at the same places or others conveniently situated, and the right, at any place across either strip of land acquired under paragraph C. of Article 12, of passing troops if necessary into Swaziland in accordance with this Convention.

Article 15. No treaty entered into in manner recognised by this Convention with the Chieftain Zambaan, the Chieftain Umbegesa, or the Queen Zambili of Amatongaland shall be deemed to be valid and binding until approved of by Her Majesty, in manner provided by Article IV. of the London Convention of 1884.

Artikel 13. Indien door eenig zoodanig als bedoeld wordt in Artikel 12 hiervan, het recht van bevaring van de Pongola Rivier toegekend wordt door het Opperhoofd Umbegesa aan de Zuid-Afrikaansche Republiek, zullen Harer Majesteits onderdanen en alle schepen of andere vaartuigen gebruikt in het bevaren van genoemde rivier en waarvan Harer Majesteits onderdanen volle of gedeeltelijke eigenaars zijn, gerechtigd zijn door zoodanig verdrag en door deze Conventie op de vrije bevaring van genoemde rivier zonder verhindering van, en zonder oplegging van eenige rechten of lasten door de regeering van de Zuid-Afrikaansche Republiek, of door eenig persoon of maatschappij, rechten bezittende beschermd door of verkregen van genoemde regeering, anders of hooger dan zoodanige laagste rechten of lasten als opgelegd zullen worden op eenig persoon, of op eenig schip of ander vaartuig gelijk boven vermeld, dat niet het eigendom is van een van Harer Majesteits onderdanen.

Artikel 14. In geval het Gouvernement van de Zuid-Afrikaansche Republiek rechten door verdrag verkrijgt op land voor het bouwen van één of beide van de spoorweglijnen of voor andere doeleinden als vermeld in Artikelen 11 en 12 van deze Conventie, en niettegenstaande de verkrijging door de Zuid-Afrikaansche Republiek van souvereiniteit, volgens de termen van deze Conventie, ten opzichte van eenig land onderen krachtens eenig goedgekeurd verdrag met het Opperhoofd Zambaan, het Opperhoofd Umbegesa of met de Koningin Zambili van Amatongaland, behoudt Hare Majesteit het recht voor van passage over zoodanige spoorweglijnen en alle land op zoodanige wijze verkregen door de Zuid-Afrikaansche Republiek, op plaatsen onderling te worden overeengekomen, het verdere recht om te eischen dat het gemakkelijk gemaakt zal worden elk der genoemde lijnen en genoemd land met een spoorweglijn te kruisen op dezelfde plaatsen of op andere plaatsen geriefelijk gelegen, en het recht, op eenige plaats op elke der stroken lands verkregen onder paragraaf C, van Artikel 12, troepen te laten doortrekken, indien noodig, naar Swaziland, overeenkomstig deze Conventie.

Artikel 15. Geen verdrag gesloten op de wijze door deze Conventie erkend, met het Opperhoofd Zambaan, het Opperhoofd Umbegesa of met de Koningin Zambili van Amatongaland, zal geacht worden van kracht en verbindend te zijn voordat het door Hare Majesteit zal zijn goedgekeurd op de wijze bepaald in Art. IV van de Conventie van Londen van 1884.

Article 16. The Government of the South African Republic will in no case, without the approval of Her Majesty's Government, part with the sovereignty, control, or management of Kosi Bay or the harbour works in connexion therewith, or the area of land herein-before referred to; and will not without the like approval enter into any Treaty relating to Kosi Bay or the said works or area with any Foreign Power.

Article 17. Should any dispute arise between the Government of the South African Republic and any Foreign Power relative to any act, omission, or alleged default on the part of the said Government in the exercise of its sovereignty in respect of Kosi Bay or the said works or area, the said Government, for the sake of protecting the sovereignty of the South African Republic with regard to the said bay, works, and area, consents to assign to Her Majesty's Government the conduct, on behalf of the Government of the South African Republic, of all diplomatic representations and negotiations with such Foreign Power relative to such dispute. Such representations to be made and negotiations to be carried on in consultation with the Government of the South African Republic.

Article 18. The provisions of Article 16 of this Convention shall be construed so as to refer not only to Kosi Bay, the harbour works in connexion therewith, and the area of land referred to in the said Article, but also to any other land the sovereignty in respect of which shall be acquired by the South African Republic in terms of this Convention under and by virtue of any Treaty entered into with the Chieftain Zambaan, the Chieftain Umbegesa, or the Queen Zambili of Amatongaland and approved of by Her Majesty as aforesaid.

Article 19. The Government of the South African Republic consents, in the event of acquisition by it of Kosi Bay as aforesaid, and of sovereign rights over the area of land referred to in Article 11 and over the land referred to in Article 12, to enter with Her Majesty's Colony of the Cape of Good Hope and the Orange Free State, and with such other Colonies or Dependencies of Her Majesty as may then be parties thereto, into the then existing

Artikel 16. Het Gouvernement van de Zuid-Afrikaansche Republiek zal in geen geval, zonder goedkeuring van Harer Majesteits Gouvernement, afstand doen van de soevereiniteit, beheer of bestier van Kosibaaï of de havenwerken daarmede verbonden, of de oppervlakte van land bovenvermeld; en zal niet, zonder dezelfde goedkeuring, een verdrag sluiten betreffende Kosibaaï of genoemde werken of oppervlakte met een Vreemde Mogendheid.

Artikel 17. Indien er eenig geschil ontstaat tusschen het Gouvernement van de Zuid-Afrikaansche Republiek en eene Vreemde Mogendheid met betrekking tot eenige daad, nalatigheid of beweerd verzuim van de zijde van genoemd Gouvernement in het uitoefenen van zijne soevereiniteit met betrekking tot Kosibaaï of genoemde werken of oppervlakte, stemt genoemd Gouvernement er in toe, ten einde de Souvereiniteit van de Zuid-Afrikaansche Republiek ten opzichte van genoemde Baai, werken en oppervlakte te beschermen, aan Harer Majesteits Gouvernement te assigneeren het voeren ten behoeve van het Gouvernement van de Zuid-Afrikaansche Republiek van alle diplomatische mededeelingen en onderhandelingen met zoodanige Vreemde Mogendheid met betrekking tot zoodanig geschil. Zoodanige mededeelingen te worden gedaan en onderhandelingen te worden gevoerd in overleg met het Gouvernement van de Zuid-Afrikaansche Republiek.

Artikel 18. De bepalingen van Artikel 16 van deze Conventie zullen opgevat worden als betrekking hebbende niet alleen op Kosibaaï, de havenwerken daarmede verbonden, en de oppervlakte van land bedoeld in genoemde Artikelen, maar ook op eenig ander land waarover soevereiniteit zal verkregen worden door de Zuid-Afrikaansche Republiek volgens de termen van deze Conventie, onder en krachtens eenig verdrag gesloten met het Opperhoof Zambaan, het Opperhoofd Umbegesa of de Koningin Zambili van Amatongaland en door Hare Majesteit goedgekeurd als voormeld.

Artikel 19. De Regeering van de Zuid-Afrikaansche Republiek stemt er in toe, in geval Kosibaaï als voormeld en de souvereine rechten over de oppervlakte van land bedoeld in Artikel 11 en over het land bedoeld in Artikel 12 door haar verkregen wordt, met Harer Majesteits Kolonie de Kaap de Goede Hoop en den Oranje Vrijstaat, en met zoodanige andere Koloniën of Bezittingen van Hare Majesteit als dan daaraan deelnemers mogen zijn, in de dan

Customs Union Convention ; provided that terms and conditions of entrance are conceded with due regard to the existing contracts and to the existing treaties recognised by Her Majesty's Government, by which the Government of the South African Republic is bound.

Article 20. Notwithstanding anything to the contrary contained in any of the preceding Articles of this Convention, and notwithstanding that any treaty entered into by the South African Republic with the Chieftain Zambaan, the Chieftain Umbegesa, or the Queen Zambili, of Amatongaland, shall have been approved of by Her Majesty in manner provided in this Convention, such approval shall be deemed to be conditional upon the entering of the South African Republic into the said Customs Union Convention, and none of the rights or powers conferred by any such treaty may be validly claimed or exercised by the Government of the South African Republic unless, within six months after the date of Her Majesty's approval in respect of the first of any such treaties entered into as aforesaid, copy whereof shall be received by Her Majesty's Government in accordance with Article 4 of the London Convention of 1884, the Government of the South African Republic shall have entered into the said Customs Union Convention upon terms and conditions agreed upon by and between the said Government and the respective Governments of the Colonies, States, or Territories then parties to the said Convention.

Article 21. If before the expiration of three years from the 8th day of August 1890,

either (a.) The Government of the South African Republic shall not have entered into such treaties as aforesaid with the Chieftain Zambaan, the Chieftain Umbegesa, and the Queen Zambili of Tongaland, or their respective successors ;

or (b.) Such treaties, if entered into, shall not have been approved of by Her Majesty in manner provided in this Convention ;

or (c.) Though such treaties shall have been entered into and approved of, the Government of the South African Republic shall not have entered into the Customs Union Convention in accordance with Articles 19 and 20.

bestaande Tolverbond Coventie te treden mits termen en voorwaarden van intreden toegestaan worden met behoorlijke inachtneming van de bestaande kontrakten van de bestaande verdragen erkend door Harer Majesteits Gouvernement, waardoor het Gouvernement van de Zuid-Afrikaansche Republiek gebonden is.

Artikel 20. Niettegenstaande iets hiermede in strijd vervat in een van de voorafgaande Artikelen van deze Coventie, en niettegenstaande dat eenig verdrag gesloten door de Zuid-Afrikaansche Republiek met het Opperhoofd Zambaan, het Opperhoofd Umbegesa, of de Koningin Zambili van Amatongaland goedgekeurd zal zijn door Hare Majesteit op de wijze bepaald in deze Coventie, zal zoodanige goedkeuring beschouwd worden als afhankelijk van het intreden van de Zuid-Afrikaansche Republiek in de genoemde Tolverbond Coventie, en geene van de rechten of machten verleend door eenig zoodanig verdrag kan rechtens geëischt of uitgeoefend worden door het Gouvernement van de Zuid-Afrikaansche Republiek tenzij, binnen zes maanden na den datum van Harer Majesteits goedkeuring, ten opzichte van het eerste van eenige zoodanige verdragen gesloten als voormeld, afschrift waarvan ontvangen zal worden door Harer Majesteits Gouvernement overeenkomstig Artikel 4 van de Coventie van Londen van 1884, het Gouvernement van de Zuid-Afrikaansche Republiek ingetreden zal zijn in genoemde Tolverbond Coventie op termen en voorwaarden overeengekomen door en tusschen genoemd Gouvernement en de respektieve Gouvernemen ten van de Koloniën, Staten, of landen die dan partijen zullen zijn in genoemde Coventie.

Artikel 21. Indien voor het verloop van drie jaren van den achtsten dag van Augustus 1890,

hetzij (a) het Gouvernement van de Zuid-Afrikaansche Republiek niet ingetreden zal zijn in zoodanige verdragen voormeld met het Opperhoofd Zambaan, het Opperhoofd Umbegesa en de Koningin Zambili van Tongaland, of hunne respektieve opvolgers,

of (b) zoodanige verdragen, indien ingetreden, niet zullen zijn goedgekeurd door Hare Majesteit op de wijze bepaald in deze Coventie,

of (c) ofschoon zoodanige verdragen zullen zijn gesloten en goedgekeurd, het Gouvernement van de Zuid-Afrikaansche Republiek, niet zal zijn getreden in de Tolverbond Coventie, overeenkomstig Artikel 19 en 20.

each party to this Convention shall have the option, at any time before the 8th day of May 1893, of giving notice, in writing, to the other party that at the expiration of the period of three years aforesaid the force and effect of this Convention shall terminate ; provided that

(1.) Such termination shall not bind Her Majesty to recognise as valid any such treaties as aforesaid, notwithstanding that the same shall have been approved of.

(2.) Such termination shall not affect the binding force and effect of Articles 10 and 24 of this Convention.

Article 22. The Government of the South African Republic agrees to admit free of any duties of Customs into the South African Republic all articles the produce and manufacture of any State, Colony, or territory bordering on the territory of the South African Republic, into which the produce and manufactures of the South African Republic are admitted free of such duties, subject for such period as it may be a party to the Custom Union Convention to such exceptions as may be thereby prescribed.

Article 23. The Government of the South African Republic undertakes to withdraw all opposition, direct or indirect, to the extension of railways from or through any of Her Majesty's Colonies in South Africa or the Orange Free State to or towards the boundaries of the South African Republic, and further to take into consideration the extension of such railways, subject to all existing rights and Treaties, from the said boundaries into the territory of the South African Republic to the townships of Johannesburg and Pretoria.

Article 24. Her Majesty's Government consent to an alteration of the boundary of the South African Republic on the East so as to include the territory known as the Little Free State within the territory of the South African Republic.

Article 25. This Convention will be ratified by the Volksraad of the South African Republic on or before the 8th day of August 1890, and in default of such

Zal elke partij in deze Conventie te eeniger tijd de keus hebben vóór den achtsten dag van Mei 1893 om kennis te geven in geschrifte aan de andere partij dat na het verloop van het tijdperk van drie jaren voornoemd, de kracht en effect van deze Conventie zullen vervallen, mits.

(1.) Zoodanig verval Hare Majesteit niet verbinden zal eenige zoodanige verdragen voormeld als geldig te erkennen, niettegenstaande zij zullen zijn goedgekeurd ;

(2.) Zoodanig verval zal van geen invloed zijn op de verbindende kracht en effect van Artikelen 10 en 24 van deze Conventie.

Artikel 22. De Regeering van de Zuid-Afrikaansche Republiek stemt er in toe, vrij van Inkomende Rechten in de Zuid-Afrikaansche Republiek toe te laten alle artikelen die de produkten en fabrikaten zijn van eenigen Staat, Kolonie of gebied, grenzende aan het gebied van de Zuid-Afrikaansche Republiek, waarin de produkten en fabrikaten van de Zuid-Afrikaansche Republiek vrij van zoodanige rechten toegelaten worden, onderworpen voor zoodanig tijdperk als zij deelnemer moge zijn aan de Tolverbond Conventie, aan zoodanig uitzonderingen als daarin mogen zijn voorgeschreven.

Artikel 23. De Regeering van de Zuid-Afrikaansche Republiek neemt op zich allen tegenstand, direct of indirect, te laten varen, tegen de verlenging van spoorwegen van of door een van Harer Majesteits Koloniën in Zuid-Afrika of den Oranje Vrijstaat, naar of in de richting van de grenzen de Zuid-Afrikaansche Republiek, en verder de verlenging van zoodanige spoorwegen in consideratie te nemen, onderworpen aan alle bestaande rechten en verdragen, van genoemde grenzen in het gebied van de Zuid-Afrikaansche Republiek naar de steden Johannesburg en Pretoria.

Artikel 24. Harer Majesteits Gouvernement stemt toe in eene verandering van de oostelijke grenslijn van de Zuid-Afrikaansche Republiek, zoodat het gebied bekend als de Kleine Vrijstaat ingesloten wordt binnen het gebied van de Zuid-Afrikaansche Republiek.

Artikel 25. Deze Conventie zal bekrachtigd worden door den Volksraad van de Zuid-Afrikaansche Republiek op of voor de 8sten dag van Augustus 1890, en bij

ratification this Convention shall be null and void.

Signed and sealed at Cape Town, this 24th day of July 1890.

HENRY B. LOCH,  
High Commissioner.

Signed and sealed at Pretoria, this 2nd day of August 1890.

S. J. P. KRUGER,  
State President of the S. A. Republic.  
D. W. J. LEYDS,  
State Secretary.

gebreke van zoodanige krachtiging zal zij van nul en geene waarde zijn.

Onderteevend en gezegeld te Kaapstad, dezen 24sten dag van Juli 1890.

HENRY B. LOCH,  
Hooge Commissaris.

Onderteevend en gezegeld te Pretoria, dezen 2den dag van Augustus 1890.

S. J. P. KRUGER,  
Staats President van de Z. A. Republiek.  
D. W. J. LEYDS,  
Staats Secretaris, Z. A. R.

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No. 2.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received September 1, 1890.)

Government House, Cape Town,

August 13, 1890.

MY LORD,

I HAVE the honour to inform your Lordship, that the Convention, of which I enclose copies, entered into between Her Majesty and the Government of the South African Republic, was ratified by the Volksraad on the 7th instant.

Your Lordship is well acquainted with the course of the negotiations which has led to the settlement of outstanding questions between Her Majesty's Government and that of the Transvaal, but it may be convenient that I should briefly review the various questions which arose, in the order of their occurrence.

In May 1889 President Kruger made a definite proposal that the South African Republic should withdraw all claims to the territory to the north of the Republic if Her Majesty's Government would withdraw any opposition to the extension of the Republic to the East.

No definite reply was made to this proposal, but in October of last year Sir Francis de Winton was sent as Her Majesty's Commissioner to inquire, in conjunction with the Commissioners appointed by the South African Republic, into alleged conflicting interests in Swaziland, arising out of the rapid development of foreign enterprise in that country, due to the discovery of gold in 1885 and 1886, and the absence of any established European system of Government.

The action taken by Sir Francis de Winton and his colleagues led to the establishment of a Joint Provisional Government, pending the settlement of a more permanent arrangement, and his very able report suggested certain broad lines of agreement, which, to a great measure, have formed the basis of the subsequent negotiations that have taken place.

In the early part of this year I received reports from sources which appeared to be reliable that a trek or invasion of Mashonaland was in contemplation, and that an expedition for the purpose was being organised in the South African Republic. I communicated these rumours to President Kruger with the request that he would take any measures that might be necessary to prevent any violation of this territory, which had recently been declared to be within the sphere of British influence.

On the 18th February President Kruger telegraphed that he noticed with regret that then, as on previous occasions, it was sought to sow misunderstandings between Her Majesty's Government and the Government of the South African Republic, and that it appeared to him most desirable, in view of the interests of the whole of South Africa, that we should become personally acquainted and open-heartedly discuss with each other all questions that were pending, and suggested that we should meet on the British side of the Vaal River at Bliignant's Pont.

To this proposal I readily assented, and the 12th of March was subsequently fixed as the day of meeting. Your Lordship is well acquainted with the full details of the various matters that were discussed at that meeting. These comprise the recognition of the independence of the Swazi nation, the establishment of a joint government to

regulate European interests in the country, the formation of judicial courts, both for the settlement of concession claims, and for the administration of justice, and the surrender by the South African Republic of all claims over territory to the north and north-west of the Transvaal. The expansion of the South African Republic to the eastward and the entry of the Republic into a Customs Union, with the withdrawal of objections on the part of the Government of the South African Republic to the construction of railways to their border, and readiness to consider their further extension within the territory of the Republic were likewise subjects of discussion.

Subsequent to the meeting at Blydenburg frequent communications passed between the State President and myself, and in all the questions discussed I endeavoured, with the approval of Her Majesty's Government, to meet, as far as possible, the views of the Government of the South African Republic.

The result of the negotiations I embodied in the form of a draft convention, which I forwarded on the 29th May for the consideration of the State President and the Executive Council, at the same time pointing out that the only legal alternative that remained in the event of no settled system of joint government being established before the 18th August, on which date the powers of the present provisional government ceased, would be for Her Majesty's Government to act under the second Article of the London Convention of 1884; and appoint a British Commissioner in Swaziland, supported by such force as might be necessary to maintain law and order in that country.

On the 16th June I telegraphed to President Kruger requesting to be informed if he intended submitting the Convention to the Volksraad, as the time left for ratification was short and it was desirable that I should inform Her Majesty's Government of the intentions of the Government of the South African Republic in this matter.

On the 17th June I received a telegram from the State President informing me that the Executive Council had great objection to the proposed Convention, and that it was impossible to say if the matter could be brought before the Volksraad.

In view of the extreme gravity of the situation in the event of the Convention being rejected I considered it desirable that I should appoint an agent to proceed to Pretoria and to act as my representative, and after personal communication with the President and the Executive Council to advise whether any "modus vivendi" could be found, by which resort to a course of action that would almost inevitably necessitate ultimate military operations could be avoided.

Sir Jacobus de Wet, who had been recently appointed Her Majesty's Agent in Pretoria, was unfortunately too ill to proceed to his post. Under these circumstances I addressed myself to Mr. Hofmeyr, the leader of the Afrikaner party in the Cape Colony, and after making himself thoroughly acquainted with the position of affairs he undertook, as Her Majesty's Special Agent, and in the highest and most honourable spirit of patriotism, the task of explaining to the Government of the South African Republic the serious nature of the situation.

It is needless for me to trouble your Lordship with the details of the proceedings which followed upon Mr. Hofmeyr's arrival in Pretoria, as you are in possession of the communications which passed.

It may therefore be sufficient to state that, upon the representations made to me by Mr. Hofmeyr, I was able to advise Her Majesty's Government to concede several points respecting which the Government of the South African Republic attached importance, but which entailed no surrender of principle on the part of Her Majesty's Government.

In the meanwhile the legal life of the existing provisional government in Swaziland was drawing to a close, and if arrangements were to be made for replacing it by a more complete form of joint government no time was to be lost.

On the other hand in the event of the proposed Convention falling through it was equally necessary that arrangements should be completed for the police force that I was enrolling in Natal for service in Swaziland, to enter that country before the expiry of the term of provisional government, and before the commencement of the fever season, and it became likewise my duty to advise Her Majesty's Government of the probable consequences that would ensue upon the entry of the police force in support of the authority of Her Majesty's Commissioner in Swaziland, and the necessity for very largely reinforcing the military force in South Africa to support and defend the policy of Her Majesty's Government. I therefore required that the Convention should be ratified on or before the 8th of August, or in default of such ratification by that date, it should be null and void.

To be prepared to act under the London Convention of 1884, I sent on 24th July Major Sapte, my Military Secretary, to Pretoria, with instructions, in the event of failure of negotiations, to deliver a letter to President Kruger, informing him that Her Majesty's Government would, in consequence, act under the authority of the second Article of the London Convention of 1884, and requesting that the Government of the South African Republic would likewise fulfil their obligations under that Convention. Major Sapte was then to proceed to Swaziland, with a letter of instructions to Colonel Martin as to the course which, under the circumstances, he was to pursue.

Fortunately the necessity for the above course of action was rendered unnecessary by the State President signing the Convention on the 2nd instant.

I cannot speak too highly of the great tact and judgment which Mr. Hofmeyr displayed throughout in the performance of a duty which he only undertook for the preservation of peace and in the best interests of the Transvaal and South Africa.

There was very considerable opposition in the Volksraad before the Convention was ratified, but I trust that the strong feeling that was then evinced in opposition to the Convention may soon be forgotten in the advantages which will result to the Transvaal more than to any other country by the establishment of a stable government and judicial courts in Swaziland, that will provide security to all who have interests in that country and in which the citizens of the Republic possess so large a share.

I have arranged with the Government of the South African Republic that application should be made to the reigning authority that the present provisional government in Swaziland should be extended for a period of one month from the 18th instant, to afford time for the preparation and publication of the Organic Proclamation contemplated by the Convention under which the Joint Government is to exercise its authority.

I propose, subject to the approval of Her Majesty's Government, to appoint Lieutenant-Colonel Martin to act as British Commissioner in the Joint Government, and I trust I may avail myself of the present opportunity of drawing your Lordship's attention to the manner in which that officer has performed his duties, under very trying and difficult circumstances, with marked ability and success.

I have, &c.,  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c.                      &c.                      &c.,  
Colonial Office.

No. 3.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received September 1, 1890.)

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of the Volksraad Resolution *re* the Swaziland Convention.

Government House, Cape Town,  
August 13, 1890.

I have, &c.,  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c.                      &c.                      &c.

Enclosure in No. 3.

RESOLUTION OF VOLKSRAAD.

The Volksraad having had under its notice the Convention concluded on the 2nd of August at Pretoria, between the South African Republic and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, observing with regret that Her Majesty's Government is still unwilling to agree to provisions by which the just claims and rights of this Republic are acknowledged, nevertheless wishing to maintain and to strengthen friendly relations with Her Majesty's Government, also

considering and trusting in the promise of Her Majesty's Government, namely, that when the joint Government in Swaziland shall have been established and the Concession Claims shall have been settled, such questions shall be taken into consideration as the Government of the South African Republic may lay before Her Majesty's Government with the desire to meet as far as possible the wishes of the South African Republic, regarding the said Convention for that reason as a transition measure, considering that it is desirable to make it apparent that the approval of the said Convention shall not be regarded as the relinquishing of rights and claims which the Republic has on territory situate to the east of that Republic, and expressly reserving to itself those rights and claims, further considering that it is necessary for the Republic not to make itself a party in questions which may exist or may arise between Her Majesty's Government and other governments, with respect to territory situate to the north and north-west of the Republic, and expressly declaring that the ratification of the said Convention is not making itself a party in any sense whatsoever; lastly considering that it is impossible to cause Article 22 of the said Convention to be of force and effect, so long as the South African Republic does not enter into the Customs Union Convention, resolves, on condition that Article 22 of the Convention shall be of force and effect only during the time when the South African Republic shall be a party to the Customs Union Convention, to express its approval of the said Convention; further, considering the fact that it is necessary for the preservation of safety, peace, and order on the north-western and northern borders of the Republic, that certain lands on those borders, now, in terms of the Convention, situate outside the territory of the Republic, upon which Kafir tribes are settled who also live partly within the territory of the Republic, and also lands upon which Kafir tribes had been settled, who have been driven thence and have fled within the territory of the Republic to which lands those Natives still make a claim, shall be annexed to the territory of the Republic, further resolves to instruct the Government to negotiate with Her Majesty's Government for the purpose of obtaining the annexation of these pieces of land to the territory of the Republic.

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No. 4.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, September, 25, 1890.

I HAVE the honour to acknowledge the receipt of your Despatch of the 13th of August last,\* enclosing the Convention† signed by you on behalf of Her Majesty and by President Krüger on behalf of the Government of the South African Republic, and ratified by the Volksraad of that State, for the purpose of effecting a settlement of the affairs of Swaziland.

I have also received your other Despatch of the 13th of August,‡ enclosing a resolution of the Volksraad of the South African Republic in regard to the Convention.

I have now the honour to convey to you the final approval, ratification, and adoption by Her Majesty's Government of this Convention and to signify their confirmation of your action in affixing your signature to it.

Her Majesty's Government desire to place on record their high appreciation of the value of the services rendered by you in effecting the conclusion of this Convention, under circumstances which the necessity for a speedy settlement rendered unusually difficult.

In conveying to Mr. Hofmeyr the thanks of Her Majesty's Government for having so readily undertaken the task of explaining the situation to the Government of the South African Republic, and smoothing away those difficulties which remained in the way of a settlement, you will inform him that they recognise the discretion and judgment with which he conducted the difficult and delicate negotiations at Pretoria, and so contributed in a very great degree to the successful result and to the maintenance of the friendly understanding which happily exists between Her Majesty's Government and that of the South African Republic.

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\* No. 2.

† No. 1.

‡ No. 3.

Your nomination of Colonel Martin as the British Representative in the Joint Governing Committee of Swaziland is approved, and I cordially endorse your testimony as to the ability and success with which he has performed his duties as the British member of the Provisional Government Committee under trying and difficult circumstances.

Sir H. B. Loch.

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

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# SOUTH AFRICA.

## FURTHER CORRESPONDENCE

RESPECTING THE

# AFFAIRS OF SWAZILAND.

(*In continuation of [C.—6200] August 1890 and [C.—6217] November 1890.*)

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**Presented to both Houses of Parliament by Command of Her Majesty.  
9th November 1893.**

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1893.

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# C O N T E N T S.

## PART I.—GENERAL CORRESPONDENCE.

Serial No.	From or to whom.	Date.	Subject.	Page.
<b>1890.</b>				
1	Sir H. B. Loch -	Aug. 15 (Rec. Sept. 9).	Encloses copy of a letter from Lieut.-Colonel Martin respecting the installation of the Swazi King U'Bunu.	1
2	Ditto -	Aug 27 (Rec. Sept. 16).	Transmits copy of a telegram to Her Majesty's agent at Pretoria respecting a scheme for the administration of Swaziland and an estimate of revenue and expenditure.	3
3	Ditto -	Sept. 1 (Rec. Sept. 22).	Transmits copy of a Despatch from Colonel Martin covering copies of Proclamations respecting the settlement of grazing rights disputes and the presence of whites at the installation ceremonies.	3
4	Ditto -	Sept. 2 (Rec. Sept. 22).	Transmits a copy of a despatch from Colonel Martin covering a copy of a Proclamation extending the Provisional Government to the 18th September.	5
5	Ditto -	Sept. 3 (Rec. Sept. 22).	Transmits copies of telegraphic correspondence with Colonel Martin respecting the scheme of administration and estimate of revenue and expenditure.	6
6	To Treasury -	Oct. 4	Conveys Lord Knutsford's views as to the manner in which the accounts of the Joint Administration should be dealt with.	7
7	Sir H. B. Loch -	Sept. 24 (Rec. Oct. 13).	Transmits copy of a letter from Colonel Martin reporting the ceremonies at the installation of the young King, and of the reply thereto.	8
8	Ditto -	(Rec. Nov. 7). Telegraphic.	Reports that the estimated share of Her Majesty's Government in the deficit of the Swaziland revenue is 7,000 <i>l.</i> , of which 5,000 <i>l.</i> will be required this year.	11
9	Ditto. -	Nov. 24 (Rec. Dec. 15).	Reports that he has advanced to the Government Treasurer of Swaziland 1,200 <i>l.</i> from Bechuanaland funds, and encloses an estimate of expenditure as agreed upon with the Government of the South African Republic.	11
10	Ditto -	Nov. 29 (Rec. Dec. 23).	Encloses copy of a letter from Colonel Martin covering copy of a proclamation by the Swazi King establishing the Joint Government.	12
<b>1891.</b>				
11	Ditto. -	Dec. 13, 1890 (Rec. Jan. 6, 1891).	Transmits copy of a letter from the Government Secretary Swaziland, covering copy of a supplement to the proclamation.	15
12	Ditto. -	Dec. 13, 1890 (Rec. Jan. 6, 1891).	Transmits copy of a letter from Colonel Martin covering copy of a document by which the Swazi nation assigns to the South African Republic the ownership of land for the purpose of constructing a railway.	16
13	Lieutenant - General Cameron.	Mar. 10 (Rec. Mar. 31).	Transmits copy of a Despatch from Colonel Martin reporting the trial and conviction of certain natives of Swaziland for murder.	17

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1891.</b>		
14	To Sir H. B. Loch -	May 23. Extract.	Comments upon the estimates for the year 1891-92.	19
15	Sir H. B. Loch -	May 7 (Rec. June 2).	Submits, with observations thereon, the joint report of the Swaziland Concession Court, together with Mr. Justice Juta's dissent and supplementary report and also supplementary remarks by Chief Justice Kotze and copies of some of the more important concessions referred to.	21
16	Ditto -	May 30 (Rec. June 22).	Transmits copy of a Despatch from Colonel Martin covering copy of a further concession (that of Mr. G. Schwab) which has been recognised by the Swaziland High Court.	29
17	Ditto -	June 2 (Rec. June 22).	Transmits copy of a Despatch from the Government Secretary of Swaziland reporting on the progress made by the Joint Government since its establishment. Calls particular attention to the cases of concessionaires who are allowed to import goods free of customs duty.	31
18	Ditto -	June 24 (Rec. July 13).	Transmits copies of Despatches to Colonel Martin and the President of the South African Republic respecting the estimates of 1891-2.	35
19	Ditto -	Sept. 7 (Rec. Sept. 28).	Reports that no steps have been taken for the revision of the estimates, because the Government of the South African Republic has issued no instructions to its representative, and encloses copy of a further letter to the President.	37
20	To Sir H. B. Loch -	Oct. 10	States that if the Government of the South African Republic continue inactive Her Majesty's Government must frame estimates for themselves, and comments upon the proposed methods of raising revenue.	40
21	Sir H. B. Loch -	Nov. 11 (Rec. Dec. 1).	Reports that the revised estimates show a reduction in the estimated expenditure by 3,378 <i>l.</i> , and that he is awaiting the approval of the President of the South African Republic before forwarding them to the Secretary of State.	40
		<b>1892.</b>		
22	Ditto -	Dec. 21, 1891 (Rec. Jan. 9, 1892).	Transmits copy of a Despatch from Colonel Martin respecting the preparation of a scheme for increasing the revenue in Swaziland.	41
23	Ditto -	May 9 (Rec. May 27).	Transmits copy of a Despatch from Mr. Lagden reporting that he has assumed the duties of British Commissioner in the place of Colonel Martin, who is on leave of absence.	42
24	Ditto -	May 11 (Rec. May 27).	Transmits copy of correspondence relative to the exercise of the Private Revenue Concession in Swaziland by the Government of the South African Republic.	42
25	Ditto -	May 25 (Rec. June 13).	Transmits copy of a letter from the Government Secretary, forwarding reports of Government officials.	47
26	Ditto -	July 20 (Rec. Aug. 8).	Transmits copy of a letter from the Acting Government Secretary forwarding the Acting Government Treasurer's report for the financial year, and a further report by the Attorney-General.	54

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1892.</b>		
27	Sir H. B. Loch -	Aug. 6 (Rec. Aug. 29).	Transmits copy of a Despatch from the Acting British Commissioner reporting the moving of the King's kraal.	60
28	Lieut-General Cameron.	Oct. 10 (Rec. Oct. 31).	Transmits copy of a Despatch from the British Commissioner in Swaziland reporting a shortfall in the revenue.	61
29	Ditto -	Oct. 10 (Rec. Oct. 31). Extract.	Transmits copy of a Despatch from the British Commissioner in Swaziland in regard to the collection of revenue.	62
30	Ditto -	Oct. 18 (Rec. Nov. 8).	Transmits copies of telegrams relative to the settlement of the Swaziland estimates for the current year.	62
31	J. Whittaker, Esq. (the Swaziland Committee).	Nov. 16	Encloses copies of resolutions deprecating the abandonment of Swaziland, and asks for an interview with the Secretary of State.	63
32	Lieut-General Cameron.	Nov. 2 (Rec. Nov. 22).	Transmits copy of a Despatch from Mr. Lagden reporting that no additional grant in aid for Swaziland will be required during the current year, and encloses papers having reference to the estimates.	64
33	The Umbandine Swaziland Concessions Syndicate.	Dec. 12	Encloses copies of concessions held by the Syndicate in Swaziland, and protests against any action of Her Majesty's Government which may transfer the dominant power in the country unaccompanied by effective guarantees for the protection of concessions legally granted to British subjects.	67
34	Lieut.-Gen. Cameron	Nov. 28 (Rec. Dec. 19).	Transmits copies of telegraphic correspondence with Mr. Lagden respecting the grant-in-aid for Swaziland for next year, and recommends that the amount be fixed at 7,000 <i>l</i> .	83
35	Ditto -	Nov. 29 (Rec. Dec. 19).	Transmits copy of correspondence relative to the refusal of Dr. Esser, the Attorney-General, to pay customs duties.	84
36	The London Chamber of Commerce.	Dec. 21	Urges that the complete independence of Swaziland should be maintained, and expresses the views of the Chamber on matters in connexion with that country.	87
37	Lieut.-Gen. Cameron	Dec. 6 (Rec. Dec. 27).	Transmits copy of a Despatch from Mr. Lagden reporting that the action brought by Schwab against the Government Committee for a refund of Customs duties has been decided in favour of the plaintiff.	88
38	To the London Chamber of Commerce.	Dec. 31	Observes that Lord Ripon has nothing to add to the remarks made by him to the deputation of the 23rd November.	92
39	To the Umbandine Swaziland Concessions Syndicate.	Dec. 31	Refers them, in reply to their letter of 12th December, to Lord Ripon's reply to a recent deputation on the subject.	92

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1893.</b>		
40	Sir H. B. Loch -	Dec. 9, 1892. (Rec. Jan. 2, 1893).	Transmits the Swaziland estimates for the current year, which have at last been agreed to by President Krüger, and asks for the sanction of Her Majesty's Government thereto.	93
41	Ditto - -	Dec. 12, 1892. (Rec. Jan. 2, 1893).	Transmits copy of further papers relative to Dr. Esser's temporary refusal to pay Customs duties and the attitude of Mr. Lagden's colleagues.	93
42	Ditto - -	Dec. 13, 1892. (Rec. Jan. 2, 1893).	Transmits copy of correspondence relative to the increase of the "Miscellaneous" item in the Swaziland Estimates from 100 <i>l.</i> to 300 <i>l.</i> , and requests the approval of Her Majesty's Government.	99
43	To Treasury -	Jan. 3	Transmits copies of Despatches relative to the finances of Swaziland, and recommends that the grant-in-aid should be estimated, as in 1892-3, at 7,000 <i>l.</i>	101
44	Treasury - -	Jan. 19	Sanctions the grant of a sum of 7,000 <i>l.</i> in aid of the revenue of Swaziland for 1893-4; comments on the unsatisfactory state of the country, and expresses the hope that steps will be taken to relieve Her Majesty's Government from a charge for which there seems to be no adequate defence.	101
45	To Treasury -	Jan. 24	Transmits, with remarks, the Swaziland Estimates for 1892-3.	103
46	To Sir H. B. Loch -	Jan. 31	Directs him to obtain and furnish to the Secretary of State certain details as to the various efforts which have been made to introduce a Customs Law and to improve the financial situation in Swaziland.	103
47	To Treasury -	Feb. 4	Observes, in reply to Treasury letter of 19th January, that, as will be seen from Colonial Office letter of 24th January, Lord Ripon is fully alive to the inconvenience and difficulty of the financial situation.	104
48	Treasury - -	Feb. 10	Expresses disappointment at the absence of any estimate of revenue, and accepts the estimates under protest; comments upon the expensive nature of the present administration, and observes that the sooner it is brought to an end the better.	104
49	To Sir H. B. Loch -	Mar. 2	Informs him that Her Majesty's Government will not refuse to accept the estimates of expenditure for 1892-93 as a guide to the sum which Parliament must be asked to vote.	105
50	Sir H. B. Loch -	Mar. 21 (Rec. April 10).	Transmits copy of telegraphic correspondence respecting the claim of Messrs. Wallerstein and Bremer, for the refund of customs duties paid by them in 1891, which claim has been compromised by the payment of 500 <i>l.</i>	106
51	The Umbandine Swaziland Concessions Syndicate.	April 11	Calls attention to the necessity, in the event of Swaziland being handed over to the South African Republic, of safeguarding British interests and concessions.	107
52	The Glasgow Chamber of Commerce.	April 18	Urges that in the interests of the Swazies and of this country, the British Protectorate over the country should be continued.	108

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1893.</b>		
53	Sir H. B. Loch -	April 4 (Rec. April 24)..	Transmits copy of a Despatch from Colonel Martin, reporting the efforts he has made to induce his colleagues to co-operate in endeavouring to increase the revenue, and to otherwise improve the financial condition of the country.	109
54	To the Umbandine Swaziland Concessions Syndicate.	April 26	Asks for further information as to capital raised and expenditure incurred by the syndicate on account of concessions held by it.	111
55	To the Glasgow Chamber of Commerce.	April 28	Observes that in any arrangement which may be come to British interests will be duly considered and preserved, and points out that it is incorrect to assert that a British protectorate exists over Swaziland.	111
56	Sir H. B. Loch -	May 29 (Rec. June 17).	Transmits copy of a letter from the Government Secretary of Swaziland covering official reports for the year ending 31st March, 1893.	112
57	Ditto - -	July 31 (Rec. August 21).	Transmits a copy of a despatch from Col. Martin, forwarding a list of the Swaziland concessions.	115

**PART II.—CORRESPONDENCE IMMEDIATELY CONNECTED WITH THE CONFERENCE AND THE CONVENTION.**

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1890.</b>		
58	Sir H. B. Loch -	July 12 (Rec. July 12). Telegraphic Extract.	Transmits a telegram from Mr. Hofmeyr, reporting the objections entertained by the Government of the South African Republic to the Memorandum and Draft Convention submitted to them, and the nature of the compromise which they are willing to accept.	118
59	Ditto -	July 26 (Rec. Aug. 22).	Transmits copy of a letter from Mr. Hofmeyr, covering copy of a letter addressed by him to the Government of the South African Republic, on the subject of the draft Convention.	118
60	Ditto -	Sept. 2 (Rec. Sept. 22).	Transmits a translation of a speech delivered by President Kruger at the prorogation of the Volksraad of the South African Republic, in which reference is made to the Swaziland Convention.	120
		<b>1891.</b>		
61	Ditto -	(Rec. May 4). Telegraphic Extract.	Reports that the President appears to be doing his best to stop the intended trek into Mashonaland, but has great difficulties to contend with, and requests authority to inform him that H. M. Government will not refuse to discuss the Swaziland questions earlier than was intended.	121
62	To Sir H. B. Loch -	May 5. Telegraphic.	Observes that if the trek is stopped H. M. Government will not refuse discussion earlier than was intended, but can pledge themselves no further.	121

Serial No.	From or to whom.	Date.	Subject.	Page.
<b>1891.</b>				
63	Sir H. B. Loch -	(Rec. May 21). Telegraphic.	Transmits the text of a private letter to President Kruger urging action with regard to the trek, and reports that the Volksraad has confirmed the President's proclamation and provided for the imposition of a fine of £500 on any trekker.	121
64	Ditto	May 9 (Rec. June 2). Extract.	Transmits copy of correspondence with the Government of the South African Republic with regard to the Swaziland question, and recommends that the proposal for a reconsideration of the same should be accepted.	122
65	To Sir H. B. Loch -	June 11	Authorises him to inform President Kruger that if the proposed trek is stopped Her Majesty's Government will not refuse to discuss the Swazi question at an earlier date than was contemplated.	124
66	Sir H. B. Loch -	May 21 (Rec. June 16).	Transmits copy of the private letter to President Kruger referred to in No. 63.	125
67	Ditto -	June 17 (Rec. July 7). Extract.	Reports that the trek agitation is practically over, and that this result is in great measure due to the energetic and loyal co-operation of President Kruger.	125
68	Ditto -	July 6 (Rec. July 27). Extract.	Proposes to arrange a meeting with President Kruger for August when the Swaziland question will be considered.	126
<b>1892.</b>				
69	Ditto -	Dec. 30, 1891 (Rec. Jan. 18, 1892).	Transmits copy of a letter from President Kruger relative to the claims of the Government of the South African Republic in any reconsideration of the Swaziland question and asks for instructions as to the reply to be sent thereto.	126
70	To Sir H. B. Loch -	Jan. 26. Telegraphic.	Informs him that Her Majesty's Government agree to his meeting the President.	128
71	Ditto -	Feb. 2.	Authorises him to invite President Kruger to a conference for the purpose of discussing the Swaziland and other questions, making it clear that any proposals he may make must be referred home for the decision of Her Majesty's Government.	128
72	Sir H. B. Loch to President Kruger.	May 9	Conveys the consent of Her Majesty's Government to a conference between the High Commissioner and the State President respecting the Affairs of Swaziland.	129
73	Sir H. B. Loch -	June 7 (Rec. June 28).	Transmits translation of a Despatch from the Government of the South African Republic relative to the proposed meeting of the President and the High Commissioner.	130
74	Ditto -	June 28 (Rec. July 18).	Transmits copy of a Despatch from the President of the Orange Free State covering a resolution of the Volksraad on the bearing of the Swaziland Question on South African questions generally.	130
75	To Sir H. B. Loch -	July 28	Instructs him to inform the President of the Orange Free State that Her Majesty's Government have received and duly noted the resolution of the Volksraad.	131

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1892.</b>		
76	Sir H. B. Loch -	July 27 (Rec. Aug. 15).	Transmits translation of letter from the Secretary to the South African Republic stating that his Government has not yet come to a decision as to the proposed conference, with a copy of his reply thereto, requesting to be informed whether the President now considers such a conference to be necessary.	132
77	Ditto -	Aug. 3 (Rec. Aug. 23).	Transmits translation of a Despatch from the Government of the South African Republic relative to the proposed Conference.	133
78	Ditto -	(Rec. Aug. 23). Telegraphic.	Reports that as incorrect rumours as to his proposed Conference with President Kruger are being circulated, he has published the correct facts.	133
79	Ditto -	(Rec. Aug. 25). Telegraphic.	Suggests that before meeting President Kruger he should visit England to confer with Secretary of State.	134
80	Ditto -	Aug. 8 (Rec. Aug. 29).	Transmits copy of a Despatch to President Kruger respecting his apparent reluctance to take part in the proposed Conference.	134
81	Ditto -	(Rec. Sept. 5). Telegraphic.	Asks for a reply to his telegram of 25th August	135
82	To Sir H. B. Loch -	Sept. 7 Telegraphic.	Informs him that the Treasury have sanctioned his visit to England, and that he should send a cordial message to the President of the South African Republic explaining the necessity for postponing the Conference.	135
83	Sir H. B. Loch -	Aug. 27 (Rec. Sept. 19).	Transmits copy of a letter from the Government of the South African Republic accepting the proposal for a personal conference between the President and Sir H. B. Loch.	135
84	Ditto -	Sept. 9 (Rec. Oct. 3).	Transmits copy of a letter to President Kruger in the sense of Lord Ripon's telegram of 7th September.	136
85	Ditto -	Oct. 4 (Rec. Oct. 24).	Transmits translation of a letter from the Government of the South African Republic intimating that the President is unable to fix a date for the Conference.	137
86	To Sir H. B. Loch -	Dec. 1	Conveys instructions for his guidance at the forthcoming Conference with the President of the South African Republic on the future government of Swaziland.	137
		<b>1893.</b>		
87	Sir H. B. Loch -	Jan. 2 (Rec. Jan. 23).	Submits his views upon the instructions conveyed in Lord Ripon's Despatch of 1st December	143
88	Ditto -	Mar. 20 (Rec. Mar. 20). Telegraphic.	Reports that he proposes to meet the President of the South African Republic at Charlestown, on 24th April and requests permission to treat the President and his party as the guests of Her Majesty's Government.	144
89	To Sir H. B. Loch -	Mar. 22 Telegraphic.	Approves his proposal to entertain the President and his party as the guests of Her Majesty's Government.	144
90	Sir H. B. Loch -	(Rec. Mar. 27). Telegraphic.	Reports that he has agreed to meet the President at Colesberg instead of Charlestown, on April 18th.	144

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1893.</b>		
91	Sir H. B. Loch -	(Rec. Apr. 27). Telegraphic.	Reports that the Government of the South African Republic state that they have no power to approve extension of time of permissible denunciation of the Convention (of 1890) without reference to the Volksraad, but that such reference will be made as soon as possible.	144
92	Ditto - -	(Rec. May 5). Telegraphic.	Reports that the Government of the South African Republic, by instruction of the Volksraad, has given notice of the denunciation of the Convention of 1890, but has been empowered to extend the Convention in the event of pending negotiations resulting in an arrangement acceptable to the Republic.	144
93	Ditto - -	(Rec. May 11). Telegraphic.	Requests authority to exercise his discretion as to paying a visit to Pretoria if he should deem it desirable in furtherance of negotiations.	145
94	To Sir H. B. Loch -	May 11 Telegraphic.	Authorises him to visit Pretoria - -	145
95	Sir H. B. Loch -	April 22 (Rec. May 15). Extract.	Furnishes a report of his discussion with President Krüger, at Colesberg, and observes that nothing more can be done until the views of the Volksraad are known.	145
96	Ditto - -	May 10 (Rec. May 29).	Transmits copy of correspondence on the subject of the denunciation of the Convention of 1890, and the conduct of further negotiations.	146
97	Ditto - -	May 15 (Rec. June 7).	Transmits copy of correspondence with the Government of the South African Republic relative to the conduct of further negotiations.	147
98	Ditto - -	June 10 (Rec. July 3).	Transmits Draft Convention with South African Republic and recommends approval of same. States that the existing Convention has been extended for three months.	148
99	Ditto - -	June 10 (Rec. July 3).	Explains the circumstances which led to the resolution in Volksraad with regard to the Convention.	153
100	Ditto - -	June 16 (Rec. July 6). Extract.	Submits report of his recent visit to the South African Republic, and expresses his views as to probable future developments in that State.	153
101	Ditto - -	June 21 (Rec. July 6).	Reports, that on the occasion of his recent visit to the South African Republic, he received various addresses, as indicated, welcoming himself, and expressing loyalty to Her Majesty the Queen.	154
102	To Sir H. B. Loch -	July 21	States that Her Majesty the Queen desires to express the gratification with which she has learnt of the loyal demonstrations towards her Throne and Person, and appreciation of Her Government, reported in High Commissioner's despatch of 21st June last.	155
103	Sir H. B. Loch -	Aug. 5 (Rec. Aug. 26.)	Transmits copy of telegraphic correspondence on the subject of the jurisdiction of the Swaziland High Court after August 8th, and the extension of the existing Convention for three months.	156

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1893.</b>		
104	Sir H. B. Loch -	Aug. 23 (Rec. Sept. 11).	Transmits copy of a correspondence with the Government of the South African Republic on the subject of the Draft Convention.	158
105	Ditto -	Sept. 12 (Rec. Oct. 2).	Transmits translation of a telegram from the Government of the South African Republic on the same subject.	161
106	Ditto -	Sept. 20 (Rec. Oct. 9).	Transmits copy of a telegram to the Government of the South African Republic on the same subject.	162
107	Ditto -	Sept. 27 (Rec. Oct. 16).	Transmits copy of further telegraphic correspondence with the Government of the South African Republic on the same subject.	163
108	Ditto -	Oct. 3 (Rec. Oct. 24.)	Transmits copy of further telegraphic correspondence on the same subject.	164
109	To Sir H. B. Loch -	Oct. 29	Conveys the thanks of Her Majesty's Government for his able services in bringing the protracted negotiations to a satisfactory conclusion.	165
110	Sir H. B. Loch -	Oct. 10 (Rec. Oct. 30.)	Transmits copies of further letters from the Government of the South African Republic on the same subject.	165
111	Ditto - -	Nov. 8 (Rec. Nov. 8.) Telegraphic.	Transmits translation of a telegram from the State Secretary of the South African Republic reporting that the Convention has been signed by the President.	166



**SOUTH AFRICA.**

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**FURTHER CORRESPONDENCE**

RESPECTING THE

**A F F A I R S   O F   S W A Z I L A N D .**

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**PART I.—GENERAL CORRESPONDENCE.**

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No. 1.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received September 9, 1890.)

Government House, Cape Town,  
August 15, 1890.

My LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a letter from Colonel Martin, forwarding a letter from Mr. Shepstone respecting the installation of the Swazi King U'Bunu.

I have, &c.  
The Right Hon. Lord Knutsford, G.C.M.G., (Signed) HENRY B. LOCH,  
&c. &c. &c. Governor and High Commissioner.

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Enclosure in No 1.

From COLONEL MARTIN to HIGH COMMISSIONER, Cape Town.

Swaziland Mission, Embekelweni,  
August 3, 1890.

SIR,

I HAVE the honour to forward a letter, received from the Resident Adviser, enclosing a memorandum regarding the installation of the young Swazi King to U'Bunu, in which he gives his reasons for having requested my Transvaal colleague and myself to visit the young King before he had been shown to the Swazi nation.

As I have already informed your Excellency in my telegram of the 31st July, I was satisfied he was the boy chosen as successor of Umbandine, and recognised by the Joint Commission in December last.

I have, &c.  
His Excellency the High Commissioner, (Signed) R. E. R. MARTIN,  
Cape Town. British Representative.

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Resident Adviser's Office, Embekelweni, Swaziland,  
August 1, 1890.

SIR,

I HAVE the honour to forward, for your information, a memorandum I have written regarding the installation of the young Swazi King U'Bunu.

I have, &c.  
Lieut.-Col. R. E. R. Martin, C.M.G., (Signed) THEOPHILUS SHEPSTONE,  
&c. &c. &c. Resident Adviser and Agent,  
British Representative in Swaziland. Swazi Nation.

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## MEMORANDUM.

For the Representatives of the Governments of Her Britannic Majesty and His Honour the President of the South African Republic.

On behalf of the Swazi nation I requested your attendance yesterday at the Enkanini Kraal, to see the young King, the successor to Umbandeni.

The reasons for the request were :—

- (a.) That rumours had got abroad and were being spread by certain persons that a new claimant was to be put forward as King, and that there would be fighting between the Swazies thereon.
- (b.) My request to the nation not to delay, as I had reported to the Government that all the ceremonies would be concluded a month ago, and inquiries were being made as to why the ceremonies had been so long delayed.
- (c.) The spreading of these reports was disturbing the nation, and had every tendency to cause a disturbance, just at the time when the country was full of grazing holders with their stock.
- (d.) The heads of the nation wished the representatives of the Governments to see the young King and be satisfied he was the boy nominated by the late King, approved of by the nation, and recognised by the Honourable the Joint Commission in December last. I regret that owing to a mistake of the headmen you were inconvenienced by a delay. I understood you were requested to be present in the afternoon, whereas you were expected in the morning, and the young King was present all morning, close by the kraal, and was subsequently sent back to the mountain under the supposition that we were not coming. Hence the delay, as he had to be sent for again.

I had personally supposed that there would have been a ceremony at the kraal itself, but I was unaware that it was native custom not to show him to the nation till the crying was over, and that meanwhile he should not be permitted to enter a kraal.

He is installed and he is King. He had the symbols of kingship with him, which he would not have unless on being installed as King.

Those symbols, which are the very same as for generations, and have been handed down by the former Kings of the Swazies, are as follows :—

The tortoise shell, which he sat on.

The skin over it.

The two assegais he carried.

The wand, which he struck in the ground before him at the meeting.

The copper ring on his arm and the black paint for mourning on his forehead, which is only worn by a King.

“The crying” being over, he will be exhibited to the nation, all of whom now know that he has been installed.

The Chiefs present at the meeting, deputed by the nation, were as follows :—

Jokoru, trustee for the nation.

Umgogo, head induna of the Queen Dowager.

Makambane, the induna of the Eukanini Kraal.

Nonquka, } uncles of the young King.

Umulane, }

Umtubeni, the Queen's personal attendant, who fetched Bunu.

The headmen who accompanied the young King in his escort were :—

Mandumane, brother of Tikuba, and in charge of the young King.

U'Huma,

Umbuluwako, } indunas under Tikuba.

Tische,

At the conclusion of the meeting the young King said. “Yebo Makosi, Maningi Londolose nina'ni Hlesi Tulu,” which being interrupted means, “Yes, sirs, please take care of me, you who are placed in such a high position.”

As the planting season has now arrived I believe all ceremonies will be over almost immediately.

Resident Adviser's Office, Embekelweni,  
July 31, 1890.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi Nation.

No. 2.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received September 16, 1890.)

MY LORD, Government House, Cape Town,  
August 27, 1890.

I HAVE the honour to enclose, for your Lordship's information, a copy of a telegram to Her Majesty's Agent at Pretoria, respecting a scheme of administration for Swaziland, and the estimate of revenue and expenditure to be drawn up by Colonel Martin and Mr. Esselen.

I have, &c.  
The Right Hon Lord Knutsford, G.C.M.G., (Signed) HENRY B. LOCH,  
&c. &c. &c. Governor and High Commissioner.

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Enclosure in No. 2.

TELEGRAM.

HIGH COMMISSIONER to H.M. AGENT, Pretoria.

26th.—I will be glad if you will propose to the State President that Colonel Martin and Mr. Esselen be requested to draw up a scheme of administration for Swaziland with an estimate of revenue and expenditure. The question as to whether there should be one or three judges need not be considered in connexion with this scheme. It will be sufficient if they assume the existence of a High Court and prepare a scheme, having a due regard to economy, for the minor offices and duties of the administration. I propose to address you later as to the question of the judges for the President's consideration, but I shall be glad if you can without delay procure the consent of his Honour the President to this proposal. You can leave with the President a copy of this telegram.

No. 3.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received September 22, 1890.)

MY LORD, Government House, Cape Town,  
September 1, 1890.

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Colonel Martin covering copies of Proclamations issued by the Provisional Government of Swaziland and the Queen Regent of Swaziland.

I have, &c.  
The Right Hon. Lord Knutsford, G.C.M.G., (Signed) HENRY B. LOCH,  
&c. &c. &c. Governor and High Commissioner.

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Enclosure in No. 3.

COLONEL MARTIN to HIGH COMMISSIONER.

SIR, Swaziland Mission, Embekelweni,  
August 17, 1890.

I HAVE the honour to forward, for your Excellency's information, Proclamations as under:—

1. Giving the Swaziland Provisional Government Committee power to temporarily settle disputes between holders of grazing contracts.

A 2

## 2. Requesting whites not to attend Installation Ceremonies.

I have, &c.,  
(Signed) R. E. R. MARTIN, Lieut.-Col.,  
British Representative.

His Excellency  
The High Commissioner, Cape Town.

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TO ALL WHOM IT MAY CONCERN.

Whereas the Swazie nation has expressed a desire that the Ceremony of the "Crying" and of the Installation of the young King should be carried out in private by the Nation.

And whereas the Governments of Her Britannic Majesty and of the South African Republic have approved of such desire.

Notice is hereby given that all white persons are requested and warned not to attend at either such ceremony but to respect the desire of the nation.

Notice is further given that after the Installation the Representatives of Her Britannic Majesty and of the South African Republic in Swaziland will visit the new King when such white persons as wish to greet him may attend.

Given under our hands at Embekelweni, this 24th day of June 1890.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie Nation.  
Chairman, Provisional Government Committee.

(Signed) R. E. R. MARTIN,  
British Representative Member, Provisional  
Government Committee.

(Signed) D. J. ESSELEN,  
South African Republic Representative Member,  
Provisional Government Committee.

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PROCLAMATION.

TO ALL TO WHOM IT MAY CONCERN,

WE the Queen Regent of the Swazie Nation, acting by and with the advice of our Headmen and Councillors, do hereby declare, proclaim, and make known as follows:—

Whereas by Our Proclamation, dated the 18th day of December 1889, it was proclaimed:

"Nothing herein contained shall be deemed to authorise the Committee to decide the question of the initial validity of any concession, grant, or privilege, which may have been granted, or which purports to have been granted by Umbandeni, late King and Paramount Chief of the Swazie Nation."

And whereas difficulties and disputes have arisen and may yet arise between holders of grazing contracts and other contracts of a like nature.

And whereas it is advisable that the Provisional Government Committee should have power temporarily to settle all such disputes.

And whereas under the said Proclamation it was provided and proclaimed as follows:—

"The Committee shall have power to frame such laws as it may deem expedient for the government of the white population of Swaziland, and for the management of matters in which whites are concerned, but no such law shall have legal effect until duly confirmed by us.

"The Committee shall have power to frame such regulations and issue such orders as may be necessary in furtherance of the powers and functions conferred upon it by this Proclamation, and all such regulations and orders shall be conformed to and obeyed, and shall be published by written notice at our Government offices, and shall be signed under the hand of our resident adviser and agent."

Now, therefore, in pursuance of such reservations and powers herein-before set forth.

Be it hereby made known that the Provisional Government Committee of Swaziland be, and it is hereby authorised and empowered, to deal with and temporarily settle or decide upon all or any disputes that now are or hereafter may arise concerning or between holders of grazing contracts or contracts of a like nature.

Provided always, that nothing herein contained shall be deemed to give the said Provisional Government Committee power to decide upon the initial validity of any concession, grant, or privilege.

Thus done and passed at Embekelweni, this 1st day of July 1890.

(Signed) THEOPHILUS SHEPSTONE,  
By command, for and on behalf of the  
Queen Regent.

(Signed)	TIKUBA,	his	×	mark
"	NOCOCO	"	×	"
"	JOKOVU	"	×	"
"	NOMABILELA	"	×	"
"	UCUBUYANA	"	×	"
"	N'KONKONI	"	×	"
"	MAMMISA	"	×	"
"	UMVULANA	"	×	"
"	UMANNUSA	"	×	"
"	UPANGWINE	"	×	"

As witness :  
(Signed) JOHN GAMA.  
" WM. C. PENFOLD.

No. 4.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received September 22, 1890.)

Government House, Cape Town,  
September 2, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Colonel Martin, covering a copy of the Proclamation issued by the Swazie King for the extension of the Provisional Government to the 18th September 1890.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure in No. 4.

Colonel MARTIN to HIGH COMMISSIONER.

Swazieland Mission,  
August 19, 1890.

SIR,

I HAVE the honour to forward, for your Excellency's information, a copy of the Proclamation extending the powers of the Provisional Government Committee to the 18th September next.

I have, &c.  
(Signed) R. E. R. MARTIN, Lieut.-Col.,  
His Excellency the High Commissioner, British Representative, Swaziland.  
Cape Town.

SWAZIELAND PROCLAMATION.

TO ALL WHOM IT MAY CONCERN.

WHEREAS on the 18th day of December 1889 the Queen Regent, Headmen, and Councillors of the Swazi nation issued a Proclamation appointing Theophilus Shepstone, Esq., C.M.G., Resident Adviser and Agent, Lieut.-Col. R. E. R. Martin, C.M.G., nominated Representative of Her Majesty Queen Victoria, and D. J. Esselen, Esq., nominated Representative of the South African Republic, to act as a Provisional Government Committee in Swazieland for the space or term of four months :

And whereas on the 9th day of April, the Queen Regent, Headmen, and Councillors issued a further proclamation at the request of the Government of Her Britannic Majesty and of the South African Republic, extending the aforesaid Proclamation for a further term or space of four months from the 18th day of April 1890 :

And whereas the term or period of such extension expires on the 18th day of August 1890, and Her Britannic Majesty's Government and the Government of the South African Republic have applied to the Swazie nation to further extend the term or period of the said Provisional Government Committee for the space of one month from the 18th day of August 1890 :

Be it hereby made known to all persons that we, Ungwane, otherwise O'Hili, otherwise U'Bunu, King and Paramount Chief of the Swazie nation, duly assisted by Usibati acting as the Queen Regent and by our mother the Queen Gunabotibeni and acting with the advice of our Resident Adviser and Agent Theophilus Shepstone, Esq., C.M.G., and with the approval of our Headmen and Councillors in Council assembled have extended, and we hereby do extend, the term or period of the said Provisional Government Committee with all its powers, privileges, and conditions for a further term or period of one month from the 18th day of August 1890.

Thus done and passed at our Royal Kraal Enkanini, on this the 16th day of August 1890.

UNGWANE his X mark  
King and Paramount Chief.

(Signed) USIBATI, Queen Regent her X mark.

GUNABOTIBENI, Queen her X mark.

JAKOVU his X mark. (Signed)

NOCOCO his X mark.

TEKUBA his X mark.

MALOYI his X mark.

UMGOGO his X mark.

MAKAMBANE his X mark.

MANCIBANA his X mark.

UMHILABA his X mark.

UHENIBELELA his X mark.

UGIBA his X mark.

UNTSHASHA his X mark.

U'MATEBULA his X mark.

UMTONGA his X mark.

U'BAUMBAI his X mark.

U'VELAKUTI his X mark.

U'SILILO his X mark.

U'THLUNGILE his X mark.

UMCIBOHIS his X mark.

U'BULANE his X mark.

ENTABENI his X mark.

U'MASIPULA X his mark.

UJOJO his X mark.

U'JOKOON his X mark.

UMKONYANE his X mark.

As witnesses—

(Signed)

S. TOWSON.

JOHN GAMA.

Interpreted by me,

(Signed)

THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

No. 5.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received September 22, 1890.)

Government House, Cape Town,  
September 3, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, copies of telegraphic correspondence with Colonel Martin respecting the scheme of administration for Swaziland and the estimate of revenue and expenditure to be drawn up.

I have, &c.,

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G.,

Governor and High Commissioner.

&c.

&c.

&c.

Enclosure 1 in No. 5.

TELEGRAM.

HIGH COMMISSIONER to COLONEL MARTIN, Embekelweni, Swaziland.

28th.—I shall be glad if you will in conjunction with Mr. Esselen draw up a scheme of administration for Swaziland, with an estimate of revenue and expenditure. The question as to whether there should be one or three judges need not be considered in connexion with this scheme. It will be sufficient if you assume the existence of a high court, and prepare a scheme, having a due regard to economy, for the minor officers and duties of the administration.

## Enclosure 2 in No. 5.

## TELEGRAM.

COLONEL MARTIN, Embekelweni, to HIGH COMMISSIONER, Cape Town.

29th August.—With reference to your Excellency's telegram of 28th, can you inform me, if by scheme it is intended we should simply report on what officials will be required, with proposed salary, or whether we are to draw up a plan for the administration of the whole country? Shall we also report on spot for seat of government?

The Telegraph and post are at Bremer's, where there is a good hotel, but it is five miles from Native Office, where present Government offices are. A good deal will depend, in my opinion, upon the proposed position of the Resident Adviser in the new government, and whether it will be advisable for the two offices to be together. I propose to send sketch with our views on subject, by post.

## Enclosure 3 in No. 5.

## TELEGRAM.

HIGH COMMISSIONER to COLONEL MARTIN, Embekelweni, Swaziland.

29th.—Yours of to-day. You should draw up a scheme of administration, including strength and organisation of police, and then an estimate of revenue and expenditure based on that scheme. There will probably be a deficiency, and it is important that I should inform Her Majesty's Government of probable deficiency as soon as possible. The seat of government would be a matter of agreement amongst the members of the new government.

## No. 6.

## COLONIAL OFFICE to TREASURY.

SIR,

Downing Street, October 4, 1890.

I AM directed by Lord Knutsford to request that you will lay before the Lords Commissioners of the Treasury the accompanying copies of papers,\* which have been received from Her Majesty's High Commissioner for South Africa respecting the preparation of a scheme of administration for Swaziland and of estimates of revenue and expenditure.

Lord Knutsford desires me to point out, with reference to the inquiry contained in your letter of the 19th of August,† that there is no provision in the Convention governing the preparation and approval of estimates. His Lordship, however, concludes that the estimates having been prepared in Swaziland by the triumvirate, created by the Convention, jointly should then be considered by the Government of the South African Republic and by Her Majesty's High Commissioner (to whom, under the peculiar circumstances, a wide discretion must be allowed) and, when agreed upon by them, sent to this country for the final concurrence of Her Majesty's Government. Under the peculiar circumstances of the case, Lord Knutsford presumes that the Lords Commissioners of the Treasury will agree with him that it would be impracticable to subject the accounts of the Swaziland joint administration to audit by the Controller and Auditor General. If such a right were claimed by the Home Government, it would be equally claimable by the Government of the South African Republic, and grave inconvenience might arise in cases where one country was to allow and the other to disallow particular items, and correspondence over trifling matters might be protracted beyond the period of three years for which the present state of things is definitely established. The only practicable course appears to be to trust the High Commissioner and the Government of the South African Republic to maintain an adequate supervision of the expenditure, the two Governments making advances in equal shares from time to time during each year to the triumvirate on account of the estimated deficit, the balance of which can be defrayed in equal shares at the close of the year.

As regards the proportion of the deficit payable by Her Majesty's Government, Lord Knutsford would suggest that the item in the estimates should take the form of

\* Enclosures in Nos. 2 and 5.

† Not printed.

a "grant-in-aid of the Provisional Government of Swaziland (proportion of deficit borne by Her Majesty's Government)," and that the certificate of Her Majesty's High Commissioner in South Africa, testifying to the amount of the deficit for the period in question, the proportion due from Her Majesty's Government, and the payment of the sum to the proper officer of the Swaziland Government, should be accepted as sufficient voucher for the amount.\*

The Secretary, Treasury.

I am, &c.  
(Signed) R. H. MEADE.

No. 7.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received October 13, 1890.)

MY LORD,

Government House, Cape Town,  
September 24, 1890.

I HAVE the honour to enclose, for your Lordship's information, a copy of a letter from Colonel Martin reporting ceremonies at the installation, and of the reply thereto.

I have, &c.  
(Signed) H. B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure 1 in No. 7.

FROM COLONEL MARTIN, Swaziland, to HIGH COMMISSIONER, Cape Town.

Swaziland Mission, Embekelweni,  
September 6, 1890.

SIR,

I HAVE the honour to inform your Excellency that yesterday the Representative of the South African Republic and myself paid a public visit to Ungwane, the new Swazie King, and I gave the young King the presents from Her Majesty, and the message from your Excellency.

I cannot speak too highly of the tact and patience shown by Mr. Shepstone during the ceremonies of the "crying" for Umbandine and the installation of the new King, or of his unceasing efforts to prevent disturbances and loss of life in Swaziland, which efforts, I am glad to say, have terminated so successfully.

I must also mention the loyal assistance Mr. Shepstone has received from John Gama, a Swazie educated in Natal.

I beg to enclose (1) a letter from the Resident Adviser, reporting that the crying and installation ceremonies had been brought to a peaceful conclusion; (2) a copy of your Excellency's message to the young King; (3) a memorandum of the proceedings of yesterday's meeting, drawn up by the Secretary of the Provisional Government Committee (Mr. Penfold).

I have, &c.  
(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
British Representative, Swaziland.

His Excellency the High Commissioner,  
Cape Town.

Resident Adviser's Office, Embekelweni,  
Swaziland, September 3, 1890.

SIR,

I HAVE the honour to inform you that this afternoon the new King of Swaziland was exhibited, according to native custom, in the presence of about 4,000 armed warriors.

Since the death of the late king Umbandeni until now there has been no disturbance and no "killing off."

Since the late King's death the following rites, ceremonies, &c. have been observed:—

- (1.) The funeral of the dead King and intermediate rites.
- (2.) The harvesting ceremonies.
- (3.) The moving of the royal hut at night, in the presence of 8,000 armed men.
- (4.) The building of the new kraal, the mausoleum of the dead King, at which about 8,000 men were engaged.

\* NOTE.—In a letter dated 25th October 1890 the Treasury expressed general concurrence in the proposals made by the Colonial Office,

(5.) The building of a kraal round the mausoleum, at which about 5,000 men were daily engaged.

(6.) The appointment last Saturday of a headman to the new king; and,

(7.) The showing this day, as already stated, of the new King to the nation.

I have been present by day and night at all these ceremonies, and I deem it my duty on behalf of the Swazi nation, to record their peaceful conclusion, a result almost without parallel in the history of the South African tribes.

The name of the new King, Ungwane, was officially declared to-day.

Lieut.-Col. R. E. R. Martin, C.M.G.,	(Signed)	I have, &c.,
&c. &c. &c.		THEOPHILUS SHEPSTONE,
Swaziland.		Resident Adviser and Agent,
		Swazie Nation.

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From His Excellency the HIGH COMMISSIONER, Cape Town, to the SWAZI KING.

MY FRIEND,

I CONGRATULATE you on your accession to the throne, and I trust that your reign may be peaceful and prosperous.

The Government which I represent desires only the welfare and happiness of all the inhabitants of Swaziland, and it will be my endeavour to support you in carrying out any measures calculated to secure these ends.

I hope you will exert yourself to prevent the old Swazi custom of "killing off" and of "smelling out." These customs are cruel and unjust, and they are abhorrent to the English nation and to all true friends of the Swazi people.

My friend, I greet you as King of Swaziland, and I wish you well.

Your friend,  
(Signed) HENRY B. LOCH,  
High Commissioner.

Delivered by me this 5th day of September, 1890.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
British Representative, Swaziland.

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Memorandum of proceedings at the first public exhibition of Umgwane, King of Swaziland, at the royal kraal Kwa Somboti Kwaawa Gugu, on Friday the 5th September 1890, in the presence of Theophilus Shepstone, Esquire, C.M.G., Lieut.-Colonel R. E. R. Martin, C.M.G., British representative, and D. J. Esselen, Esquire, representative of the South African Republic.

About 15 white residents, 100 headmen, and indunas, and upwards of 1,000 young men of the regiments were also present.

At 3.15 p.m. the King came out of the gate of the cattle kraal, followed by his personal attendants, bearing the tortoise shell, and other of the signs of kingship.

The British and South African Republic representatives having shaken hands with the King the meeting adjourned, in consequence of a high wind, to the interior of the cattle kraal, and the young King took his seat on the tortoise shell, which was covered by a blanket.

Lieut.-Colonel Martin, C.M.G., British representative, then addressed the young King and the Headmen. He said that he was present as the representative of the Queen of England to publicly congratulate the King on his accession to the throne. He hoped he would have a long and peaceful reign. His (the King's) accession to the throne had been recognised by Her Majesty's Government.

He had also to congratulate the Swazi nation that nothing had occurred to disturb the peace of the ceremonies at the "crying" for the late King. He now wished to read a message that had been sent to him to deliver from his Excellency the High Commissioner at Capetown. (Message read, and handed to the Resident Adviser and Agent.)

Colonel Martin concluded by referring to a former message delivered by him to the nation from Her Majesty, in which it was stated that if the Swazi nation wished to remain good friends with Her Majesty the practice of killing off must cease.

Mr. D. J. Esselen (South African representative) then addressed the young King, and said that the young king was recognised by his Government, and that he was instructed by the President to say that it was hoped that the old friendship that had

subsisted between the Transvaal and Swazies would continue, and that the President wished that the young King would have a happy and peaceful reign.

Umgogu (Headman of the Enkanini kraal) then spoke. He said he had to thank the representatives of the Governments for the messages they had delivered. He was glad that the independence of the nation was assured. The nation would obey the desire of the Governments that the practice of "killing off" should cease, although he thought that evil would come of it. He wanted to say something about the boundaries of the country. The Swazies claimed from the Pongolo to the Crocodile (Ingwenza) rivers, and their eastern boundary was on the Lebombo. He asked the Governments to inquire into it.

Maloi also thanked the representatives for coming to see the young King, and was glad that the Swazies were to retain their independence. The nation acquiesced that the practice of "killing off" was to cease, but it must not be forgotten that evil doers should be punished; in future they would like to bring offenders before the committee to be dealt with, and have their "throats cut" the same as white people did with offenders.

Umhlaba spoke to the same effect, and referred to the question of the boundaries, and claimed the land between the Pongolo and Crocodile rivers as being Swazieland. He said that he and Mancibana had accompanied the Survey and Boundary Commission with Major Alleyne, R.A., and Mr. Gert Rudolph, and had then protested.

Tikuba also thanked the representatives for their presence, and spoke of the boundary question, which the nation wanted inquired into.

Jakovu (Headman of the nation) said that he thanked the representatives of the Governments for their presence, but he wished to say a few words. The young King that they saw seated before them was the King of Swaziland; the nation had never wavered or been divided on that point, and if rumours to the contrary had got abroad, it was because these rumours had been spread by white persons who wished to make trouble; with regard to the practice of "killing off," he agreed, at the request of the Governments, that it should cease, but the members of the Committee, who were assisting their father (Mr. Shepstone), must be careful, and they must not be surprised if evil doers got the best of the Committee, and although they saw the young King sitting before them to-day, it might be that before long evil doers would bewitch him as they did his father before him. The nation also objected to canteens, and he attributed all the trouble of the nation to their presence, and would like the Committee to remove them. Another thing he wanted to speak of—the practice of some white people entering the private apartments of the young King without reporting themselves to the induna of the kraal. He wished the Committee to pass a law to prevent this, as if it went on the young King would soon be down drinking at the "canteen," and be ruined.

Lieut.-Colonel Martin, C.M.G., in reply said that he would report all that had been said to the British Government, but the Swazies must not expect, after all that had passed, to get all they wanted.

Mr. Esselen also promised to report what had passed to his Government, and the meeting broke up at 5.30 p.m.

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Enclosure 2 in No. 7.

GOVERNOR TO COLONEL MARTIN.

Government House, Cape Town,  
September 22, 1890.

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 6th instant, reporting on the installation of the new King of Swaziland. I desire that you will inform Mr. Shepstone that I fully appreciate the good service he has rendered to the cause of humanity and peace during a very trying period. I trust also that you may induce the Provisional Government to forbid Europeans entering the Royal kraal without permission from the induna, and that every effort will be made to keep the young King from acquiring a taste for intoxicating liquors.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Colonel Martin, Embekelwenie, Swaziland.

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No. 8.

SIR H. B. LOCH to LORD KNUTSFORD,  
(Received November 7, 1890.)

TELEGRAPHIC.

Palla: Estimated our share deficit in Budget of Swaziland 7,000*l.* Of this 5,000*l.* will be required during present financial year. Instruct Treasury Chest.

No. 9.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received December 15, 1890.)

Government House, Cape Town,  
November 24, 1890.

MY LORD,

I HAVE the honour to acquaint your Lordship that having been informed by Colonel Martin that the salaries of the Swaziland officers were in arrear, and that the Government of the South African Republic were prepared to advance their share of a contribution in aid of the Swaziland deficit, I have advanced to the Government Treasurer of Swaziland the sum of 1,200*l.*

Of this sum, 200*l.* is for Mr. Justice Juta's salary and travelling expenses, and the remainder for general purposes, the whole amount having been taken from Bechuanaland funds.

I enclose copies of the Swaziland estimates as agreed to with the Government of the South African Republic up to the present, and on the 7th instant\* I telegraphed to your Lordship that a contribution of 5,000*l.* would be required from Imperial funds during the present financial year.

In calculating this deficiency I was influenced by the fact that certain expenditure, such as the construction of a gaol and residences for Government Commissioners must be commenced at once, and that the expenditure on the three-judge court now sitting to try concession cases is likely to be heavy. The expenditure shown on this rough estimate is likely, therefore, to be greatly exceeded, whilst the revenue is estimated by Colonel Martin as only 5,000*l.* per annum.

I am, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.

## Enclosure in No. 9.

## ESTIMATES OF EXPENDITURE FOR SWAZILAND.

*Joint Government.*

	£	s.	d.	£	s.	d.
Two members Government Committee	1,800	0	0			
	<hr/>			3,600	0	0

*High Court.*

Three Judges during three months:

Chief Justice 250 <i>l.</i> per month.	Two						
judges 150 <i>l.</i> per month each	-	1,650	0	0			
One Judge during nine months	-	1,350	0	0			
One clerk during three months	-	112	10	0			
Attorney-General	-	1,200	0	0			
Registrar	-	500	0	0			
Sheriff and Messenger	-	300	0	0			
Interpreter	-	200	0	0			
		<hr/>			5,312	10	0
Magistrate or Landdrost	-	200	0	0	200	0	

\* No. 8.

B 2

<i>Police.</i>	£	s.	d.	£	s.	d.
One chief inspector . . . . .	450	0	0			
One inspector - - - - -	250	0	0			
Two sub-inspectors at 216 <i>l.</i> - - - - -	432	0	0			
Seven European constables at 144 <i>l.</i> - - - - -	1,008	0	0			
One coloured sergeant - - - - -	24	0	0			
Thirty Native police at 18 <i>l.</i> - - - - -	540	0	0			
Rations for Native police - - - - -	240	0	0			
Clothing - - - - -	150	0	0			
Sundries - - - - -	120	0	0			
Allowance of compensation for loss of horses of white police.	100	0	0	3,314	0	0
<i>Gaols.</i>						
One gaoler - - - - -	150	0	0			
Rations for prisoners - - - - -	250	0	0			
Clothing - - - - -	300	0	0	700	0	0
Government secretary and treasurer - - - - -	1,600	0	0			
One clerk - - - - -	400	0	0	2,000	0	0
Collector of taxes - - - - -	150	0	0			
Five per cent. of estimated receipts - - - - -	106	0	0	256	0	0
Sundry and unforeseen expenditure - - - - -	-	-	-	1,000	0	0
Public Works - - - - -	-	-	-	-	-	-
Total - - - - -	-	-	-	£16,382	10	0

No. 10.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received December 23, 1890.)

Government House, Cape Town,  
November 29, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a letter from Col. Martin, enclosing an organic proclamation by the Swazie King.

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.

&amp;c.

&amp;c.

&amp;c.

Enclosure in No. 10.

BRITISH COMMISSIONER to the HIGH COMMISSIONER.

Swazieland Mission, Bremersdorp, Swazieland,  
September 29, 1890.

SIR,

I HAVE the honour to forward, for your Excellency's information, a copy of the Swazieland Organic Proclamation signed by Ungwane, the Swazie King, and his councillors.

I have, &amp;c.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,

His Excellency the High Commissioner,  
Cape Town.

British Commissioner.

ORGANIC PROCLAMATION by us, UNGWANE, otherwise UBUNI, otherwise U'HELE, King of the Swazie nation, acting by and with the consent of our Headmen and Councillors in Council assembled at our Royal Kraal of Somboti.

Whereas on the 18th day of December 1889, Usibati, then and lately the Queen Regent of the Swazie Nation acting by and with the consent of her Headmen and Councillors, in council assembled, at Her Royal Kraal of Enkanini, did by Proclamation under her hand make certain provisions for the maintainance of law, order, and govern-

ment, in respect of matters in which white persons were and might be concerned in Swaziland, after the termination of the stay in Swaziland of certain Commissioners therein named, then representing the Government of Her Majesty Queen Victoria, and the Government of the South African Republic :

And whereas under and by virtue of the aforesaid Proclamation, a certain Provisional Government Committee was constituted with the powers and authorities in the said Proclamation set forth :

And whereas the period for the exercise by the said Provisional Government Committee of the aforesaid powers and authorities has been by subsequent lawful Proclamations extended, and will expire on the 18th day of September 1890 :

And whereas it is expedient to make provision for the exercise, on and after the said 18th day of September 1890, by a Government Committee for an indefinite period, of the powers and authorities aforesaid, subject to the alterations and additions, and to the establishment of the constitution and machinery of Government, herein-after set forth :

We do, therefore, hereby proclaim, declare, and make known unto all men as follows :—

1. On and after the 18th day of September 1890, there shall be constituted in Swaziland a Government Committee composed of three representatives of European birth or extraction, nominated one by ourselves, who shall be chairman, one by the Government of Her Majesty Queen Victoria, and one by the Government of the South African Republic, which Committee shall by majority of votes exercise and fulfil the powers, authorities, and functions hereby conferred upon them in conformity with the provisions of this Proclamation.
2. Each of the three Governments, ourselves, Her Majesty's Government, and the Government of the South African Republic, shall have power from time to time to cancel the appointment of its nominated representative in the Government Committee and to appoint another representative in his stead.
3. A Government secretary and treasurer shall be appointed by the Government Committee on the joint nomination of Her Majesty's High Commissioner and the State President of the South African Republic, and such officer shall furnish periodical reports to Her Majesty's High Commissioner and the State President of the South African Republic, and shall communicate officially with them by instruction from the Government Committee upon matters relating to the affairs of Swaziland.
4. A chief court shall be established composed of three judicial members approved of by Her Majesty's High Commissioner and State President of the South African Republic, or of only one member if Her Majesty's High Commissioner and the State President of the South African Republic should deem one member sufficient and approve such member.
5. Such court shall have full power and jurisdiction over all persons of European birth or extraction in Swaziland, and over all questions matters and things in which any such persons are concerned, with full power to decree against all persons execution by all forms of legal or equitable procedure approved by Her Majesty's High Commissioner and the State President of the South African Republic, of every order, judgment, decree, or sentence made by it in the exercise of its jurisdiction.
6. All subordinate judicial appointments, whether of magistrates, justices of the peace, or the like, and all appointments of police officers, shall be made by the Government Committee, and the persons appointed shall be previously approved of by Her Majesty's High Commissioner and the State President of the South African Republic.
7. The jurisdiction conferred upon such subordinate judicial officers shall be such as shall be approved by Her Majesty's High Commissioner and the State President of the South African Republic.
8. The laws to be administered by all courts of justice shall be established under this Proclamation, to be the Roman-Dutch law as in force in South Africa, but subject to such alterations, additions, or amendments as may be made by Proclamation of the Government Committee of any laws, rules, or regulations approved of by Her Majesty's High Commissioner and the State President of the South African Republic, without whose joint consent no law, rule, or regulation shall be proclaimed by the Government Committee, or if proclaimed, be binding ; provided that laws or regulations enacted during the period of power of the provisional Government Committee shall continue in force until altered, amended, or repealed by some law, rule, or regulation proclaimed after approval as aforesaid.

9. The Chief Court shall undertake judicial inquiry into the validity of disputed concessions, so soon as the Swazie Government shall have framed and proclaimed a list of those concessions which it approves of; such inquiry shall be conducted in accordance with such laws, rules, and regulations as aforesaid.
10. In all courts of justice in Swazieland, and in all official communications of the Government Committee, the English and Dutch languages shall have equal rights.
11. The administrative and executive powers under this Proclamation shall be vested in the Government Committee, but no powers or jurisdiction shall be claimed or exercised by the Government Committee or any judicial tribunal in respect of any question, matter, or thing in which Swazie Natives alone are concerned.
12. All lawfully acquired rights vested in any person shall be recognised by the Government Committee and by all judicial tribunals, subject to such laws, rules, and regulations as aforesaid.
13. The revenue from sources approved by the aforesaid Proclamation of the 18th December 1889, shall be collected by officers appointed by the Government Committee, and shall be by such officers paid over to the Government Treasurer, subject to such rules and regulations as to accounts and audit as shall be approved of by Her Majesty's High Commissioner and the State President of the South African Republic, provided that no revenue shall be derived from any source not heretofore lawfully recognised unless and until a Proclamation establishing such source of revenue shall have been published in Swazieland by the Government Committee with the consent and approval of Her Majesty's High Commissioner and the State President of the South African Republic.
14. The Government Committee shall be authorised, in cases of emergency and with the full consent of all three members, to delegate to one or more of them the exercise in any part of Swazieland of any of the administrative or executive powers vested in the said Committee under this Proclamation.
15. The Provisional Government Committee shall duly account to the Government Committee hereby established for all moneys received, and shall deliver up to the Government Committee all books, records, accounts, and documents, concerning the administration of government and the exercise of judicial functions by the Provisional Government Committee.
16. All legal proceedings pending before the Provisional Government Committee shall be stayed, but may be taken up and prosecuted before any competent court hereafter established under this Proclamation, which court shall have jurisdiction to determine any such proceeding in accordance with such laws, rules, or regulations as aforesaid.

Thus done and passed at Our Royal Kraal of Kwasanboth Kwaga Qupu, this 13th day of September 1890.

				His × mark.
		(Signed)	UNGWANE, King	
	Their			Their
(Signed)	UMBABA	×	MALOYI	×
	MAKANBENI	×	UMQOQO	×
	MABELE	×	PANGWINI	×
	UKONKONI	×	UMAHOLOKO	×
	UNOVASI	×	NONGANGA	×
	NOMAGAGA	×	UMBAIENBOI	×
	UMTSHESA	×	UMATEKULA	×
	USIBATI	×	UMAFIKO	×
	FOKOWI	×	NGCOCO	×
	TIKUBA	×	UMONBANI	×
		marks.		marks.

Interpreted by me,  
THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie Nation.

Witnesses :

(Signed) CHARLES B. ACTON.  
J. ANDERSON.  
JOHN GAMA.

(Signed) J. Z. DE VILLIERS,  
Government Secretary.

No. 11.  
 SIR H. B. LOCH to LORD KNUTSFORD.  
 (Received January 6, 1891.)

Government House, Cape Town,  
 December 13, 1890.  
 MY LORD,  
 I HAVE the honour to enclose, for your Lordship's information, a copy of a letter from the Government Secretary, Swazieland, covering a supplement to the Organic Proclamation.

I have, &c.  
 (Signed) HENRY B. LOCH,  
 Governor and High Commissioner.  
 The Right Hon. Lord Knutsford, G.C.M.G.,  
 &c. &c. &c.

Enclosure in No. 11.  
 Government Office, Swazieland, Bremersdorp,  
 November 29, 1890.  
 YOUR EXCELLENCY,  
 I HAVE the honour to enclose, for your Excellency's information, a copy of the Supplementary Proclamation *re* the Organic Proclamation and the Honourable the High Court of Swazieland.

I have, &c.  
 (Signed) JOH. Z. DE VILLIERS,  
 Government Secretary.  
 To His Excellency the High Commissioner,  
 Cape Town.

PROCLAMATION.

To all whom it may concern :

WE Usebati, Queen Regent, and We Ungwane, King of Swazie Nation, by and with the consent and advice of our Headmen and Councillors in council assembled at our Royal Kraal, do hereby declare, proclaim, and make known as follows :

Whereas on the 13th day of September 1890, We acting with the consent of our Headmen and Councillors aforesaid, did at our Royal Kraal of Somboti, by a certain Organic Proclamation make certain provisions for the better government of and in Swazieland, and did, amongst other things, create and establish a Chief Court with jurisdiction and powers as are in the said Organic Proclamation more fully set forth :

And whereas it is expedient and advisable to supplement the said Organic Proclamation :  
 Now, therefore, We Ungwane acting, as aforesaid, do hereby proclaim, decree, and make known as follows :

I. In all actions and applications commonly known as Confirmations of concessions the Chief Court shall have power to make an order declaring a Concession, whether it be upon the approved list or not, and whether it be disputed or not, to be a valid grant enforceable under the laws and regulations provided for by the said Organic Proclamation, and in inquiring into the confirmation of any such Concession the said Chief Court shall follow the laws and regulations as provided for in the said Organic Proclamation ; provided, however, that no such order shall be deemed to have the effect of preventing any future legal proceedings with regard to any question now existing or arising hereafter of overlapping or of boundaries, or of conflict of rights between concessions duly confirmed.

Thus done and passed at Sowboti, this 29th day of November 1890.

(Signed)	UNGWANE	×
	USIBATI	×
	TIKUBA	×
	PANGURIN	×
	UTTOHA	×
	NOCOCO	×
	UMBABA	×
	UMAKUMBA	×
		marks.

Interpreted by me,  
 THEOPHILUS SHEPSTONE,  
 Resident Adviser and Agent, Swazie Nation.

Witnesses :  
 (Signed) JOHN GAMA.  
 W. E. HOLLARD.  
 F. ANDERTON.

No. 12.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received January 6, 1891.)

MY LORD,

Government House, Cape Town, December 13, 1890.

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Colonel Martin, forwarding a document executed by the Swazie nation, by which the South African Republic acquires the ownership of land for the purpose of the construction of a railway in Swazieland.

This agreement is in accordance with the terms of the Swazieland Convention.

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.

Enclosure in No. 12.

Colonel MARTIN to HIGH COMMISSIONER.

SIR,

Swazieland, November 29, 1890.

I HAVE the honour to forward, for your Excellency's information, a letter from the Resident Adviser and Agent forwarding a copy of a document executed by the Swazie nation by which the South African Republic acquires the ownership of land for the purpose of the construction of a railway in Swazieland.

I have, &amp;c.

His Excellency the High Commissioner, (Signed) R. E. R. MARTIN, Colonel,  
Cape Town. British Representative.

SIR,

Resident Adviser's Office, Embekelweni,  
Swazieland, November 28, 1890.

I HAVE the honour to forward you a copy of the document executed by the Swazie nation conferring rights, under the Convention, to the South African Republic Government to acquire a right of railway through Swazieland.

I have, &amp;c.

His Honour Colonel Martin, (Signed) THEOPHILUS SHEPSTONE,  
Her Britannic Majesty's Representative, Resident Adviser and Agent,  
Swazieland. Swazie Nation.

To all whom it may concern :

Whereas under a Convention entered into between the Governments of Her Britannic Majesty and of his Honour the State President of the South African Republic, dated July 24, 1890, it was agreed as follows:—

Article 8.—Her Majesty further consents to the acquisition by the South African Republic under and by virtue of a treaty with the Queen Regent of the Swazies and her council of the ownership of land in Swazieland for the purpose of construction of a railway across Swazieland from the border of the South African Republic, the extent of land to be three miles in width at the most; provided that,—

(a.) That the sovereignty of the land so acquired shall not be deemed to be acquired by the South African Republic, but such land shall, in like manner with any other part of Swazieland, remain under the Government Committee referred to in this Convention, and—

(b.) Her Majesty shall, if occasion require, have the right of passage across such railway and land so acquired.

Now therefore, we, Ungwani, otherwise U'Hili, otherwise U'Bunu, King and Paramount Chief of the Swazie nation, and we, Usibate, Queen Regent, with the advice and consent of our councillors and headmen, do hereby declare to have ceded and assigned in terms of the said Convention, a strip of land, not exceeding three miles wide, from the western

to the eastern boundary of Swazieland unto and on behalf of the Government of the South African Republic.

This cession to be dealt with and read in accordance with the terms and conditions of the said Convention.

Given at Soboti, Swazieland, this 25th day of November 1890.

(Signed)	UNGWANI, King and Paramount Chief.	His × mark
	(Signed) USIBATI, Queen Regent.	Her × mark
	(Signed) TEKUBA	Their ×
	NOCOCO	×
	VELOPASI	×
	PAUGWINI	×
	UMGOGO	×
	UMAGOGO	×
	UMABELE	×
	UMLAMBINI	×
	UMALIMSA	×
	UMBABA	×
		marks.

Interpreted by me,  
THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie Nation.

Witnesses :

(Signed) JOHN GAMA.  
W. E. HOLLARD.  
F. ANDERTON.  
D. FRED. BUCHANAN.

No. 13.

LIEUT.-GENERAL CAMERON to LORD KNUTSFORD.  
(Received March 31, 1891.)

MY LORD, Government House, Cape Town, March 10, 1891,  
I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Colonel Martin, reporting the trial and conviction of certain natives of Swazieland who had been guilty of murder.

I have, &c.,

(Signed) W. G. CAMERON, Lieut-General,  
The Right Hon. Lord Knutsford, G.C.M.G. Officer Administering the Government,  
&c. &c. &c. and High Commissioner.  
Colonial Office.

Enclosure in No. 13.

BRITISH COMMISSIONER, Swazieland, to HIGH COMMISSIONER, Cape Town.

The British Commissioner's Camp, Swazieland,  
February 22, 1891.

I HAVE the honour to forward, or your Excellency's information, extracts from papers with reference to quarrels which have lately taken place amongst the Swazies.

Not having received any official report on the disturbances referred to I deemed it advisable to request the Resident Adviser to furnish me with full particulars for your Excellency's information, and I beg now to enclose his report together with a copy of my letter requesting the same.

The report appears to me a satisfactory one as showing that the Swazies are becoming reconciled to the new law regarding punishment and have adopted the custom of "Fair Trial" in the place of their old customs of "Killing off" and "Smelling out," and also

that the fear they have frequently expressed that if "Killing off" ceased; offenders would go unpunished, and evil would come of it, has been removed.

I have, &c.

(Signed) R. E. R. MARTIN, Colonel,  
British Commissioner,  
Swaziland.

His Excellency the High Commissioner,  
Cape Town.

The British Commissioner's Camp, Swaziland,  
February 15, 1891.

SIR,

I HAVE the honour to inform you that I have received by this mail, papers containing reports of disturbances amongst the Swazies at Embekelweni and in Fyfe's District, and stating that you have found it necessary to pass sentence of death on certain of the offenders.

I should be glad if you would furnish me, for the information Her Majesty's Government, with particulars, and if you would state if the riots were connected with the late custom of "Killing off."

I have, &c.

(Signed) R. E. R. MARTIN, Colonel,  
British Commissioner,  
Swaziland.

Theophilus Shepstone, Esq., C.M.G.,  
Resident Adviser and Agent,  
Swazie Nation.

Resident Adviser's Office, Embekelwene, Swaziland,  
February 20, 1891.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 15th instant, which arrived by post yesterday from Steynsdorp.

I have not seen the newspaper reports to which you refer, so cannot say if they are correct or not. In the exercise of their independence and sovereign rights, the Swazie Nation tried men on the 31st January and February 3rd, for riot and murder, and it is to these trials, I assume, your request for information refers.

The trials and sentencing of the criminals, over which I personally presided, had nothing whatever to do with the practice of "Killing off."

The "Killing off" custom has been abolished, and, as you are personally aware, "Killing off" means the arbitrary slaughter of subjects by the sovereign power or some headman without any trial at all.

I proclaimed, with the consent of the nation, that the custom should cease, and that any person suspected or accused of crime should have a proper trial before being dealt with.

This was subsequently confirmed by your Honour as her Britannic Majesty's Representative.

Every crime is now reported to me and the accused are properly tried in evidence.

In the present instance the first case was the Nation *v.* Situlumane Mabuza for riot and murder on January 26, 1891.

Tikuba, Jakovu, John Gama and other head men were on the bench with me at the trial.

The prisoner, who commanded a detachment of the Giba Regiment at the Embekelweni Kraal, had deliberately planned an attack on the Umgahlela detachment the day before, being aware that orders had been issued for the detachments to go out and weed the King's gardens.

A feud has existed between the two regiments since before the death of the late King, and I have always hitherto been careful with Tikuba to keep the young Umgahlela Regiment with the Hlavela Regiment and apart from the Giba.

Tikuba and I were unfortunately away, or the men would not have been sent to the same garden.

The prisoner ordered his men to attack the young regiment, saying "We have got them to-day as they are not with the Hlavela."

The prisoner himself took an active part in the attack and assegaied men lying disabled, and urged his men to score the faces of the young men so that the young girls would no longer admire them.

Twelve men were seriously injured and one killed outright.

The injured men were much mutilated, some having as many as seven assegai wounds, and had it not been for the constant care and attention of Mr. John Thorburn, I believe many of them would not have survived.

Under native law, as originally practised, the prisoner would have been killed probably the same night without any trial.

I arrested the prisoner at the request of the Queen Regent and head men, and after a fair trial he was convicted and sentenced to be hanged, the heads of the Nation desiring that punishment, in order that it might act as a deterrent on the rest of the people.

The second case was tried on February 3rd; the prisoners were Ungisimane, U'Bolomane, Sikonkwane, Mahece, Ujani, and Moya on a charge of riot and murder.

The first two of the prisoners were acquitted early in the day, Unjane was discharged with a caution. Moya was sentenced to twelve months' imprisonment with hard labour, and Sikonkwane and Maheca were found guilty of murder and sentenced to be hanged.

These latter had killed three men whom they had attacked.

The sentences have been confirmed by the Queen Regent in every case.

The present mode of procedure and trial has been adopted in deference to the wishes of the two Governments as to no one being killed without a fair trial.

Col. R. E. R. Martin, C.M.G.,  
&c. &c. &c.  
British Commissioner, Swaziland.

I have, &c.  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

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“THE NATAL MERCURY,” Wednesday, February 4, 1891.

The disturbances in Swaziland, so promptly dealt with by Mr. Shepstone, are only a sample of what we may expect will occur there so long as the nominal independence of the people is recognised. Their assumed freedom from outside control means their own freedom to harry and slaughter each other. It is the case of Zululand over again, as it was before Dinizula and Undabuko were put out of the way of doing mischief. Use will be made, no doubt, of this incident by the Transvaal authorities, to urge the necessity, upon humanitarian grounds, of a speedy settlement of the question. Whatever government is recognised as paramount in Swaziland, peace and order must be assured there.

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No. 14.

LORD KNUTSFORD to SIR H. B. LOCH.

(Answered by No. 18.)

Extract,

Downing Street, May 23, 1891.

I HAVE the honour to acknowledge the receipt of your Despatch of the 24th of March last,\* enclosing estimates of the revenue and expenditure of Swaziland for the year commencing 1st April 1891.

I gather, but am not certain, that these estimates have been for the most part approved by the Governing Committee, but that they do not represent what has been finally decided on.

As soon as I receive from you definite estimates as agreed upon between yourself and the President of the South African Republic, I will place them before the Lords Commissioners of the Treasury.

In the meantime, however, I feel it necessary to remind you that Parliament has been asked to vote only 7,000*l.* as the moiety of the deficit for 1891-2 on an estimate of the amount required made by yourself; whereas, if the estimates now sent home were allowed to stand the total deficit would be approximately 18,000*l.*, even allowing for the modifications proposed in your letter of 23rd March to the President of the South African Republic. It will, therefore, be necessary that you should send a full explanation, if an application for an increased grant is to be justified; and you should in the

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\* Not printed.

meantime use every possible means of reducing the expenditure and increasing the revenue, so as to avoid, if possible, the necessity for such an application.

In connexion with the revenue question, I learn, from the enclosure to your Despatch of the 4th ultimo,\* that the amount of customs collected from the 18th of September to the end of 1890 was 1,053*l.*, and from the enclosure to your Despatch of the 8th ultimo,\* that only 93*l.* more was collected from the 1st of January to the 28th of February this year, while the total estimate for the current financial year is only 1,500*l.*, and I gather that a falling off took place immediately on the decision of the High Court in regard to the Revenue Concessions. Assuming that these concessions are not inconsistent with the provisions of the Swazieland Convention, it will have to be considered in what other way the concessionaires can be made to bear their fair share of taxation. A special tax in this instance would seem to be fully justifiable, for they enjoy, at least as much as others, the benefits of a settled form of government, without which their concessions would be useless. Turning from the Revenue Concessions, it does not appear that any effort is being made to increase the revenue in other respects. You should consult with the President of the South African Republic and invite the Governing Committee to consider Mr. de Villiers' suggestions on this matter.

As to the expenditure I observe that there are provided in the present estimates certain additions to the establishment which do not appear in the estimates which accompanied your Despatch of 24th November last.†

From the enclosures to General Cameron's Despatch of 9th March\* it would appear that some of these additions had been included in a supplementary estimate, but I shall be glad to learn whether the Government of the South African Republic has concurred in the necessity for all such additions. I observe that, whereas in his Despatch of the 4th of February last\* General Cameron stated that the Registrar would also discharge the duties of Orphan Master, it is now proposed to provide an additional 100*l.* for that purpose. And I must also point out that, as a number of minor services omitted in previous estimates are now separately provided, a charge so large as 1,000*l.* should not be included under the head "Miscellaneous," and that both in regard to this head and in the case of the provision of 2,000*l.* for public works, the local administration ought to submit to you and the President of the South African Republic more specific proposals.

I concur with your disapproval of certain increases of salaries, and I may observe in this connexion that, as the salary of the Commandant of Police is 450*l.*, it appears quite unnecessary to give the Clerk to the Secretary so much as 600*l.* Mr. de Villiers appears to have inserted this and other increases without previously placing the matter before the Governing Committee.

As to the increase of gaol expenditure, it seems a question whether the native revenue should not be made to contribute to the maintenance of native prisoners, and I may here express a doubt as to the necessity for additions to the native police, looking to the fact that the administration has been created for the government of the white population.

In conclusion, I must impress upon you the necessity for giving attention in future to such matters as those above mentioned. They may appear of minor moment in comparison with the larger questions of political importance which necessarily take up much of your time, but unless they are very carefully supervised and controlled by the High Commissioner it will be impossible to maintain that economical financial administration which it is as much the interest of the South African Republic as of this country to maintain.

I may add that it is obvious that criticisms made at this distance are of necessity more suggestive than definitive in their nature, and in any case may, from lapse of time, lose much of their practical value.

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\* Not printed.

† No. 9.

No. 15.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received June 2, 1891.)

*(Further Despatch No. 16.)*

Government House, Cape Town,

May 7, 1891.

MY LORD,

WITH reference to previous correspondence I have the honour to enclose, for your information, the original of the joint report of the Swaziland Concessions Court, together with Mr. Justice Juta's\* dissent and supplementary report, as well as Chief Justice Kotzé's supplementary remarks.

I enclose also copies of some of the more important concessions referred to in the report.

The power to collect the Swazi King's revenue has been temporarily waived by the Government of the South African Republic, and as yet I have received no intimation that the Concessionaires of the right to levy customs duty, whether the present holders be the Transvaal Government or not, propose to avail themselves of this right.

Such a right is, in my opinion, inconsistent with the joint Government established under the Swaziland Convention, but I propose to wait until some attempt is made to exercise this concession before acting in the matter.

The right to levy licences is apparently in the hands of Messrs. Eckstein and Borges, but no action appears to have been taken under this grant.

The right to keep pounds has, I understand, been offered to the Government of the South African Republic, with what result I am not informed, but as there are no pounds in Swaziland, and as it is not at present intended to establish any, this right is not of much value.

I have, &amp;c.

The Right Hon. Lord Knutsford, G.C.M.G.,

&amp;c.

&amp;c.

&amp;c.

Colonial Office.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 1 in No. 15.

Hoog Gerechtshof der Z. A. Republiek

(High Court of the South African Republic),

Pretoria, February 14, 1891.

SIR,

I HAVE the honour to report, for your Excellency's information, that in pursuance of the Commission granted by Her Majesty's High Commissioner for South Africa, and his Honour the State President of the South African Republic, dated at Cape Town the 15th September 1890, and at Pretoria, 26th September 1890, the Judicial Commissioners, for the purpose of hearing and deciding upon concessions in Swaziland, commenced their session at Bremersdorp on the 1st day of October 1890. By the 15th December all concession cases were disposed of, with the exception of a few which stood over for further consideration, and were finally adjudicated upon on the 15th January 1891.

There yet remain some concession matters which were not brought before the Commissioners, and which in terms of the approved notices of September and October 1890 can be heard before Mr. Justice du Toit in the event of the Court seeing good grounds for giving leave for the purpose.

A condensed though complete list showing the business before the Court so far as concession matters are concerned is annexed hereto,† and the Judicial Commissioners desire to make use of this opportunity of expressing their entire satisfaction not only with the very proficient manner in which the Secretary of the Commission, Mr. J. C. Juta, has compiled that list, but also with the general zeal and accuracy which he has displayed in the discharge of his various duties.

On behalf of the Commission,

I have, &amp;c.,

(Signed) J. G. KORZÉ,

Presiding Judge of the Commission.

To His Excellency  
The High Commissioner for South Africa,  
Cape Town.

\* The English representative on the Concessions Commission.

† Not printed.

## Enclosure 2 in No. 15.

## Mr. JUTA'S DISSENT.

THE REASONS which induced me to dissent from the majority of the Court and to decline to confirm certain concessions are shortly as follows :—

It will be seen that these concessions, with one exception, which will be dealt with separately, grant powers of taxation and exemption from taxation to private persons. Thus one grants the exclusive right to impose customs duties, another the exclusive right to impose a licence upon the carrying on of any business or occupation, a third the exclusive right to pounds and pound fee, and so on; others again exempt private persons from the payment of any customs or import duties. In my opinion these concessions are wholly opposed to and inconsistent with the Charter of the 1st of August 1889, the Memorandum of Principles of the 10th December 1889, the Proclamations of the 11th and the 18th of December 1889, and the Organic Proclamation (which embodies the consent of the Swazie Nation to certain portions of the Convention of 1890), under which Charter and Proclamations the Government of the white inhabitants of Swazieland is entirely severed from that of the natives, and the power of taxing the white inhabitants for the efficient carrying out of their Government is granted to certain committees.

Thus by the Charter the white inhabitants were first given the right to govern themselves through an elective committee, which was also given the right to impose taxes, licences, &c. in order to carry on and maintain such Government, and it is self-evident that without such a power of taxation no such Government could have been carried on. This Elective Committee met until the 21st of November 1889, when it was dissolved. But on the 10th December the Swazie nation agreed to a certain Memorandum of Principles, which was proclaimed on the 11th December, and by which, after conferring certain powers upon the Commissioners representing the Governments of Her Majesty and of the South African Republic, it is expressly provided that nothing in such Memorandum or Proclamation proclaiming it "shall be deemed to have the effect of abolishing or annulling the Charter of the 1st of August 1888." And on the 18th of December 1889 a further Proclamation was issued, which, after reciting that it was not desirable to elect another committee under the Charter, vested the full right of governing the white inhabitants and of taxing them for that purpose in a committee representing the Governments of Her Majesty and the South African Republic and the Swazie Nation.

These rights were extended from time to time until they culminated in the Organic Proclamation. Now all the concessions in question are prior in date to the 10th of December 1889, and many of them granted during the period which elapsed between the granting of the Charter and that date, expressly state that they shall not come into force during the existence of the White Committee. It was contended by the Concessionaires that upon the dissolution of the members of the committee under the Charter their concessions came into force and continued in force notwithstanding the subsequent proclamations. The answer to my mind is manifold [manifest?], viz., that it was never the intention of the grantors of the concessions, the late King Umbandine and the Council, that these concessions should operate side by side with the right of the governing body of the white inhabitants to tax them, as is evidenced by the express wording of many of the concessions to which I have drawn attention. Nor indeed could there in any case have been such intention. For it would have been a wholly void and nugatory proceeding to have granted the white governing body the right to impose taxes in order to carry on the Government, and at the same time to have exempted the white inhabitants, or so many of them as the King and Council pleased, from taxation; and it would have been equally meaningless to have given the right to tax to the said governing body, and at the same time have granted the exclusive right to levy the ordinary and usual taxes by which a Government is carried on to persons other than such governing body.

That the fact that the individual members of the committee under the charter were dissolved no more annuls the rights under the Charter than the dissolution of the Members of Parliament annuls the rights of Parliament, and that if any doubt existed, that doubt is removed by the Memorandum of Principles, which distinctly states that the Charter is not annulled. That upon the ordinary principle that the legislative body which granted the concession has the power to repeal it, and must be deemed to have repealed it when it subsequently grants rights inconsistent with and repugnant

to such concession, these concessions in question must be deemed to have been repealed by the various proclamations subsequent thereto. That many of these concessions contain a clause by which the Swazie Nation undertakes to enforce the imposition of the taxation by armed force, and the idea of a Native Power enforcing taxation *vi et armis* in favour of an individual is utterly repugnant to the idea of the governing body of the whites having the entire Executive, Administrative, Legislative, and Judicial Government.

As a further illustration of the impossibility of these concessions being consistent with the self-government of whites, the licence concession may be taken, under which the amount of the licence to be imposed is unlimited, and the enforcement of it is to be carried out by native force.

The gravity of the consequences to any government of the whites of placing in the hands of an individual the power of imposing licences unlimited in amount was appreciated, and it was contended that the Court would have the power of limiting the amount of the licence to a reasonable amount. Now, the concession to be valid at all must be a valid delegation of the Legislative Power, and the person to whom the right is delegated must have the same right as the delegating body. I am not, however, aware of any power in this Court, or indeed of any Court, to limit the amount of taxation imposed by the legislative body, according to its ideas of what is reasonable. The concession to be separately dealt with is the so-called revenue concession. This is not a concession at all, but a power of attorney granted by the late King and his Council to a private individual to collect certain moneys due to the King for the time being. Though it purports to be an irrevocable power of attorney, it is not in fact such, for it is not coupled with an interest, or, in other words, there is no absolute cession of any of the grantor's rights to the grantee. Under these circumstances it seemed to me the Court had no jurisdiction in the matter at all. If any person had refused to pay moneys due by him to the King on the ground that the authority was invalid, then the validity of the power of attorney would have been a question in issue; but until that event arose it seemed to me that the Court was not called upon to decide upon the validity of powers of attorney which were not in suit or action. Nor could such a judgment have been of any effect, for there were no parties against whom judgment was to be given.

Apart from this the power was, in my opinion, revoked by the death of King Umbandine, and as the Court in confirming a concession declared it to be enforceable under Roman-Dutch Law, this so-called concession could not be confirmed.

(Signed) HENRY H. JUTA.

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Enclosure 3 in No. 15.

SUPPLEMENTARY REPORT.

THERE are two points upon which I should like to supplement the Report of the Judicial Commission.

The first is that at present there are no means provided by which persons resident in Swazieland can qualify themselves for admission as advocate or attorney without leaving the country. Several persons, some of whom had received some previous legal training, were admitted to practise by the Provisional Government Committee, but were debarred from admission to the Chief Court by its rules and regulations. They are anxious to obtain the necessary qualification without being put to the considerable expense which would be incurred in leaving the country, and application was made from the Bar to the Bench for an expression of opinion or direction as to the manner in which such qualification might be obtained.

The Judicial Commission was, under the rules and regulations, unable to assist the applicants; but I suggested then, what I would respectfully suggest now, that the Government Committee might put itself in communication either with the University of the Cape Colony or with the Board of Examiners in the South African Republic with a view to holding a law examination simultaneously with the examination of the University or the Board, under the superintendence of Mr. Justice Du Toit; the answers to be submitted to the examiners in the Colony or in the South African Republic, and upon being certified by them as satisfactory, Mr. Du Toit should have the power of admitting the candidates to practise in the Chief Court.

The second is a case of hardship arising out of the rules and regulations of the Chief Court. Of the several gentlemen admitted to practise by the Provisional Government Committee there were two—of whom one had lived in the country for a considerable

time, had acquired a considerable practice, and was engaged as legal adviser of the Swazie people—who were qualified for admission as attorneys in every respect save that they could not comply with the requisites of the rule providing for the examination in the dual languages. Under the wide and discretionary powers given to the Court in concession cases, these gentlemen were admitted to practise in concession cases only, and the Court had no reason at any time to regret having done so. In fact it was impressed with the hardship of the cases, and an assurance was given that they would be taken into consideration. Now that the Concession Court has ended its work, one of these gentlemen at any rate is practically debarred from exercising his previous means of obtaining a livelihood. I would, therefore, respectfully submit for consideration that the exemption which the full Court in its discretion granted to these gentlemen might be extended, not only to concession cases, but to all judicial proceedings, and I feel confident, judging from our actual experience in the Concession Court, that this exemption might be granted without impairing in the slightest degree the efficacy of the rule providing for the dual languages. I would, however, strongly urge, should these cases be taken into consideration, that the admission to practise in the Chief Court of Swaziland shall not *per se* entitle these gentlemen to practise in any other Court or anywhere but in Swaziland. The names of the persons in question have for obvious reasons been omitted, but they can readily be obtained upon reference to Mr. Justice Du Toit.

(Signed) HENRY H. JUTA.

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Enclosure 4 in No. 15.

CHIEF JUSTICE KOTZÉ'S MEMORANDUM.

*Memorandum.*

By way of supplement to the Joint report I desire to add the following remarks, setting forth the general principles by which I was guided in confirming certain concessions containing clauses to which the Government Committee, through its very able Attorney-General Mr. Fred Kleyn, raised objection, mainly on the twofold ground that such clauses are contrary, first, to the Charter of 1st August 1888, and second, to the public interest generally.

After considering the learned and exhaustive arguments of Mr. Kleyn, Mr. Hollard, and Mr. Sauer, I arrived at the following conclusions:—

1. The Swazi King with his Council is the supreme or sovereign power.
2. Assuming the Government Committee to be the historical successor of the Original Committee of whites under the Charter of 1st August 1888, such Government Committee derives its existence and powers not from the Charter, but from the Proclamation of 18th December 1889 and the Organic Proclamation of 18th September 1890.
3. This being so, the Government Committee may have a *locus standi* to appear, and object to any concession, granted by King Umbandine and his Council, which it conceives to be against the terms of the said Charter.
4. The Charter was a purely temporary measure, and even if it were of a more permanent nature, it could at any moment be repealed by King Umbandine and his Council in the exercise of sovereign power.
5. A concession, therefore, of later date than the Charter and inconsistent with any of its provisions, and showing an intention on the part of Umbandine and his Council that notwithstanding the Charter, such concession shall have effect, amounts to a repeal of the Charter so far as the scope and extent of such concessions are concerned. The same proposition holds in the case of two ordinary grants or concessions made by the King and Council, the one of earlier, the other of later date.
6. The declaration in the memorandum of Principles of 10th December 1889 amounts to a mere affirmation that the charter of 1st August 1888, so far as its principle of providing some machinery with delegated powers for the better government of the white inhabitants is concerned, is not to be considered as annulled; but it does not cancel any previous concession to private individuals granted by the sovereign power, and which was of full effect at the date of said Memorandum.

7. The Court has no power to disallow a concession as being against the public interest, nor jurisdiction to inquire into the effect of a concession, unless it can be shown that the concession is contrary to the Roman-Dutch law as in force in South Africa.

8. Where the Concessionaire or his Assigns attempt to make an unreasonable use of their rights, *e.g.*, by fixing the amount of licences at too high a figure, being a virtual attempt at extortion, the Court may under Roman-Dutch law refuse its aid and assistance for the recovery of the amounts so fixed.

9. The Court, having confirmed the six concessions of which the Government of the South African Republic is the holder, or over which it possesses controlling power, as mentioned in the Convention of 2nd August 1890, and having also unanimously confirmed the concession of McNab and Meikle, generally known as "The National Manufacturing Company," which likewise contains a clause in favour of the import of raw material free of duty or impost, and the further right to sell and export the company's manufactures free of duty, was bound upon this and the preceding grounds in like manner to confirm the so-called licences and customs concessions.

There is also a concession which may require some special remark. I allude to the concession originally granted on the 6th July 1889 to J. R. Harington, and subsequently ceded to the Government of the South African Republic. By this concession the collection of the private revenue of King Umbandine and his successors is by the King with the consent of his Council, *i.e.*, therefore by the sovereign power in Swaziland, made over to Harington, his heirs, executors and assigns, and for this the concessionaire or his representatives shall pay a monthly sum to the King and his successors, equal to 12,000*l.* per annum. This concession was put upon the approved list by the Swazi nation in terms of the Convention of 2nd August 1890, and the Organic Proclamation of 18th September 1890, and there is on the list the following endorsement opposite to this concession:—"Approved in so far as affects white persons only. Transfer effected by order of the late King, and for which he received "2,000*l.*" It was argued by the Attorney-General that this was a mere power of attorney, which was revoked by the death of King Umbandine. Assuming for a moment that the document granted to Harington partakes of the nature of a power of attorney, then, inasmuch as it was not given by King Umbandine alone, but by the supreme or sovereign power in the country, *i.e.*, the King and Council, and is to affect the revenue of Umbandine's successors as well as of himself, the death of Umbandine cannot *per se* revoke a document granted by the sovereign power. Regard being had to the nature of the concession, and the fact that it was specially placed on the approved list by the Swazi nation after King Umbandine's death, that it has been acted upon and valuable consideration received for its transfer to the present holder, the grant cannot be regarded as a mere power of attorney revokable on the death of the King.

(Signed) J. G. Kotzé.

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Enclosure 5 in No. 15.

Know all men by these presents, that I, Umbandine, King of the Swazie Nation, by and with the advice and consent of my chiefs, headmen, and councillors do hereby give grant, and make over unto John Robert Harington, of Barberton, in the South African Republic, his heirs, executors, administrators or assigns as his full, free, and exclusive right, all that the sole right, grant, and concession, either by himself or his agents or aforesaid to make, allow, and issue to or withhold from third persons licences or permits to carry on in Swazieland or any part thereof all or any business, trade, profession, undertaking, and venture of any kind whatsoever, and to hold and work and use mining claims, areas both agricultural and grazing, stands, farms, buildings, and other lots and sites, and in that respect to make such charges, fees, stamps, and duties, in respect of such licences and permits or any of them as he shall think fit, as also to grant the same or any of the same to such persons as for such a period and subject to such terms and conditions as he may think fit, provided that the rights hereby granted to the said Harington shall not be exercised by him during the continuance in office of the White Committee.

The period during which the said John Robert Harington and his aforesaid shall enjoy the rights hereby given and granted to him shall be a term of fifty (50) years to be reckoned from the date hereof, provided, however, that he or his aforesaid shall on the expiration of the said term of fifty years have the right to an extension thereof for a further term of fifty (50) years upon the same terms and conditions as those herein contained subject to the payment by him or his aforesaid to me of the sum of one hundred pounds sterling. In order to protect and support the said John Robert Harington in the exercise of the rights hereby granted to him and his aforesaid, I agree and bind myself and my successors to restrain other persons, individuals, or Companies, or firm, from carrying on any trade, profession, business, undertaking, or

venture of any sort whatsoever within Swazieland, or holding, working, or using mining claims, areas, both agricultural and grazing, stands, farms, building or other lots and sites, except the same be carried on and undertaken subject to the regulations, charges, permits, or licences to be made and framed by him, the said John Robert Harington, or his aforesaid.

Out of the revenue or income which may be derived by the said John Robert Harington or his aforesaid in respect of the sale, issue, and allowance by him or his foresaid of such licences or permits there shall be paid to me or my successors the sum of one hundred pounds sterling per annum, provided, however, that the said John Robert Harington or his foresaid shall have no right to the moneys accruing due by the gold Concessionaires in Swazieland to me and my successors in respect of the charges payable by them on each head of stamps when erected, which money shall go direct to me and my successors.

The said John Robert Harington or his foresaid may dispose of, cede, and transfer all or any portion of this concession to third persons, companies, or firms at his discretion.

For the purpose of the better enabling the said John Robert Harington or his foresaid to issue the permits or licences before mentioned, and to collect the moneys, fees, charges, and duties levied and made by him in respect of such licences and permits, and to guard against the carrying on and undertaking by any other person or persons, firms or companies, of trades, professions, businesses, undertakings, and ventures before mentioned in respect of which the said John Robert Harington shall not have granted licenses or permits, and generally for the carrying out the prospects of this grant and concession, I do hereby give and grant to the said John Robert Harington and his foresaid the right to erect such buildings and premises in such places and parts of Swazieland as he or his foresaid may think fit for use as offices or dwelling-houses for the use, residence, and occupation of the said John Robert Harington or his foresaid or his or their agents or employers in respect of these premises, and in this respect the said John Robert Harington or his foresaid may use and occupy such sites so chosen by him or his foresaid free of any charge whatever; provided, however, that no one site so chosen shall exceed in extent five hundred (500) morgen.

The said John Robert Harington or his foresaid shall have the right to use free of any cost or charge whatever wood, stone, or other material which he or his foresaid may require for building dwelling houses, offices, and other premises which it may be found desirable to erect in the carrying out of the purposes of this concession.

Dated at Embekelweni on this the 19th day of February 1889, in the presence of the subscribing witnesses.

As witnesses:

(Signed) ANDREW EWING.

UMBANDINE × his mark.

{	TOBBE	×	”
	HEJENE	×	”
	TKUBA	×	”

The foregoing has been duly translated by me to the Swazie King this day.

(Signed) T. R. RATHBONE.

Embekelweni, February 19, 1889.

Duly registered, February 20, 1889.

(Signed) THEOPHILUS SHEPSTONE,

Resident Adviser and Agent, Swazie King.

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Enclosure 6 in No. 15.

Know all men whom it may concern:

That I, Umbandine, King of the Swazie Nation, by and with the advice and consent of my chiefs, headmen, and councillors, do hereby give, grant, and make over unto Naphtale Henry Cohen, herein-after styled the "Concessionaire," the sole, full, free, and exclusive right to impose, raise, levy, and collect for his use and benefit, all and singular the customs, import and export duties, and excise duties in Swazieland, either by himself or his agents, the amount and incidence of all such customs and other duties above recited to be entirely in the discretion of the said Concessionaire.

The Concessionaire shall be the only persons authorised to so impose, raise, levy, and collect the said customs, import and export and excise duties in Swazieland, and may impose, levy, and collect all such several rates and taxes and duties on the customs

importation and exportation of the different produce, goods, merchandise, effects, cattle, minerals, and other chattels of every description as he may think fit, and for excise on all the different produce, goods, merchandise, effects, cattle, minerals, and other chattels of every description raised, grown, and manufactured in Swaziland, and for these purposes may employ such agents, servants, and officials as he may think fit, and I bind myself to support and protect the said Concessionaire in carrying out the terms of this concession, and to prohibit and prevent other persons from infringing on his rights, and to impose such penalties as may be legally and properly requisite for breaches of the regulations and neglect in paying the rates and duties imposed by him.

For the purpose of enabling him to carry out the purposes of this concession I hereby give and grant the said Concessionaire full leave and licence and authority to erect in Swaziland all such customs, excise, and other offices for the imposition, rating, levying, and collecting of such duties as above recited as he may require, as well as houses for employées free of charge, and I will provide him free of charge with all such sites for such offices and houses as he may require.

For the purpose of better enabling him to carry out the terms of this concession the said Concessionaire is hereby authorised and empowered to make such arrangements and treaties of commerce with other foreign Powers and States as he may think fit relating to the customs, excise, import and export duties of this State, which arrangements or treaties shall be binding upon me and my State and people, and all residents and strangers in Swaziland in the same way as though made by me or my successors in office in due form.

This concession shall endure for a period of fifty years, and shall be renewed if the said Concessionaire desire at the expiration of the said period for a further period of fifty years on payment at the expiration of the first term of the sum of five hundred pounds sterling to me.

This concession is granted by me for good and sufficient consideration received by me this day.

This concession is granted to the said Concessionaire, his heirs, executors, and assigns, and may be sublet and transferred by him or them either in whole or in part, and for all or any portion of my dominion.

During the term of this Concession the said Concessionaire or his aforesaid shall pay me the sum of one hundred pounds sterling, the first payment to be made on the 10th April 1890, and the Concessionaire shall further pay me ten pounds per centum of the net profits acquired by him in administering and working this concession after deduction of all expenses.

The said Concessionaire or his foresaid shall have the right to use free of any cost or charge whatever wood, stone, or other material which he or his foresaid may require for building dwelling-houses, offices, or other premises which it may be found necessary or desirable to erect for the use of himself and employées in the carrying out of this concession.

The rights hereby granted shall not be exercised by the said Concessionaire or his foresaid during the continuance in office of the White Committee.

Dated at Embekelwien, Swaziland, this 23rd day of April 1889.

As witnesses :	UMBANDINE, X his mark,
(Signed) J. R. HARINGTON.	TICUBA, X „
J. THORBURN.	MACASHULIKI, X „
	HILEMN, X „
	GOBE, X „

I certify that I this day carefully and duly translated the foregoing concession to the King Umbandine and his councillors.

(Signed) E. COOPER.

Dated at Embekelwien, this 22nd day of April 1889.

As witness :—

(Signed) W. G. D. WILSON,  
Pretoria, S.A.R.,  
1st June 1889.

Duly registered in the books of the King and Committee.

(Signed) ALLISTER M. MILLER,  
Acting Secretary and Agent, Swazie King,  
April 22nd, 1889.

## Enclosure 7 in No. 15.

Know all men by these presents :

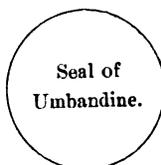
That I, Umbandine, King of Swazieland and of the Swazie nation, do hereby on behalf of myself and my successors, and by and with the advice of my Chiefs, headmen, and councillors, irrevocably nominate, constitute, and appoint John Robert Harington, of Barberton, his heirs, executors, and assigns, or temporary or permanent substitutes, with power of cession of these presents to collect and receive from all and every person whomsoever all taxes, rates, rents, fees payable to me and my heirs as our own private revenue or otherwise derivable from my kingdom of Swazieland out of all mineral and farming rights, bonuses on batteries, rental payable on stamp heads at work, and on concessions granted by me, transfer dues on sales and all other the private revenue which may now be or hereafter become payable to me or my successors in any manner or way whatsoever, nothing excepted. And I further empower the said Robert Harington and his foresaids during the existence of these presents to make and enter into and execute all acts, deeds, agreements and other instruments in writing or verbally, which may in any way affect the increase or decrease of my or my successor's private revenue from my said kingdom of Swazieland, and the said John Robert Harington, or his foresaids, should he or they elect to act hereunder, shall monthly pay me and my successors so long as he or they act hereunder at the end of each month a monthly payment at the rate of twelve thousand pounds (12,000*l.*) sterling per annum out of all amounts so collected in such manner as aforesaid, the first of such payments to be made to me one month after the date on which the said John Robert Harington or his foresaids shall deem it advisable to bring these presents into force, and the balance of such revenue so collected shall be retained as a remuneration to him, the said John Robert Harington, or his foresaids for his or their services, and to defray the expenses incidental to the collection thereof and the building of premises in which to carry out the objects hereof or otherwise, and the said John Robert Harington or his foresaids may appoint one or more employés to reside at all such places or at any place in Swazieland as he or they may deem expedient for the purpose of carrying out the objects hereof. And he or his foresaids may choose such sites, shall have the right to occupy five hundred morgen of land free of rent or tax, and may build such houses or offices for the purposes hereof thereon as he or they may require from material which he or they may procure from any part of Swazieland or import from other countries free from any charge or duty, and may also use all material and water for domestic purposes procured from Swazieland free from any charge; and such sites in extent as aforesaid shall, when built upon, be taken to be for the purposes hereof and under the jurisdiction and control of the said John Robert Harington and his heirs foresaids, and free from the interference of me or my successors or any other person. And I agree to protect and support the said John Robert Harington and his foresaids or his or their employés in the carrying out of the duties devolving upon them by virtue of these presents, and to that end to impose such penalties as may be properly and legally requisite in the premises.

Given under my hand and seal at Embekelweni, in Swazieland, on this the sixth day of July in the year one thousand eight hundred and eighty-nine, in presence of the subscribing witnesses.

(Signed) UMBANDINE × mark, King.  
 ADEME × his mark.  
 MCKHASE × „  
 IOSEBONVU × „

As witness :

(Signed) ALLISTER M. MILLER.  
 ANDREW EWING.  
 NAPH. H. COHEN.



I, the undersigned Ernest Cooper, hereby certify that the foregoing document was faithfully and truly interpreted by me to the Swazie King this 6th day of July 1889, at the Royal Kraal of Embekelweni, in the presence of his Indunas and the subscribing witnesses,

(Signed) E. COOPER.

I, the within named John Robert Harington, do hereby substitute and appoint N. H. Cohen to act under the within power of attorney in my name, place, and stead.  
(Signed) JOHN R. HARINGTON.

Pretoria, September 2, 1889.

Witnesses :

(Signed) W. MACNORMAN.  
A. M. DECHIE.

I, Naphtale Henry Cohen, do hereby cede and transfer all rights, title, and interest of my principal, John Robert Harington, to the within deed of rights or grant to Frederick Christoffel Eloff, of Pretoria, South African Republic.

(Signed) J. R. HARINGTON.  
NAPH. H. COHEN.

Pretoria, September 14, 1889.

(Signed) C. J. JOHNSTONE.  
A. P. M. VAN WINDER.  
N. H. COHEN.

Before me,  
(Signed) CARL ACKERMAN,  
Justice of the Peace for the South African Republic.

VOOR GETROUWE AFSCHRIFT.

(Signed) W. E. HOLLARD,  
Applicant's Procureur.

Registered in the books of the King.

(Signed) ALISTER M. MILLER  
Resident Secretary and Agent, Swazie King.  
Embekelweni, July 6, 1889.

No. 16.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 22, 1891.)

Government House, Cape Town,  
May 30, 1891.

MY LORD,

WITH reference to my despatch of the 7th instant,\* I have the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from Colonel Martin, covering a copy of a further concession which has been recognised by the Swaziland High Court.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.  
The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.

Enclosure in No. 16.

From BRITISH COMMISSIONER, Swazieland, to HIGH COMMISSIONER, Cape Town.

Bremersdorp, Swazieland,  
May 17, 1891.

SIR,

I HAVE the honour to forward, for your Excellency's information, a copy of a concession granted to Mr. G. Schwab, together with a part of the records of the case.

This document was not filed when the High Court was sitting to enquire into the validity of concessions, but was confirmed by Mr. Justice Du Toit during the present month.

I have, &c.  
(Signed) R. E. R. MARTIN, Colonel,  
British Commissioner.

\* No. 15.

I, Umbandeen, King of Swaziland, certify hereby that I have given permission to Gustav Schwab, storekeeper to Derby over the line to import any time he wants it in my country all kinds of goods from Delagoa Bay or anywhere else without paying for them any kind of import duty, or transit duty and further that I don't want any road tax or waggon tax of those waggons carrying goods in my country for him.

(Signed) UMBANDEEN, X  
Konining Am. Swazie  
UMJUBEK X SDOENA.

Embekelweni, the 31st July 1888.

In the presence of the following witnesses :—

(Signed) G. V. POTGIETER,  
H. C. DU PLIESUS.

Interpreted by me this 31st day of July 1888.

(Signed) G. T. FERREIRA.

IN THE HIGH COURT OF SWAZIELAND, BREMERSDORP.

*In re* CONCESSION GUSTAV SCHWAB.

ON behalf of the Government Committee, Swaziland, having been duly instructed thereto, as Government Secretary, I protest against the confirmation of Schwab's concession of free importation, not having been confirmed by the High Court established by the dual governments for the purpose of doing so.

Any information as regards the said concession can be obtained at my office.

(Signed) J. Z. DE VILLIERS,  
Government Secretary.

*Re* SCHWAB.

A. The document of July 31st, 1888, has never been produced to the Committee or the High Court until this month of February 1891.

B. The document was erroneously signed by the King, but only as a free pass for certain waggons of Schwab's at that time passing through Swaziland.

The King received 50*l.* for signing this document as a receipt for duties on the goods on these waggons, but did not sign it as being a release of future customs or transfer dues.

C. The King informed the Committee when the charter was signed that he found he had done wrong in taking the money, as it deprived the Committee of a certain amount of revenue, and that it would not occur again.

D. On more than one occasion Schwab has been before the Committee, but never produced this document, and merely claimed that he was in the Little Free State.

E. On the last occasion he stated that if he was not in the Little Free State he would pay full duties.

IN THE HIGH COURT OF SWAZIELAND.

IN THE MATTER BETWEEN GUSTAV SCHWAB—Applicant

and

THE SWAZIELAND GOVERNMENT COMMITTEE,—Respondent.

I, Gustav Schwab, make oath and say as follows, to wit :

1. That I am the applicant in the above matter.

2. I have perused the objections served on my attorney, W. B. Lovemore, on the 3rd instant to the confirmation of my concession dated 31st July 1888, and say as follows with reference thereto :—

(a.) That to the objection of the respondent lettered (A), I make the plea of "Res Indicata," this Honourable Court having already adjudicated on the same,

- (b.) With reference to objection "B" of the respondents, I say that no waggons of mine with goods were at the time of the signing of the concession passing through Swazieland, and deny that the same was granted only as a free pass for certain waggons of mine at the time passing through the country, and maintain that the same was granted to me to be of full force in terms thereof. And I further say that I did not pay the late King Umbandine the sum of fifty pounds (50*l.*) sterling on the signing of the said concession as stated in Section 2 of objection (B) by the said respondent, but made him a present of goods to the value of about thirteen pounds (13*l.*) sterling at the time, and that the same was granted to me out of friendship, my having been well known to him for many years, and constantly supplied him with goods whilst passing through Swazieland from Delagoa Bay to the Transvaal, and in consideration for my having explored and cut a waggon road between the Tembe drift and the Lebombo mountains, which greatly facilitated and increased the traffic through Swazieland, and I say further that I could have obtained this concession many years previous had occasion required, but refrained from so doing till the Swazieland White Committee imposed duties on me for goods imported, which gave occasion to my representing the matter to the King, when he granted me the said concession.
- (c.) With reference to objection "C" of the respondent, I say that the same is incorrect in so far as it states that I have never produced the said concession to them, and that the same was duly produced to the honourable the Government Committee assembled at Embekelweni on the 23rd June 1890, and perused by them then and there, and that I was then informed by them that the same must remain in obedience till it was decided which Government should take over Swazieland, and further that in consequence of my living in that portion of Swazieland ceded by the late King to the South African Republic I should have to pay 1½ per cent. transit duty, and that my right to import goods free of duty would be decided later by a proper authority thereto appointed, but my position would not be prejudiced by their decision. I admit having made a statement lately to the respondents to the effect that "if it could be proved my ground were not situated in that portion of the country ceded to the South African Republic, I would pay ten times the amount of duty leviable on goods in "Swazieland," but I say such statement was made merely to show my certainty of my property being on the ceded territory and bears no reference to the application before the Honourable Court.

Sworn at Bremersdorp this 15th day of April 1891.

(Signed) GUSTAV SCHWAB.

Before me,  
(Signed) WILLIAM SCOTT, J.P.

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No. 17.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 22, 1891.)

Government House, Cape Town,  
June 2, 1891.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from the Government Secretary of Swaziland, reporting on the progress made by the Joint Swaziland Government since its establishment.

I beg specially to draw attention to the report of the Chief Collector of Customs, who explains the great falling off in his department to the fact of certain concessionnaires being allowed to import free of customs. I consider this raises the question whether these concessions are compatible with the terms of the Convention.

I have, &c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.

## Enclosure in No. 17.

FROM GOVERNMENT SECRETARY, SWAZILAND, TO IMPERIAL SECRETARY, CAPE TOWN.

Government Office, Bremersdorp, Swaziland,  
May 13, 1891.

SIR,

IN accordance with Article 2, Section *b*, of the Swaziland Convention, I have the honour to submit the following as a report on the affairs of Swaziland, for the information of his Excellency the High Commissioner.

It is now about eight months, viz., since the 18th September 1890, that the government of the white population is conducted by three members forming a committee consisting of their honours Theophilus Shepstone, C.M.G., representative of the Swazi Nation, Chairman, Colonel R. E. R. Martin, C.M.G., Her Britannic Majesty's Representative, and D. J. Esselen, Representative of the Government of the South African Republic, members.

The Government of Swaziland is further administered as follows :—

*Civil Department.*

Government Secretary.  
Treasurer.  
Clerk and book-keeper.  
Orphan master.  
Collector of Customs.

*Judicial Administration.*

Judge.  
Attorney-General.  
Registrar.  
Sheriff.  
Interpreter.  
Landdrost.  
Clerk.  
Messenger of the court.  
Gaoler.  
Five justices of the peace.

The justices of the peace are stationed at Pigg's Peak, Fyfe District, Forbes Reef, Mahamba, and Lebombo.

They have jurisdiction in civil cases for sums up to 15*l.*, and in criminal cases of sums up to 10*l.*

*Police.*

Commandant,  
Two inspectors,  
Two sub-inspectors,  
Seven white constables, and  
Thirty-six native constables.

The police are divided as follows :—

At Bremersdorp there are stationed the Commandant, one sub-inspector, four white and 13 Kaffir constables.

At Pigg's Peak, one inspector, one white and seven Kaffir constables.

At Mahamba, one inspector, and seven Kaffir constables.

At Forbes Reef, one sub-inspector, and three Kaffir constables, and at Lebombo one white constable and six Kaffir constables.

There is a postal service twice a week between Bremersdorp and Steynsdorp in the South African Republic, the mail bags being carried by Kaffirs.

There is also a telegraph office at Bremersdorp, which is a matter of great convenience to the public.

The white population in Swaziland is considerably scattered, and would not be more than about 500 in the summer months, but in winter, commencing from the month of May, farmers trek in with their cattle and sheep, and then the population is 1,500, more or less. The trek farmers pay each 1*l.* (one pound sterling) to this Government as a tax for the season.

Mahamba is a large district, and there are many white inhabitants living there, especially in the winter months.

It will, perhaps, be necessary to appoint a landdrost or resident magistrate there.

It has apparently been an auspicious year for agriculture, and it is confidently expected that a rich harvest will be gathered in; but there is at the same time vast room for improvement and extension in agriculture.

The nation is altogether quiet, and there is no fear that it will give any trouble.

Their interests are not lost sight of by the Government Committee.

Liquor traffic, which sometimes causes such vast ruination among natives, is not allowed among the Swazies. The liquor law here is strict, and rigorously carried out. At the same time no trouble is caused through this, as mostly all parties co-operate with a view to carrying out the law.

A few years ago the canteens were frequently visited by the Swazies, but now it is the reverse, and a Swazie is very seldom seen at a canteen.

It is, therefore, an undeniable fact that the nation have become considerably better in that respect.

The financial condition of the country leaves much to be desired, but this is principally owing to the light taxes at present levied; in addition to this the chief items of revenue are collected by the Swazie King.

One of the chief sources of revenue have been detrimentally affected to a considerable extent by the concession granted to Messrs. Wallerstein and Bremer and Mr. Schwab for importing and exporting goods free of duty into and out of Swaziland.

I further enclose the following reports of the different head officials for the information of his Excellency the High Commissioner:—

	Report of the Registrar of the High Court.*
”	” Attorney-General.*
”	” Landdrost.*
”	” Chief Collector of Customs.
”	” Commandant of Police.
”	” Sheriff of the High Court.*
”	” Medical Officer.*

From the reports received from time to time from the justices of the peace it appears that the administration of justice has been carefully and properly carried out by them in their different districts.

I shall be pleased if his Excellency the High Commissioner would notify to me on what points with reference to the affairs of Swaziland he would principally desire a report from me from time to time in terms of the Convention.

I have, &c.

(Signed) JOH. Z. DE VILLIERS,  
Government Secretary and Treasurer.

#### REPORT of the CHIEF COLLECTOR OF CUSTOMS, SWAZILAND.

The total amount of revenue collected by my department is 1,146*l.* 6*s.* 8*d.* for the six months commencing 18th September 1890 to 31st March 1891; and in comparison to the preceding six months shows a distinct and large falling off, which is attributable to the fact of certain concessionnaires being allowed to import free of Customs duties. Had they been forced to pay them, the total amount of collections by this department would have been increased by a sum of about 300*l.* to 400*l.*

In my opinion the present tariff should be revised, and I have ventured to recommend certain alterations in the existing schedule which would be more in proportion to the

\* Not printed.



*Rations.*—The native sergeant and native police are also provided with rations at the expense of the Swaziland Government Committee.

*Clothing.*—Clothing and equipment are also provided by the Swaziland Government Committee to the non-commissioned officers and privates, both white and coloured.

*Stations.*—The force is distributed as follows:—for Bremersdorp, the commandant 1 sub-inspector, 4 white constables, and 13 native police. For Mahamba, 1 inspector and 7 native police. Pigg's Peak district, 1 inspector, one white constable, and 7 native police. Le Bombo district, 1 white constable and 6 native police. Forbes Reef, 1 sub-inspector and 3 native police. Should the Pisini road be used this winter it will be advisable to form another station on that road. Near "Mahash" would be a suitable spot.

*Duties.*—The duties of the force are to preserve law and order, arrest defaulters and breakers of the law, collect licenses, and other taxes, &c., and find white and coloured warders for the gaol.

Owing to the large area that has to be patrolled and watched by the police, it would greatly add to the efficiency of the force if the white constables were mounted; at present they have to borrow horses where they can when arrests have to be made at any distance from this station, or if they are after mounted offenders.

The Swaziland Government Committee police also guard the prisoners of the Swazie nation who are always handed over to them if they have been sentenced to a term of imprisonment.

*Collections.*—The amounts collected by the police are as follows, viz. :—

	£	s.	d.
Customs - - - -	324	7	8
Waggon licenses - - - -	56	0	0
Store and canteen licenses - - - -	135	10	0
Trading licenses - - - -	5	0	0
Pass money - - - -	39	5	0

*Arrests, Convictions, &c.*—From the month of September 1890 to the month ending 31st March 1891 the following arrests have been made:—Whites 19, natives 32, of which 16 white and 26 natives have been convicted, 1 native awaiting trial.

A. BATES, Commandant,

Head Quarters, Bremersdorp,  
16th May 1891.

Swaziland Government Committee Police.

No. 18.

SIR H. B. LOCH to LORD KNUTSFORD,  
(Received July 13, 1891.)

(Further Despatch No. 19.)

MY LORD,

Government House, Cape Town,  
June 24, 1891.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of 23rd May,\* respecting the Swaziland Estimates for the year 1891-2, and in reply to transmit copies of despatches which I have addressed to Colonel Martin and the President of the South African Republic on the subject.

I will address your Lordship again on the matter after, as I trust will be possible, revised estimates have been prepared and approved.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

\* No. 14.

## Enclosure 1 in No. 18.

Sir HENRY B. LOCH to Colonel MARTIN.

Government House, Cape Town,  
June 20, 1891.

SIR,

I HAVE the honour to transmit to you the enclosed copy of a despatch which I have received from Lord Knutsford on the subject of the estimates of the revenue and expenditure of Swaziland for the year 1891-92, and I should be glad if you will favour me with any observations you may wish to make on any of the points referred to.

These estimates, as sent to the Imperial Secretary in the Government Treasurer's letter of the 28th February last, showed a net deficit of 18,195*l.* 7*s.* 0*d.*, whereas the Imperial grant-in-aid has been fixed on the assumption that the net deficit would not exceed 14,000*l.*

As these estimates have not yet received the formal approval of myself, or, as I understand, the Government of the South African Republic, and as it is very desirable to avoid the necessity of asking Parliament to provide an additional grant-in-aid, I would ask you specially to consider, with your colleagues in the Joint Government, in what way the revenue can be increased and the expenditure reduced.

I have already informed the President of the South African Republic that I considered that the increases of salary inserted in the estimates should be disallowed, and I will now inform him of the tenor of this despatch and ask him for his assistance and support in effecting what reductions in this and in other services may be practicable.

I would request you to consider the questions raised in Lord Knutsford's despatch in respect to the additions to the establishment, the provision inserted in the estimates under "Miscellaneous" and "Public Works," the salary of the Clerk to the secretary, the gaol expenditure, the native police, and the points relating to the revenue, and, if possible, to cause revised estimates to be prepared on the lines indicated, and submitted both to myself and the President of the South African Republic.

It would seem desirable to arrange, if possible, that all public works, except such as are of the most urgent necessity, should be postponed or abandoned, and that the works which cannot be so treated should be distinctly specified and detailed in the revised estimates. I shall be glad to have your opinion on the suggestion made by Her Majesty's Government that a special tax should be levied on concessionnaires, as well as a report with any suggestions you may be able to make for the raising of revenue in other ways.

His Honour Colonel Martin, C.M.G.,  
&c. &c. &c.  
Bremersdorp.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

## Enclosure 2 in No. 18.

Sir H. B. LOCH to His Honour the STATE PRESIDENT, South African Republic.

Government House, Cape Town,  
June 20, 1891.

SIR,

WITH reference to my Despatch of the 23rd of March, respecting the Swaziland estimates for the current year, I have the honour to inform your Honour that these estimates have been under the consideration of Her Majesty's Government, who have asked me to again communicate with you on the subject.

Your Honour is aware that Her Majesty's Government have agreed to provide 7,000*l.* as their share of the deficit for the current year, on the understanding that the total deficit would not exceed 14,000*l.*

The estimates prepared by the Government Treasurer in February last, which I understand have not yet received your Honour's approval, showed, however, a net deficit of over 18,000*l.*, and Her Majesty's Government have now invited me to consider with you in what way that deficit can be reduced so as to avoid the necessity for an application to Parliament for an increased grant-in-aid.

As it is desirable that this question should in the first instance be considered by the Joint Government Committee I have requested Colonel Martin to consider with his colleagues in what way the revenue can be increased and the expenditure reduced, and I should be very glad if the representative of your Honour's Government can be similarly instructed.

Your Honour will doubtless agree with me in thinking it desirable that after fully considering the subject, the Joint Government Committee should cause revised estimates to be prepared which, when agreed upon between your Honour and myself, I could send to Her Majesty's Government, and I trust that I may rely on your Honour's assistance and support in effecting whatever reductions may be considered practicable by the Government Committee.

His Honour the State President,  
Pretoria.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

No. 19.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received September 28, 1891.)

(Answered by No. 20.)

MY LORD,  
Government House, Cape Town,  
September 7, 1891.  
WITH reference to your Lordship's despatch of the 23rd of May last, and to mine of the 24th of June\* respecting the Swazieland estimates for the current year, I have the honour to transmit a copy of a despatch which I have received from Colonel Martin on the subject.

Your Lordship will observe that Colonel Martin has been unable to take any action in the matter of the proposed revision of the estimates owing to the Transvaal member of the Joint Government having ignored his proposal that a consultation on the subject should take place between them. I understand that this state of affairs is due to the fact that the Government of the South African Republic has given its representative no instructions, and I have accordingly again requested the President to give the matter his early attention, and I transmit a copy of a further despatch which I have addressed to Colonel Martin on the subject.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.  
The Right Hon. Lord Knutsford, G.C.M.G. &c. &c. &c.

Enclosure 1 in No. 19.

BRITISH COMMISSIONER, Swazieland, to HIGH COMMISSIONER.

SIR,  
Bremersdorp, Swazieland, August 23, 1891.  
WITH reference to your Excellency's despatch, I have the honour to state that up to the present I have received no reply from my Transvaal colleague to my proposal that we should consult together as to the best means by which the Swazieland revenue can be increased and the expenditure reduced.

I therefore regret to say I have been unable to take any action in the matter. My colleagues and myself have, however, done all in our power to keep the expenditure as low as possible.

With regard to the proposals contained in the Secretary of State's letter, I beg to be allowed to observe that, to impose a tax as suggested by Sir F. de Winton (*vide* page 17 of his report) viz., from 40 per cent. to 60 per cent., would have the effect of making concessions next to valueless, and I venture to suggest would scarcely be acting up to clause (j), Article 2, Swazieland Convention, 1890, which declares that all lawfully acquired rights should be recognised. The principal concessions which at present affect the revenue of the country are those which give exemption from duty. It might be possible in these cases to form an estimate of the income derived by the holders of them, and impose a tax accordingly; but it would be difficult, in my estimation, to estimate, with a view to a fair taxation, the value of the greater number of what are called, in Sir F. de Winton's Reports (Annexure K), "wicked concessions."

\* Nos. 14 and 18.

A high tax would, without doubt, cause much discontent among all classes in Swaziland. I think, however, a moderate tax on concessions might be enforced.

Mineral and grazing rights are already taxed, and I should propose to tax other concessions in the same manner, and for this purpose I would classify all concessions as under :—

- (1.) Monopolies, &c.
- (2.) Mineral concessions.
- (3.) Farming and grazing rights.

Monopolies, &c. to pay an annual license of 4*l.*

Mineral concessions to pay an annual license of 4*l.* or 10*s.* on each stamp, as at present.

Farming concessions to pay an annual license of 1*l.*

Grazing concessions to pay an annual license of 1*l.*, as at present.

The concessions held by Messrs. Wallerstein and Bremer, and by Mr. Schwab, which give them the right to import and export goods duty free, and to carry on a wholesale and retail business, is at the present time the main cause of the decrease in the Swaziland revenue; as not only are they exempted from the payment of duty themselves, but other storekeepers in Swaziland obtain the greater portion of their goods from them, and thus avoid the payment of duty to the Government.

The following alternatives have been suggested with a view to meeting this difficulty :—

- (1.) That with the exception of transit dues, all duty on goods should be abolished, and a percentage charged on the business as shown by the books of the previous year.
- (2.) That duty on goods should be abolished, and waggon tax raised according to value of load.
- (3.) That concessions affecting the revenue to any great extent should be acquired by Her Majesty's Government and that of the South African Republic, reasonable compensation being given.

Proposals 1 and 2 appear to me, however, to be objectionable, firstly as opposed, to Clause (j), Article 2, Swaziland Convention, and secondly, as being quite contrary to the spirit of Customs Union for South Africa.

Proposal No. 3, therefore, seems to me to be the only one feasible, and although it would entail a considerable outlay at first, I think the reduction of the grant-in-aid from Her Majesty's Government and the Government of the South African Republic by the acquisition of these concessions, would fully justify the expenditure.

With reference to Lord Knutsford's remarks on the Swaziland police, I would state, for your Excellency's information, that I have had several consultations with the Commandant of the Police, and as it is evidently most desirable that we should have more mounted men, he has, at my suggestion, drawn up a scheme for the re-organisation of the force.

It is proposed to increase the white police by one man, and to give horse rations to four; at the same time a reduction is to be made in the native police of eight or ten men. The present vote is not to be exceeded.

I could not recommend a reduction in the police vote, as police are much required to assist in the collection of the revenue, and to maintain law and order in the country.

The Swazie nation has its own native police force, stationed at the Resident Adviser's Office, Embekelweni.

His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) R. E. R. MARTIN, Colonel,  
British Commissioner.

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Enclosure 2 in No. 19.

Sir HENRY B. LOCH to Colonel MARTIN.

Government House, Cape Town.  
September 8, 1891.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch of the 23rd ultimo, on the subject of Swaziland revenue and expenditure.

I have, as I informed you in my despatch of the 24th ultimo, again reminded the President of the South African Republic of the urgent necessity which exists for taking early steps for the revision of the estimates for the current year, and I trust therefore that you will shortly be able to discuss with your colleague your proposals for the taxing of mineral and farming concessions and the adoption of additional measures for raising the revenue.

I can hold out but little hope of Her Majesty's Government consenting to the purchase of any concessions affecting the revenue, and it will be well therefore that some other alternative should be devised for making the holders of the monopolies referred to by you contribute their fair share to the taxation of the country.

As, however, it seems doubtful whether any measures affecting the revenue will be considered and adopted in time to effect any appreciable increase in the estimated amount of such revenue for the current year, it is to the expenditure side of the estimates that it will be necessary now to specially give attention, if the wishes of Her Majesty's Government as to the reduction of the deficit to 14,000*l.* are to be carried out.

I consider that, unless you see any objection to such course, you might invite the Government Secretary and Treasurer to at once prepare revised estimates of expenditure which, after being approved by your colleague and yourself, should be submitted concurrently to the President of the South African Republic and to me. I am of opinion that the following reductions might be made :—

#### SERVICE.

##### *Establishments, Civil and Judicial.*

Clerk to Government Secretary and Treasurer.—600*l.* is inserted in estimates for this post. As pointed out by the Secretary of State, the salary of the Commandant of the Police is only 450*l.*, and the amount put down for this clerk is unnecessarily high, 400*l.* would seem a fair sum for the post, and no higher rate has been sanctioned for it.

Reduction.

£

200

##### *Landdrost Clerk.*

I informed the President of the South African Republic in March last that I considered that the increase in both this and the case of the clerk above referred to, should be disallowed. The sanctioned sum was 225*l.* not 300*l.*

75

##### *Prisons.*

1,116*l.* is inserted, but the expenditure for the first quarter of the year was only 128*l.* 14*s.* 2*d.*, or at the rate of 514*l.* per annum. It seems probable, therefore, that after allowing for a gradual increase in the expenditure during the year, 700*l.* at most would be required.

416

##### *Official Requisites, Printing, Stationery, &c.*

The expenditure for the first quarter of the year was only 12*l.* 8*s.* 6*d.*; 200*l.* instead of 500*l.* might suffice for this service.

300

##### *Public Works.*

I have already asked you to arrange, if possible, that all public works, except such as are of the most urgent necessity, should be postponed or abandoned, and I observe that only 123*l.* 10*s.* 1*d.* was expended during the first quarter of the year. 1,000*l.* instead of 2,000*l.* might be sufficient, and a list of proposed works should be sent to me.

1,000

##### *Miscellaneous.*

The Secretary of State deprecated so large a sum as 1,000*l.* being provided under this head. The actual expenditure during the first quarter was 13*l.* The amount to be now inserted in estimates might be reduced from 1,000*l.* to 200*l.*

800

These suggested reductions, which I do not however wish you to regard as final or complete, would have the effect of reducing the estimated deficit from 18,195*l.* 7*s.* to 15,404*l.* 7*s.*, and though the nominal deficit would thus be over 14,000*l.*, it is nearly certain that, owing to part of the civil and other expenditure not having become payable till after the commencement of the year, the actual deficit would be less than that amount.

2,791

I should be much obliged if you would inform me at an early date of the steps you have taken in this matter.

His Honour Colonel Martin, C.M.G.,  
Bremersdorp, Swazieland.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

No. 20.

LORD KNUTSFORD to SIR H. B. LOCH.

(Answered by No. 21.)

SIR,

Downing Street, October 10, 1891,

I HAVE the honour to acknowledge the receipt of your despatch of the 7th ultimo,\* relating to the delay which has taken place in settling the Swazieland estimates for the current year.

Should the Government of the South African Republic continue to be inactive in this matter, the only course open to Her Majesty's Government would seem to be to frame estimates for themselves, with the assistance of their representative, and to base their grant-in-aid upon such estimates. You have my authority to proceed in this direction if absolutely necessary.

With regard to the suggestions for increasing the revenue, you are right in assuming that Her Majesty's Government are not prepared to view favourably the purchase of the revenue exemption concessions; and a preferable solution might possibly be found in the abolition of Customs duties altogether, which cannot yield much under present arrangements, so as to put an end to the present mischievous monopoly of importation enjoyed by the exempted traders.

The chief objection to abolishing Customs altogether is that such a step would be inconsistent with the spirit of the Customs Union. But some considerable time must elapse before Swazieland can come into the Union, and in the meantime the abolition of Customs duties would have the advantage, at very little, if any, cost to the revenue, of depriving the holders of the free imports concession of the present value of their concession, and so possibly induce them to dispose of it at a much reduced sum.

I do not share Colonel Martin's view that a tax on the value of business done or on waggons would be inconsistent with the spirit of Art. 2, Clause (j), of the Convention.

Sir H. B. Loch.

I have, &c.  
(Signed) KNUTSFORD.

No. 21.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received December 1, 1891.)

(Continued by No. 22.)

Government House, Cape Town,  
November 11, 1891.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 10th ultimo,† respecting the delay which has taken place in settling the Swaziland estimates for the current year.

I have just received from Swaziland the revised estimates, in which the estimated expenditure has been reduced by 3,378*l.*, and I am now awaiting the approving of the President of the South African Republic to them in order that, when transmitting them to your Lordship, which I hope to do by next mail, I can be enabled to say that they have been agreed upon between the President and myself. It is anticipated that the actual deficit will not exceed 14,000*l.*, and that the Parliamentary Grant of 7,000*l.* already provided will therefore be sufficient.

As regards the revenue question, I have informed Colonel Martin that in discussing the matter with his colleague he should bear in mind the views of Her Majesty's Government as contained in your Lordship's despatch.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

\* No. 19.

† No. 20.

No. 22.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received January 9, 1892.)

Government House, Cape Town,  
December 21, 1891.

MY LORD,

WITH reference to my despatch of the 11th ultimo,\* I have the honour to transmit, for your Lordship's information, the enclosed copy of a despatch which I have received from Colonel Martin respecting the preparation of a scheme for increasing the revenue in Swaziland.

I have, &amp;c.

(Signed)

HENRY B. LOCH,

Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

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Enclosure in No. 22.

His Honour Colonel MARTIN to his Excellency the HIGH COMMISSIONER.

Bremersdorp, Swaziland,  
December 3, 1891.

SIR,

WITH reference to your Excellency's despatch, dated 12th November 1891, I have the honour to inform you that yesterday I had a consultation with my colleague respecting the Swaziland revenue, which, I regret to say, was most unsatisfactory, as my colleague said that, although he was instructed to consult with me, he did not feel he was in a position to propose or agree to any scheme of taxation for Swaziland owing to the concessions held in the country, or to any tax on concessions held by the Government of the South African Republic.

He also remarked that he considered it was the duty of the Treasurer to prepare the estimates, but that if I prepared a scheme he would agree to its being forwarded to your Excellency and the Government of the South African Republic.

The concessions which it is said clash with the various schemes proposed for increasing the revenue are as follows :—

1. That part of the postal concession which gives right to carry goods.
2. Exclusive right to impose and collect import and export duties, now in the name of N. H. Cohen.
3. Exclusive right to grant licenses granted to J. R. Harington, but now in the name of J. Porges and H. E. Eckstein.

Although the last two named concessions have not been registered in the office of the Swazi nation as the property of the Transvaal Government, there is little doubt but that they are the property of that Government.

The Transvaal Commissioner informed me that he was not aware what concessions were held by his Government. Under the circumstances, as stated above, I have, in order to avoid any delay in preparing the estimates, agreed with my colleagues that I should, in conjunction with the Government Treasurer, prepare alternative schemes for the increase of the Swaziland revenue.

These schemes are to be first discussed by the committee, and afterwards forwarded for the consideration of your Excellency and his Honour the State President.

I have, &amp;c.

(Signed)

R. E. R. MARTIN, Colonel,

British Commissioner.

His Excellency the High Commissioner,  
Cape Town.

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\* No. 21.

No. 23.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received May 27, 1892.)

Government House, Cape Town,  
May 9, 1892.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from Mr. Lagden, reporting that he had taken over the duties of Colonel Martin, the British Commissioner in Swaziland, who is proceeding to England on leave of absence.

I have, &amp;c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 23.

BRITISH COMMISSIONER, Swaziland, to His Excellency the HIGH COMMISSIONER.

Bremersdorp, Swaziland,  
April 25, 1892.

SIR,

I HAVE the honour to report that I arrived at Bremersdorp on the 16th instant, and assumed on the 20th the duties of British Commissioner in Swaziland.

In terms of Colonel Martin's proposal, conveyed in his telegram to your Excellency of the 10th instant, he proceeded on the 19th to pay a farewell visit to the young King and the Queen Mother, and at the same time introduced me to them.

Mr. Shepstone and a number of the leading officials, Mr. Esselen excepted, accompanied us.

While according me a welcome, the various speakers expressed their appreciation of the services rendered to the nation by Colonel Martin, and regret that he was about to renounce for a short time the work with which he had been so long identified; and they urged him to represent to the Queen's Government their gratitude for the protection afforded them hitherto, and their prayers for a continuance of it.

The Queen Regent, whom it was proposed to visit the following day, travelled about six miles from her kraal to intercept us, as a mark of courtesy. She expressed herself in words similar to those of the young King and Queen Mother, adding that there was one dark spot only on the parting cloud, viz., the boundary question. To this Colonel Martin replied that it remained for Mr. Shepstone simply to verify the existing beacons.

In replying to words addressed to myself, I stated that it would be my duty to continue the line of policy adopted by Colonel Martin in carrying out the instructions of Her Majesty's Government.

I have, &amp;c.

(Signed) G. Y. LAGDEN,  
British Commissioner.

His Excellency the High Commissioner,  
Cape Town

No. 24.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received May 27, 1892.)

Government House, Cape Town,  
May 11, 1892.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, correspondence respecting the exercise of a Private Revenue Concession in Swaziland by the Government of the South African Republic.

I have, &amp;c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.

## Enclosure 1 in No. 24.

BRITISH COMMISSIONER, Swazieland, to His Excellency the HIGH COMMISSIONER, Cape Town.

Bremersdorp, Swazieland,  
March 7, 1892

SIR,

I HAVE the honour to inform your Excellency that with a view to facilitating the collection of licenses due from the grazing right holders, Mr. Shepstone suggested that application should be made to the office of the Swazie nation for a list of the holders, and I beg to forward a copy of the reply sent in answer to the application.

In reply to questions put by me to Mr. Shepstone, he explained that so far as he was concerned he was willing to supply any information to the Government Committee free, but as there was a charge payable for the inspection of all documents in the Swazi Office, and that he had to account to the holders of the Private Revenue Concession for all moneys collected, he regretted that he was unable to do so.

As your Excellency informed me, the Government of the South African Republic had agreed that the Private Revenue Concession should remain in abeyance, I have thought it right to bring this matter to your notice.

I would suggest for consideration that if the right of the Private Revenue Concessionaires to retain the custody of documents is recognised, the difficulty of establishing a registrar's office might be greatly increased.

I have, &c.

(Signed) R. E. R. MARTIN, Colonel,  
British Commissioner.

His Excellency the High Commissioner,  
Cape Town.

Offices of the Swazie Nation, Swazieland,  
February 20, 1892.

SIR,

I AM directed by his Honour the Resident Adviser to acknowledge the receipt of your letter dated the 10th instant, and to say in reply thereto that the fees payable for a list of the grazing right holders in Swazieland would amount at present to a sum of 60% or more, and to ask whether the Government Committee would be prepared to incur the expense.

As the holders of such rights are changing daily, his Honour directs me to say further that for the future he would be prepared to notify to you such changes as they occur.

I have, &c.

The Government Secretary,  
Bremersdorp.

(Signed) WM. C. PENFOLD,  
Private Secretary.

## Enclosure 2 in No. 24.

His Excellency the GOVERNOR and HIGH COMMISSIONER to His Honour the STATE PRESIDENT, Pretoria.

Government House, Cape Town,  
March 25, 1892.

SIR,

I HAVE the honour to enclose, for your Honour's information, a copy of a despatch which I have received from Colonel Martin respecting a fee claimed by Mr. Shepstone for an inspection of documents necessary to the collection of the Swazi revenue.

I consider that no obstacle should be opposed to the collection of revenue in Swaziland more especially as the revenue is at present quite disproportionate to the expenditure, and as I am aware that your Honour's Government holds the private revenue concession, I trust that, in accordance with the undertaking conveyed in Dr. Leyds's letter of the 22nd July 1890 to Mr. Hofmeyr, instructions may be sent to Mr. Shepstone to withdraw his objections.

I have, &c.

His Honour the State President,  
Pretoria.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 3 in No. 24.

STATE SECRETARY, South African Republic, to HIGH COMMISSIONER.

(Translation.)

YOUR EXCELLENCY,

Government Office, Pretoria,  
April 25, 1892.

I am instructed to acknowledge the receipt of your Excellency's despatch of the 25th March last, by which you transmitted to this Government a copy of a letter from Colonel Martin to you respecting a fee to which Mr. Shepstone lays claim for an inspection of documents which are required for the collection of the Swazie revenues.

In the accompanying copy of letter to Colonel Martin from Mr. Shepstone's secretary, he says that these fees will amount to 60*l.* or more, and Mr. (sic) Martin further informs your Excellency that Mr. Shepstone had explained to him that he could not grant the information asked for gratis, because he had to account to the holders of the Private Revenue Concession for all moneys collected by him.

Now it is your Excellency's opinion that no obstacle should be placed in the way of the collection of the revenues in Swaziland, especially as at present they are entirely disproportionate to the expenditure, and further that your Excellency, knowing that this Government is the holder of the Private Revenue Concession, that, according to the undertaking in my letter of the 22nd July 1890 to Mr. Hofmeyr, instructions may be given to Mr. Shepstone to withdraw his objection.

May this Government be allowed to point out the following facts :—

As your Excellency says, this Government is the holder of that concession, or, rather, irrevocable power of attorney. They acquainted Mr. Hofmeyr with this in the said letter, but added that they refrained from making mention of that power of attorney in the draft Convention because the Executive Council at that time saw the impossibility of making use of that power of attorney as long as the Government Committee was in existence. This Government wishes to remark, *en passant*, that the expression of the view which it had at that time was solely a consequence of the development of its thoughts respecting the naming or not in the draft Convention of concessions over and in which they possessed the controlling power, and that that utterance cannot be looked upon as a leading or primary but only as a secondary consideration—in other words, that it was mentioned as one reason why no mention was made of the power of attorney in Article 7 of the draft.

What, however, the Government wishes to bring with greater emphasis under your Excellency's consideration is the fact that the letter of the 22nd July 1890 was a reply to the letter from Mr. Hofmeyr of the 17th of that month, which contained a promise upon which this Government relied, *also* in the communication of its opinion in question, namely, that Her Majesty's Government would be prepared, "when the Joint Government had been established and the concession claims settled, to consider such questions as the Government of the South African Republic might bring before it with the desire to meet the wishes of the South African Republic as far as possible," a promise respecting which Mr. Hofmeyr, after it had been proposed from this side as a portion of the Convention, in his letter of the 26th July 1890, said that it could not be embodied in the Convention, the written promise of Her Majesty's Government serving as sufficient to be accepted as guarantee that the obligations would be acknowledged.

This Government has already repeatedly, the last time by my letter of 21st December last, called attention to these promises which had been made, but with the exception of your Excellency's letter of the 31st December last, in which you say that you have sent a translation of said letter to the Secretary of State, this Government has up to this moment learnt nothing else concerning the fulfilment of its wishes respecting the future position of Swaziland. Now the Government is of opinion that the expectation, which for the reasons mentioned they entertained at the time of their letter of 22nd July 1890, namely, that the Swaziland affairs could have been settled long before this, and that there would now be no more mention of a Joint Government, and consequently also not of the existence of the Government Committee, will in every respect be justified by Her Majesty's Government, and that now, after all that lapse of time, and now that the Court in Swaziland with which the final decision rested, in spite of the protest made by the Government Committee, has so long ago confirmed the

said power of attorney, whereby also the Court tacitly made known that it did not perceive the impossibility of its exercise during the existence of the Committee, it will not be regarded as unreasonable if this Government also says that it can now no longer regard it as impossible that use be made of the said power of attorney.

The Government, however, has more than this to bring forward, and that is the interests of the Swazi nation itself. As Mr. Shepstone, the Resident Adviser, will be able to inform your Excellency, the nation has, since the confirmation of the power of attorney by the Court, constantly and with urgency insisted upon the exercise of the power of attorney.

The Government has, in expectation of the fulfilment of the said promises, constantly postponed the putting into operation of the power of attorney, and the Swazie nation has been satisfied with that measure in view of the important monetary advance granted it by this Government on the moneys finally to be received; but now that the Swazi nation no longer desires to acquiesce in that state of affairs, and now that it earnestly continues to insist upon the exercise, and in other words demands that it shall draw its dues out of the incomes in terms of the power of attorney, the Government at last sees the necessity to give effect to that just desire.

The Government, moreover, does not understand how the present existing situation, which your Excellency cites as a reason, namely, that the revenues at present are entirely disproportionate to the expenditure, will be relieved by a further postponement of the putting into operation of the power of attorney, for, indeed, whether the exercise of the power of attorney be postponed or not the Government Committee will, by virtue of the power of attorney, in no case be able to lay claim to that portion of the revenues which is due to the Swazie nation, nor to that portion which is due to this Government.

Under all these circumstances the Government is of opinion that it cannot be demanded of it that instructions shall be sent to Mr. Shepstone to withdraw his objections in question, and it is further of opinion that this view will be justified by Her Majesty's Government.

I have, &c.  
(Signed) Dr. W. J. LEYDS,  
State Secretary.

His Excellency the High Commissioner,  
Cape Town.

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Enclosure 4 in No. 24.

HIGH COMMISSIONER TO STATE PRESIDENT, Pretoria.

Government House, Cape Town,  
May 11, 1892.

SIR,

I HAVE the honour to acknowledge the receipt of your Honour's despatch of the 25th ultimo relative to the exercise in Swaziland of the Private Revenue Concession.

I think it desirable to fully lay before your Honour my views as to the position of the Government of the South African Republic in regard to that concession.

The document known as the Private Revenue Concession was executed on the 6th July 1889 by the late King and his principal councillors. It purports to appoint one Harington, "his heirs, executors, and assigns, or temporary or permanent substitutes, with "power of cession of these presents, to collect or receive from all and every person "whomsoever all taxes, rates, rents, fees payable to me and my heirs as our private "revenue or otherwise derivable from my kingdom of Swaziland, out of all mineral and "farming rights, bonuses on batteries, rental payable on stamp heads at work, and on "concessions granted by me, transfer dues on sales, and all other the private revenue "which may now be or hereafter become payable to me, or my successors, in any "manner or way whatsoever, nothing excepted."

So far the document is a mere power of attorney revocable at pleasure by the principal, and in my opinion if it stopped there, it would be revoked by the King's death, unless his successor chose to continue the agency. But the document, after giving the right to the holder to make agreements, &c., affecting the increase and decrease of revenue, proceeds to provide that should Harington, the holder by assignment, cession, or substitution "elect to act hereunder" he (or the holder) should pay monthly to the King or his successors a payment at the rate of 12,000*l.* per annum, *the first payment to be made one month after the date on which Harington or the holder shall deem it advisable to bring*

*these presents into force.*" The balance of the revenue collected is to be retained as remuneration and to defray expenses incidental to collection and the building of premises, &c. Then powers to choose sites, take land free of tax, &c., &c., are conferred as incidental to the main power.

This document either amounts to a concession, or it does not. If it does not it is a mere power of attorney, and is revocable as such. But it has been treated by the majority of the Chief Court as a concession, and has been confirmed as such as the court could not under the Organic Proclamation have taken cognizance of a mere power of attorney.

In the discussion of the document, therefore, it must be regarded as a concession to Mr. Harington, or those holding under him. It appears that on the 2nd September 1889 Mr. Harington substituted Mr. Cohen, who, on the 14th idem ceded and transferred all the rights, title, and interest of Mr. Harington "to the within deed of rights or grant" to Mr. F. C. Eloff, who subsequently transferred it to your Honour's Government.

I would point out that the Swazi King's revenue is to be strictly limited to such revenue as is derived from the sources reserved by him when granting the Charter of 1888, which has never been abolished or repealed. Special provision is made for its continuance in the Memorandum of Principles affirmed by the Queen Regent and her councillors during Sir Francis de Winton's mission, and that Charter has a recognition by implication both in Article 2 of the Convention and in the Organic Proclamation where it deals with the question of revenue.

It would appear that the Swazi nation did not place the Private Revenue Concession upon the original list of approved concessions. As, however, the approval was conveyed by the responsible agent and adviser of the Swazi nation to the cognizance of the Chief Court, I apprehend that the court (by a majority) deemed it difficult to question the initial validity of the document, and so, despite protest on the part of the Government Committee, it was confirmed by judicial order upon the *ex parte* application of your Honour's Government through your attorney Mr. Hollard. As that judgment stands, the important point is : what is it worth ? In my opinion it did not and could not do more than affirm the initial validity of the concession, and the validity of the cession by which it came into Mr. Eloff's and your Honour's hands, and I cannot concur in your Honour's view that "the Court tacitly made known that it did not perceive the impossibility of "its (*i.e.*, the concession's) exercise during the existence of the Committee," for the court had no function to deal with the possibilities of exercise of concessions, and cannot be supposed to have travelled beyond the path of its judicial duty.

Though the benefit of the judgment ensues to your Honour's Government, yet the exercise of the powers conferred by the concession is subject to all obligations and conditions binding upon your Government.

If your Honour's Government were at liberty to put this concession into force, it could then collect the private revenue upon condition of punctually paying to the King the sum of 1,000*l.* per month, but the document recognises that the holder may elect to postpone acting thereunder, and payments only commence one month after the collection of revenue begins, the concession being meanwhile, so to speak, "hung up."

The important question then arises whether your Honour's Government, having regard to the Convention and Dr. Leyds's letter of 22nd July 1890, is entitled to avail itself of the power of election given by the document, and at liberty to commence to collect the private revenue under it.

But for the letter referred to and the terms of the resolution of the Honourable Volksraad when confirming the Swaziland Convention, I hold that your Honour's Government would by Article 7 of the said Convention be precluded from any action under the document in question, for that article expressly mentions the concessions in respect of which your Government has the controlling power which are recognised as valid by Her Majesty's Government.

Though it was averred that your Honour's Government had the controlling power in the concession, all mention of it is excluded from the Convention, and such exclusion standing alone would warrant the conclusion that as between the two Governments that concession was *not* recognised as of any validity.

But Dr. Leyds's letter of 22nd July 1890 was written before the execution of the Convention, and its terms in relation to the Private Revenue Concession are precise and clear, and it would not now be equitable to insist upon the *absolute* invalidity of the

document or concession. Your Honour may fairly urge that the concession is in a condition of suspended vitality during the existence of the Government Committee, but that vitality does not ensure its ultimate recognition as valid, but prevents Her Majesty's Government from treating the concession as absolutely null. The terms of Dr. Leyds's letter are unconditional, and I cannot admit the inference you desire to draw that the undertaking there made was dependent upon the promise conveyed by Mr. Hofmeyr in his earlier letter, nor can the exercise or non-exercise of the Private Revenue Concession be in any way dependent upon the performance of that promise. Your Honour's Government fully recognises that it is impossible that use be made of the power of attorney during the existence of the Government Committee. Nothing has occurred to render such use less impossible. The Government Committee still exists, and I am of opinion that if Her Majesty's Government is still to adhere to a recognition that Dr. Leyds's letter of 22nd July 1890 protects the concession from the negative operation of Article 7 of the Swaziland Convention, it will be necessary that your Honour's Government should loyally abide by its undertaking.

I trust, therefore, that your Honour will, after consideration of this despatch, comply with the request contained in my despatch of the 25th March.

His Honour the State President,  
Pretoria.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 5 in No. 24.

GOVERNOR and HIGH COMMISSIONER to HER MAJESTY'S REPRESENTATIVE, Swaziland.

Government House, Cape Town,  
May 11, 1892.

SIR,

WITH reference to Colonel Martin's despatch of 7th March last, I transmit a copy of a despatch dated 11th May which I have addressed to the State President of the South African Republic with respect to the collection of the Black Revenue and Mr. Shepstone's claim to the payment of 60*l.* for an inspection of documents necessary to the collection of the Swazi Revenue.

You may read this despatch confidentially to Mr. Shepstone.

His Honour G. Y. Lagden,  
Her Majesty's Representative,  
Bremersdorp.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

No. 25.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 13, 1892.)  
(Further Despatch No. 26.)

Government House, Cape Town,  
May 25, 1892.

MY LORD,

I HAVE the honour to enclose a copy of a letter from the Government Secretary, Swaziland, covering reports in terms of Article 2*b.* of the Convention of 1890.

I also enclose a copy of a letter I have caused to be addressed to the Government Secretary in reply to his communication.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

## Enclosure 1 in No. 25.

FROM GOVERNMENT SECRETARY, SWAZILAND, TO IMPERIAL SECRETARY, CAPETOWN.

Government Office, Bremersdorp, Swazieland,  
April 30, 1892.

SIR,

SINCE my last report, dated 15th May 1891, in terms of Article 2*b*. of the Convention of 8th August 1890, I have the honour to forward the following reports for the information of his Excellency the High Commissioner, viz., that of the—

Attorney General,  
Master of the High Court,  
Orphan Master,\*  
Landrost, Bremersdorp,\*  
Commandant of Police,  
Chief Collector of Customs,  
High Sheriff,\*

and of the Justices of the Peace at—

Piggs' Peak,\*  
Forbes' Reef,\*  
Fyfes' District,\*  
Mahamba,\* and  
Lebombo,\*

and further to submit the following as a report.

The state of affairs in Swazieland is most satisfactory, and the Swazies are peaceful and quiet.

As regards the white population nothing can be remarked about them. A very good understanding appears to exist between whites and Swazies.

From the reports submitted it will be clearly manifest that law and order are duly maintained in every district.

The laws passed and promulgated with the consent of both Governments are :—

- I. The Rules and Regulations of the High Court of Swazieland.
- II. Rules and Regulations for the Swazieland Government Committee Police.
- III. Prison Regulations.
- IV. Regulations and Rules for the Landrost Courts in Swazieland.
- V. Audit Regulations.
- VI. Vagrancy Law.
- VII. Master and Servants Law.
- VIII. Law on the giving of Security by Officials.

The following laws are still under consideration :—

- I. Medical Law.
- II. Instructions for medical officers.
- III. The Orphan Chamber Law.
- IV. Ordinance on the Collection of Customs by Postmasters.
- V. Regulations for Leave of Absence to Officials.
- VI. Game Law.
- VII. Grass burning Law.

The laws that have already been proclaimed, will, as soon as the Estimates are approved of, be printed in one volume, with the exception of the High Court Regulations and the General Orders and Regulations of the Police, for distribution amongst the public.

The two laws just mentioned have already been printed.

A sum has been placed on the estimates for that purpose.

I have, &c.

The Hon. the Imperial Secretary,  
Capetown.

(Signed) JOH. Z. DE VILLIERS,  
Government Secretary.

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\* Not printed.

REPORT regarding the Department of the Attorney General from May 1st, 1891,  
to March 31st 1892.

*Criminal Work.*

There has been a considerable increase of criminal work during this period

Three cases of theft	} were disposed of by the High Court.
One case of robbery	
"    "    fraud	} were committed to—
"    "    robbery	
"    "    rape	

the Landdrost of Bremersdorp for trial, and the charges altered to one of common assault.

One case of extortion will be tried before the High Court during the next session.

In one case of murder a preliminary examination is being held.

Two appeals from criminal cases tried by the justices of the peace at Forbes' Reef and Piggs' Peak respectively will be brought before the High Court during the next session.

With regard to the lower courts so far as they are connected with my department, I have to remark as follows :—The present peculiar jurisdiction exercised by the justices of the peace in the different districts outside Bremersdorp is not favourable to the administration of criminal justice in this territory. The justices of the peace are in several instances at the same time judges, public prosecutors, and policemen; and, although on the one hand, their jurisdiction is too limited and practically makes appeal almost impossible, it is, on the other hand, and for similar reasons, far too extensive. I have already in the course of the year reported to the Honourable the Government Committee about some of the proceedings of the justices of the peace in criminal matters, and have also on more than one occasion urged the necessity of an entire alteration in the distribution of jurisdiction. In the first place the prosecution ought to be absolutely separated from the exertion of judicial or magisterial functions. A second remark I venture about the organisation of the police in the country, which at present is a separate department, and the connexions of which with the officials charged with criminal prosecution are not all clear. Without prejudice to any duties which may rest with the police department in direct connexion with the Honourable the Government Committee I must state that the present police force has proved in several instances to be almost useless to the criminal prosecution, and in the interests of my department a general and entire alteration is necessary.

*Civil Work.*

During the period as mentioned above only six civil cases in which the Government Committee is interested passed through this office. They are as follows, viz.:—

- 1st. Concession, G. Schwab, which was confirmed by order of the High Court on May 1st, 1891.
- 2nd. Pounds Concession, in which, on the application of Mr. J. Thorburn, a certain order erroneously given by the Concession Court was slightly altered. June 1st, 1891.
- 3rd. A case against the "Forbes Reef Gold Mining Company" for recovery of arrear duties. On payment of the principal sum and all costs by the defendant this case was accordingly withdrawn.
- 4th. An application to declare certain properties belonging to H. Dupont executable in terms of a bond in favour of the Government Committee was granted June 16th, 1891.
- 5th. An action instituted by G. Schwab against the Government Committee for repayment of certain moneys and in which a claim in re-convention has been put in by the defendant; and
- 6th. An action of a similar nature instituted by the firm of Wallerstein and Bremer, are still in abeyance and will be brought before the High Court during the next term.

In addition, it may be stated, that certain bills of costs brought against the Government Committee for concession cases have been taxed.

*Draft Laws.*

The following draft laws have been submitted to the Government Committee :—

- 1st. Rules for Examinations in Law.
- 2nd. Rules for Leave of Absence of Officials.
- 3rd. Grass Burning Law.
- 4th. Customs Law.

I have to make two remarks with regard to this subject :—

1st. The laws are framed and passed in a very autocratic manner. Although it cannot be doubted that the Government Committee have the interest of the white population in Swaziland at heart, still in this territory, unlike in all civilized countries, laws are continually passed and enforced without even so much as hearing the public opinion about them. Especially as, under the Convention our laws cannot in any way affect the Swazie Nation, and as the vast quantity of concessions granted to various private parties are the cause of a very unequal division of the burden of the law, this deficiency in their originating is well worthy to be considered.

2nd. Another observation on the creation of laws is, that it has already occurred that after a law had been framed and passed by the Government Committee one or both of the two Governments having the final decision expressed their opinion that the country was not yet ripe for such a law. In those instances it would certainly have been more expedient to elicit the opinion of the two Governments on the subject before the law is drafted and passed, and this measure I would recommend for all future occasions.

Finally there are a number of subjects on which it has been resolved to pass laws, about which the opinion of experts and authorities is required, and on more than one occasion I have been obliged to ask for fuller instructions with regard to the proposed contents of the law than the negative amount with which I had been supplied. I must add that verbal communications, discussions in the Government Committee or with the hon. the members, and in most instances the appointment of commissions for the drafting of the laws, are so many means to facilitate matters and to arrive at a more satisfactory result.

*Department.*

No changes occurred in the constitution of the Department, but circumstances have rendered it necessary to apply for a clerk, which application has been made.

Bremersdorp, April 4, 1892.

(Signed) DR. J. ESSER,  
Attorney General.

The REPORT of the Master and Registrar of the High Court of Swaziland.

Office of the Master and Registrar, Bremersdorp,  
April 2, 1892.

SINCE the departure of the Concession Court in December 1890, the construction of the High Court has been as follows :—viz., Judge, A. P. N. du Toit ; Master and Registrar, G. Wreford Hudson ; High Sheriff, C. F. Roike and Interpreter, J. Andrews.

From that time until the present date 120 civil and 7 criminal cases have been decided by the High Court.

The High Court has also confirmed 13 concessions which have been brought up for confirmation after the Concession Court left, making a total in all of 364 concessions which have actually been confirmed, as per list attached hereto.

Three advocates, eight attorneys, six notaries, four conveyancers and three translators have been admitted as practitioners since the construction of the High Court.

The cases which have been brought before the Court are principally land cases arising out of concessions. The work has very considerably increased since last winter, and from all appearances this next term commencing from the 1st May to 31st August, is likely to be a very heavy one.

(Signed) J. WREFORD HUDSON,  
Master and Registrar.

No.	Nature of Grant.	Date of Grant.	Period	Annual Payment.	Name of original Grantee.	Name of Applicant.	Right or Title of Applicant.	On Approved List or not.	No. on Approved List.	Protest lodged by whom.	Judgment.
352	Farming and grazing right	12.11.87	—	25l.	M. Thring and W. Kerswell	M. Thring and W. Kerswell	Original grantee	Yes	No. 157	Piggs' Peak Gold Mining Company.	Confirmed.
353	Timber grant -	July 1887	—	3 goats	C. B. Kestell -	C. B. Kestell -	Do.	Do.	C. 36	—	Do.
354	Mineral right -	20.2.87	50 years with right of renewal for 50 years	50l. until erection of machinery then 300l.	John Schreur -	The Swaziland Gold Exploration and Land Company.	Cession	Do.	A. 43	—	Do.
355	Free importation of all goods, &c.	31.7.88	—	—	Gustav Schwab	Gustav Schwab	Original grantee	Not	—	Swaziland Government Committee.	Do.
356	Lease of ground	10.6.87	—	In kind	H. J. Vermaas	H. J. Vermaas	Do.	Yes	11	—	Do.
357	Farming and grazing right	3.5.87	99 years	5l.	H. D. Bayley -	W. H. Bayley	Cession	Do.	58	—	Do.
358	Grazing right	12.7.87	25 years	5l.	T. C. Erasmus	T. C. Erasmus	Original grantee	Do.	77	—	Do.
359	Store right	2.5.88	—	10l.	Harry Nelson	Harry Nelson	Do.	Do.	C. 38	—	Do.
360	Agricultural and grazing right.	23.6.88	50 years with right of renewal for 50 years	—	B. J. Human -	B. J. Human -	Do.	Do.	164	—	Do.
361	Lease of ground	20.6.87	50 years	5l.	C. Steenkamp and J. Labuschagnie.	C. Steenkamp and J. Labuschagnie.	Do.	Do.	35	—	Do.
362	Do.	5.7.88	—	1 beast	N. I. Smit -	N. I. Smit -	Do.	Do.	2	—	Do.
363	Do.	20.7.88	50 years	2l.	T. Potgieter and I. I. v. R. v. Oudtshoorn.	J. J. G. v R. v Oudtshoorn.	Do.	Do.	440	—	Do.
364	Timber right -	15.2.90	50 years with right of renewal for 50 years	5% royalty	George Maber	R. J. Maddon	Do.	Do.	—	—	Do.

(Signed) J. WREFORD HUDSON,  
Registrar.

#### REPORT of the CHIEF COLLECTOR OF CUSTOMS.

In accordance with instructions received I have the honour to report as follows :—  
From the 1st April 1891 to the 31st March 1892 the revenue derived under my Department is as follows :—

	£	s.	d.
Import duties	-	-	4
Transit duties	-	-	10
			10
			2
			2

This return shows an increase of 166l. 3s. 6d. as compared with the return for the year 1890.

My estimate of the revenue for the current year I anticipate as being considerably lower than for 1890 in consequence of more than one gold mining company having suspended operations, principally that of Piggs' Peak and Kobolondo. A considerable item was indirectly derived from these sources which will not appear in the current year unless the companies mentioned resumé work.

I would draw the attention of the Honourable the Government Committee to the disparity existing in the Customs duties of the purchasers from the colonial market and the direct importer.

The latter by direct import not only invests his money out of the country, but saves at least 20 per cent. in customs dues.

To remedy this I would suggest that all English and foreign invoices be liable to an *ad valorem* customs duty of at least 20 per cent., in excess of the duty charged on colonial, *i.e.*, on South African invoices, thereby placing the purchaser from colonial

sources on the same basis as the direct importer. This action would, I think, not only increase the Swaziland revenue, but also indirectly benefit colonial trade.

I would further point out the difficulties I have to contend with with regard to parcels passing through the post; undoubtedly a number of articles of a small but valuable nature pass through this source over which I have no control, and I would suggest that a temporary measure be adopted empowering all postmasters to hand to me or my subordinates any packages or parcels which in their opinion contain articles liable to duty.

Beyond the foregoing there is nothing special to report, but I would take this opportunity of testifying my thanks to the Police Department for the valuable assistance they have afforded by acting in the outlying districts as sub-collectors.

(Signed) H. E. GILBERT,  
Chief Collector of Customs.

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ANNUAL REPORT of the Swaziland Government Committee's Police for the year ending  
31st March 1892.

*Strength.*

The strength of the corps at the commencement of the financial year was as follows:—

6 officers.  
7 white constables.  
36 native police.

Owing to the complaints that are investigated by members of the force being generally whites *versus* whites, and whites *versus* blacks, it was thought that the efficiency of the force would be improved if four of the white constables were mounted (native police being of little use where whites are concerned).

In order to meet the expenditure of mounting these white constables without exceeding the "police vote" 10 of the native police were discharged and the four white constables mounted accordingly, thus reducing the native police to a strength of 26 non-commissioned officers and men.

The mounted police are used for patrolling, and also have charge of out-stations.

The change above mentioned was made on the 1st December 1891, and has added greatly to the efficiency of the force.

For patrolling and out-station work white constables are practically useless unless mounted.

The four white constables provide their own horses, but are paid by Government 2s. per diem "horse allowance."

*Stations.*

The force is at present distributed as follows:—

*Bremersdorp* :—

1 commandant.  
2 white constables.  
6 native police.

*Mahamba* :—

1 inspector.  
2 white constables.  
4 native police.

*Piggs' Peak* :—

1 inspector.  
2 white constables.  
5 native police.

*Forbes Reef* :—

1 sub-inspector.  
3 native police.

*Lebombo* :—

1 white constable.  
5 native police.

*Inkompis River* :—

1 sub-inspector.  
3 native police.

I intend forming stations at the following places and placing white constables in charge to be visited by the inspectors of the district :—

One at the Horo Concession.

One at Hales Concession.

One at Nomahasha's Kraal on the Lebombo, the latter to patrol the whole of Nomahasha's country, and to connect with the white constable of Josan's district. At present one white constable is in charge of both districts, but the area is too large to be properly patrolled from one station.

#### Revenue.

The amounts collected by the police for the year are as follows :—

	£	s.	d.
Milling stamp tax - - - -	60	0	0
Battery do. - - - -	60	0	0
Customs - - - -	884	12	5
Grazing - - - -	122	0	0
Poll tax - - - -	9	0	0
Waggon license - - - -	205	0	0
Waggon trading license - - - -	30	0	0
Hawkers' do. - - - -	26	0	0
Store - - - -	197	10	0
Canteen - - - -	117	10	0
Passes - - - -	162	7	6
Total - - - -	1,873	19	11

#### Arrests.

During the year the following arrests have been made, details of which appear on Annexure A. :—

Europeans - - - -	27
Indians - - - -	7
Natives - - - -	94
Total - - - -	128

#### Recovery of Stock.

On the 9th of April it was reported that 11 horses had been stolen belonging to the Swazie nation ; Sub-inspector Stewart was sent to the place where they had been stolen from, and after some difficulty traced them into the Transvaal and recovered them, but as there is no extradition treaty with the Transvaal the thief and receiver could not be brought to justice.

During the year five horses have been found by the police, and after being advertised were sold, and the amounts realised paid to the Government ; whilst 13 horses and two head of cattle have been recovered and returned to their owners.

A great many complaints have been made, especially in the winter months, by the "grazing right" holders against the natives for theft of cattle.

The natives also complain about the grazing right holders burning the grass which they require for their own cattle.

The police have difficulties in a lot of cases of stock stealing owing to the large area of country they have to look after, the nature of the country, and reports of thefts not being made known to them as soon as possible after the occurrence.

I think the grass-burning difficulty will be lessened when the grass-burning law comes into force.

#### Health.

The health of the force generally has been good, with the exception of a few cases of fever amongst the native constables in low-lying districts.

#### Conduct.

The general conduct of members of the force, both European and native, has been good.

(Signed) A. BATES,  
Commandant, S.G.C.P.

## Enclosure 2 in No. 25.

The ACTING IMPERIAL SECRETARY to the GOVERNMENT SECRETARY, Bremersdorp.

Government House, Cape Town,  
May 25, 1892.

SIR,

I AM directed by his Excellency the High Commissioner to acknowledge the receipt of your letter of the 30th ultimo, transmitting reports from various heads of departments in Swaziland in terms of Article 2*b*. of the Convention of August 2, 1890. His Excellency has perused these papers with much interest, and does not desire me to make any special reply to your communication as he presumes that any particular matters arising out of the various recommendations will be dealt with by the Government Committee with the approval of the protecting Governments where such approval is necessary.

His Excellency observes that the Attorney-General's report embodies a suggestion that the protecting Governments should express a favourable opinion of the principle of laws before the laws are actually drafted for the consideration of the Government Committee.

If this is understood to apply only to the principle of a law without requiring an approval of details, his Excellency does not see any objection to the course, but his Excellency cannot give any general approval of a law in its details before the actual law is submitted to him.

It will be of interest to the High Commissioner to learn the nature of the claim *in re* Convention put in on behalf of the Government Committee in Schwab's case, and what stage has been reached in the action which Messrs. Wallerstein and Bremer are instituting against the Government Committee.

The connexion between the Attorney-General's Department and the Police Department is reported as unsatisfactory, but no recommendation is made on the subject.

Without expressing any opinion on the merits of Dr. Esser's statement, the High Commissioner will be glad if he will mention more particularly any instances in which he considers he has failed to obtain that assistance from the police which he thinks he should have received.

No financial report is included in the papers submitted, and though a statement was forwarded in connexion with the estimates for 1892-93, his Excellency considers the annual report on the country can scarcely be considered as complete without such information.

He desires, therefore, that you will cause him to be furnished with one at your early convenience for transmission to Her Majesty's Government.

The High Commissioner does not fully understand the recommendation of the Collector of Customs with reference to placing direct importers and purchasers in South African markets on an equal footing, and he requests to be furnished with further information on the subject.

The Government Secretary,  
Bremersdorp.

I have, &c.  
(Signed) H. L. SAPTE,  
Acting Imperial Secretary.

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No. 26.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received August 8, 1892.)

Government House, Cape Town,  
July 20, 1892.

MY LORD,

WITH reference to my Despatch of the 25th May last,\* I have the honour to transmit, for your Lordship's information, a copy of a letter from the Acting Government Secretary of Swaziland enclosing the Acting Government Treasurer's report for the financial year to 31st March last, and a further report from the Attorney-General on questions which I had raised in connexion with his annual report.

The Acting Government Treasurer's present report only deals with the revenue, but a complete statement of revenue and expenditure for the year in question will be found amongst the enclosures to my Despatch of 19th instant.†

\* No. 25.

† Not printed.

I agree with Mr. Scott in thinking that the license duties and other taxes might well be increased, and I consider that this is a matter which should receive the early attention of the Government Committee.

I enclose a copy of a letter addressed to the Government Secretary on the subject of the Attorney-General's report.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure 1 in No. 26.

ACTING GOVERNMENT SECRETARY, Swaziland, to His Honour the IMPERIAL SECRETARY.

Government Office, Bremersdorp, Swaziland,  
July 4, 1892.

SIR,

WITH reference to your Despatch of 25th May last, I have the honour to forward, for his Excellency's the High Commissioner's perusal,—

1. The Government Treasurer's report for the financial year commencing 1st April 1891 and ending 31st March 1892.

2. Copy of the Attorney-General's reply to the remarks relative to his department.

The Hon. the Imperial Secretary,  
Cape Town.

I have, &c.  
(Signed) WM. SCOTT,  
Acting Government Secretary.

Government Office, Bremersdorp, Swaziland,  
July 3, 1892.

SIR,

I HAVE the honour to submit to you this my report as Government Treasurer for the financial year ending 31st March last.

#### *Revenue.*

The estimated amount of revenue was 2,710*l.*, and the actual revenue collected 3,371*l.* 19*s.* 3*d.*, as per statement attached marked A. The free import concessions of Wallerstein and Bremer and the Wyldesdale Gold Mining Company have affected the revenue in the past year to the extent of 1,300*l.* estimated as follows. Wallerstein and Bremer 1,200*l.*, Wyldesdale Gold Mining Company 100*l.*

In the collection of the revenue for the past year considerable difficulties have been experienced, and, in my opinion, will continue until proper laws are enacted with respect to licenses, taxes, &c.

At present the laws under which the licenses, taxes, &c. are levied are very vague, copy of which laws is attached marked B, from which it will be observed that there are no penalties imposed for non-payment, and a civil action is at present the only recourse the Government has against delinquents.

I would also remark that the licenses, taxes, &c. of this country in comparison with those of the neighbouring states and colonies are very low and might well be increased, and beg to suggest a scale as per list attached for your consideration marked C.

#### *Mining.*

This industry has shown a marked improvement during the past year. The output of gold though small in comparison to the amount invested, has, I believe, been regular and increasing; on the north-western gold properties much permanent work has been done. A recent discovery has disclosed the presence of large tin deposits in Swaziland, and there is no doubt but that the increasing interest displayed in determining the resources of the country will bear fruit at an early date.

#### *Farming.*

The richness of the pastures in this territory has led to the importation of valuable stock into the country and many farmers who have land rights are taking advantage of

the opportunity afforded them by a settled form of Government and are bringing their flocks and herds and settling down on Swazie territory.

This is particularly noticeable in the Mahamba district and on the western border, where the grass is admirably adapted to the requirements of the sheep farmer. Agricultural operations are carried on generally in various parts of the country but the non-existence of a market for the sale of produce naturally cramps and limits the operations of the agriculturists.

A marked increase has taken place in the area of cultivated land and the natives themselves, especially since the death of Umbandine, are cultivating with more system than hitherto. Their vicinity to and opportunities of observing Europeans farming have in this respect proved beneficial, as many of the large Chiefs and Indunas have now adopted the plough as an aid to cultivation in lieu of the primitive method of breaking up the soil with picks.

*Trade.*

Swazieland has in this respect felt keenly the waves of depression which have passed over the adjoining states; although there has been no material falling off in imports, still there has been no perceptible improvement.

The Government Secretary,  
Bremersdorp.

I have, &c.  
(Signed) W.M. Scott,  
Acting Government Treasurer.

A.

SWAZIELAND GOVERNMENT COMMITTEE.

COMPARATIVE STATEMENT of the Estimated and Actual Revenue for the financial year ended 31st March 1892.

Receipts.	Estimates for Service Year ended 31st March 1892.	Actual Revenue Service Year ended 31st March 1892.	Over Estimate.	Under Estimate.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Customs - - - - -	1,500 0 0	1,312 10 2	—	187 9 10
Store Licenses - - - - -	150 0 0	248 15 0	98 15 0	—
Canteens - - - - -	75 0 0	145 0 0	70 0 0	—
Hawkers - - - - -	20 0 0	74 0 0	54 0 0	—
Wagon Trading Licenses - - - - -	50 0 0	71 10 0	21 10 0	—
Transport Wagon - - - - -	100 0 0	249 10 0	149 10 0	—
Grazing Tax - - - - -	300 0 0	291 0 0	—	9 0 0
Mineral Concession Tax - - - - -	100 0 0	28 0 0	—	72 0 0
Battery Stamp Head Tax - - - - -	45 0 0	120 0 0	75 0 0	—
Stamps - - - - -	100 0 0	211 8 11	111 8 11	—
Kafir Passes - - - - -	75 0 0	223 0 0	148 0 0	—
Fines, Fees, Forfeitures, &c. - - - - -	50 0 0	323 5 2	273 5 2	—
Miscellaneous - - - - -	100 0 0	60 10 0	—	39 10 0
Registration of Concessions and Monopolies - - - - -	20 0 0	—	—	20 0 0
Poll Tax - - - - -	25 0 0	13 10 0	—	11 10 0
	2,710 0 0	3,371 19 3	1,001 9 1	339 9 10
The Imperial Government - - - - -	7,000 0 0	7,000 0 0	—	—
The Government, South African Republic - - - - -	7,000 0 0	7,000 0 0	—	—
	16,710 0 0	17,371 19 3	1,001 9 1	339 9 10
Balance increase on estimates - - - - -	661 19 3	—	—	661 19 3
	17,371 19 3	17,371 19 3	1,001 9 1	1,001 9 1

(Signed) W.M. Scott,  
Acting Government Treasurer.

B.

EXCERPT from the SWAZIELAND COMMITTEE MEETING, August 3, 1888.

"The Committee then proceeded to formulate a proclamation to be signed by the King giving authority to levy certain taxes, licenses, &c., as follows:—

"Be it hereby made known that we Umbandine, King and Paramount Chief of the Swazie Nation in Council assembled (that we Umbandine, King and Paramount Chief of the Swazie Nation in Council assembled) with our Indunas and our white Committee and with the concurrence of our Adviser, do hereby ratify and confirm the

following taxes, duties, licenses, and other charges that have been imposed by our white Committee, to wit:—

1. There shall be a 4 per cent. duty payable on all transfers of landed property and mineral concessions, such duty to be payable to the Swazie King.
  2. There shall be a fee of 20*l.* payable for the registration of each concession.
  3. There shall be a license of 5*l.* payable on each trading waggon.
  4. There shall be a license of 2*l.* payable by each hawker of goods.
  5. There shall be a license of 5*l.* payable on each store.
  6. There shall be a license of 5*l.* payable on each canteen.
  7. There shall be a license of 1*l.* payable on each transport waggon.
  8. There shall be a license of 10*s.* payable on each transport cart.
  9. There shall be a tax of 4*l.* payable on each mineral concession. Concessions on which machinery is erected to pay 10*s.* for each battery stamp head erected, and to be exempt from the tax of 4*l.*
  10. There shall be a tax of 1*l.* payable on each hirer of grazing rights.
  11. There shall be a tax of 10*s.* payable by each resident not otherwise directly taxed, employées in mineral concessions to be exempt.
  12. There shall be a fee of 2*s.* 6*d.* payable for the inspection of each official document.
  13. There shall be a fee of 20*s.* payable by each plaintiff in civil cases brought before the Swazieland Committee.
  14. There shall be certain custom and transit duties payable on all goods entering and passing through Swazieland as per tariff published in certain newspapers.
- The Committee adjourned to the King's Kraal, when the Swazie King signed the foregoing Proclamation.

Bremersdorp, July 2, 1892.

A true copy,  
(Signed) W. Scott,  
Acting Government Secretary.

#### CUSTOMS and TRANSIT DUTIES published in certain Newspapers.

##### IMPORT DUES.

##### Swazieland.

	£	s.	d.
Beer per gallon - - - - -	0	1	0
Spirits „ - - - - -	0	2	6
Biscuits, per lb. - - - - -	0	0	1
Butter „ - - - - -	0	0	2
Candles „ - - - - -	0	0	1
Cheese „ - - - - -	0	0	3
Dried and preserved fruits, per lb.-	0	0	3
Fish, dried or tinned - - - - -	0	0	2
Gunpowder - - - - -	0	0	4
Lead and shot - - - - -	0	0	3
Mustard - - - - -	0	0	2
Ostrich feathers - - - - -	0	10	0
Pepper - - - - -	0	0	3
Curry powder - - - - -	0	0	3
Tea - - - - -	0	0	3
Cigars, per 100 - - - - -	0	2	6
Cigarettes, per 1,000 - - - - -	0	3	0
Coffee, per cwt. - - - - -	0	7	6
Chicory - - - - -	0	5	0
Cartridges (loaded) per 1,000 - - - - -	2	0	0
„ (cases) „ - - - - -	1	0	0
Guns, per barrel - - - - -	0	10	0
Pistols - - - - -	0	5	0
Grain bags, each - - - - -	0	0	1
Hoes and picks, each - - - - -	0	0	3
Rice, per 100 lbs. - - - - -	0	1	6
Sugar - - - - -	0	2	6
Matches, per gross - - - - -	0	0	6

	£	s.	d.
Oil (except paraffin and machine) per gall.	-	0	2 6
„ paraffin and machine -	-	0	0 3
Ox tails, per dozen	-	0	5 0
Beads	-	-	-
Sweets of all kinds	-	-	-
Cotton sheets	-	-	-
Blankets and all cotton goods	-	-	-
Cutlery of all kinds	-	-	-
Clothing of all kinds	-	-	-
Jams, jellies, &c.	-	-	-
Potted meats	-	-	-
All other goods not enumerated above	-	-	-
Harness and saddlery	-	6	” ”
Milk, preserved	-	-	-
Tobacco pipes	-	-	-
Pickled or preserved beef	-	-	-
” ” pork	-	-	-
Soap	-	3	” ”

*Export Duty.*

	£	s.	d.
Mealies, per bag of 200 lbs.	-	0	5 0

*Transit Duty.*

All goods in transit	-	-	-	1½ per cent. <i>ad valorem.</i>
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Flour and Boer meal, machinery of all kinds, seeds of all kinds, books and stationery, uniforms and appointments for the use of any forces, in full pay and on active service under the King, are exempt from duty.

By order of the Committee.

## C.

## LIST OF PROPOSED LICENSES, TAXES, &amp;c.

	£	s.	d.
Advocates	-	10	0 0
Attorneys	-	10	0 0
Notaries	-	5	0 0
Conveyancers	-	2	10 0
Medical practitioners	-	5	0 0
Interpreters	-	2	0 0
Land surveyors	-	5	0 0
Admitted agents	-	5	0 0
General agents	-	2	10 0
Butchers	-	2	0 0
Auctioneers	-	5	0 0
Billiard tables	-	5	0 0
Bonded store	-	20	0 6
Hawker's license	-	1	0 0
Wholesale and retail store license	-	7	10 0
Wholesale liquor license	-	7	10 0
Canteen license	-	10	0 0
Hotel license	-	5	0 0
Bottle store license	-	5	0 0
Boarding house	-	2	10 0
Baker's license	-	1	0 0
Waggon transport tax	-	1	0 0
Grazing tax	-	1	0 0
Farming tax	-	1	0 0

	£	s.	d.
Chemists and druggists - - - -	-	2	10 0
Waggon trading license - - - -	-	5	0 0
Mineral concession tax - - - -	-	4	0 0
Concession registration fee - - - -	-	20	0 0
Battery stamps head tax, per head - - - -	-	0	10 0
Monopolies and other grants not including mineral concessions. Grazing and farming rights - - - -	-	4	0 0
Resident's tax - - - -	-	0	10 0
Transport cart tax - - - -	-	0	10 0

(Signed) W. SCOTT,  
Acting Government Secretary.

Bremersdorp.  
2.7.92.

SIR,

Bremersdorp, June 27, 1892.

WITH reference to Minute containing an extract from the Imperial Secretary's Despatch, dated 25th May 1892, I beg to state as follows:—

1. His Excellency's observation with regard to the consideration of the subject of a law before the same is drafted. It was understood in my report that such considerations should only apply to the subject (generally) of the law without any approval of details, except, perhaps, the mentioning of a guidance, laws of other countries on a corresponding subject, &c., as the case may require.

2. The claim of reconvention in Schwab's case. In this case the plaintiff (G. Schwab) sues the Government Committee for 16*l.* 3*s.* 3*d.*, being the amount of duties paid under protest by the plaintiff who holds a concession for free importation, &c. of goods in Swaziland. The defence put in by the Government Committee consists of two parts: firstly, the defendant pleads that Schwab's concession is null and void as far as the Government Committee is concerned, as the Convention based upon the organic proclamation of December 18th, 1889, gives them the right to impose and levy duties, and, moreover, as the concessions are not in accordance with public law; on this plea the defendant opposes the claim of plaintiff, and at the same time puts in a claim in reconvention for arrear duties to the amount of 41*l.* 1*s.* 6*d.* subsidiary, in case the foregoing pleas are not sustained by the High Court. The defendant says that by virtue of two concessions held by one Thorburn and one Cohen, the defendant has the right to levy duties from all liquors and tobacco imported in Swaziland by anybody whomsoever, which right was given to the Committee at the time of the confirmations of those two concessions by the concessionaires, without whose consent it must be held that nobody can import liquors or tobacco in Swaziland. On the strength of this plea the defendants put in a subsidiary claim in reconvention for 47*l.* 1*s.* 6*d.* (as the goods imported by Schwab's are mainly liquors) being the arrear duties on imported liquor. As soon as the case is decided I shall be able to furnish the Honourable the Government Committee with a detailed report on same.

3. The case of Wallerstein and Bremer. Up to the present only a demand by Messrs. W. and B. for the refunding of 750*l.* paid under protest as duties has been received. The plaintiff is probably awaiting the issue of Schwab's case before instituting further action. I must observe that while I was writing my reports I expected the last-mentioned case to be speedily finished, but there were circumstances preventing its coming to an end. I hope to be able to communicate the final judgment of the High Court about the middle of next month.

4. With regard to the statement in my report that the connexions between the police department and the officials charged with criminal prosecution are not at all clear, and have in several instances proved the uselessness of the present police to the criminal prosecution. I beg to postpone my views on this subject till a further minute, which I will send in as speedily as possible. I even now want to have it clearly understood that I do not want to blame the police or any member of it, as I consider such proceedings to be outside my department altogether; but I only referred in my report, as I do again now, to the unsatisfactory organisation of the police in connexion with the criminal prosecution, which I will later explain.

The Hon. the Government Secretary,  
Bremersdorp.

I remain, &c.  
(Signed) Dr. J. ESSER,  
Attorney-General.

## Enclosure 2 in No. 26.

IMPERIAL SECRETARY, Cape Town, to the GOVERNMENT SECRETARY, Swaziland.

Government House, Cape Town,  
July 18, 1892.

SIR,

I AM directed by his Excellency the High Commissioner to acknowledge the receipt of your letter of the 4th instant, covering the Government Treasurer's report for the financial year 1891-92, and a report of the Attorney-General on certain remarks relative to his department, which I made in my letter of 25th May last.

With regard to the latter report, I am directed to observe that Dr. Esser does not appear to be at present in a position to throw much light on the important question of the best method by which in his opinion the police would be rendered more useful in aid of the administration of the criminal law.

It is to be hoped that he may soon be in a position to render the promised report. It appears strange that he should hesitate to make known to the Government any criticisms on the conduct of the police which his experience in his department might justify.

It is scarcely possible for the Government to determine on a change in the control of the police unless the Attorney-General is willing to give expression to his views of the practical disadvantages of the existing system, and of any lack of proper discharge of duty thereunder.

The Government Secretary,  
Swaziland.I have, &c.  
(Signed) H. L. SAPTE,  
Acting Imperial Secretary.

## No. 27.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received August 29, 1892.)Government House, Cape Town,  
August 6, 1892.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch from the Acting British Commissioner in Swaziland, reporting the moving of the young King's kraal.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c.                      &c.                      &c.

## Enclosure in No. 27.

FROM BRITISH COMMISSIONER TO HIGH COMMISSIONER.

The British Residency, Swaziland,  
July 20, 1892.

SIR,

I HAVE the honour to forward, for your Excellency's information, copy of a letter from Mr. Shepstone, reporting that the moving of the young King's kraal has been successfully effected.

I have, &c.  
(Signed) G. Y. LAGDEN,  
British Commissioner.

His Excellency the High Commissioner,  
Cape Town.

RESIDENT ADVISER TO BRITISH COMMISSIONER.

Offices of the Swazi Nation,  
Embekelweni, Swaziland,  
July 18, 1892.

SIR,

I HAVE the honour, for the information of your Honour's Government, to inform you that on Saturday I superintended the moving of the young King's kraal.

There were about 1,200 warriors present. Everything went off satisfactorily. The kraal is completed, and to-day the young King's and his mother's huts are being moved, and will be erected to-day on the new site, half a mile south-west of the Didini kraal.

I have, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi Nation.

His Honour G. Y. Lagden.

No. 28.

LIEUT.-GEN. CAMERON to the MARQUESS OF RIPON.  
(Received October 31, 1892.)

(Continued by No. 30; Answered by No. 49.)

Government House, Cape Town  
October 10, 1892.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from the British Commissioner in Swaziland reporting a shortfall in the Swaziland revenue.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

I have, &c.  
(Signed) W. G. CAMERON,  
Lieut.-General,  
Administrator and High Commissioner.

Enclosure in No. 28.

FROM ACTING BRITISH COMMISSIONER, Swaziland, to HIGH COMMISSIONER, Cape Town.

The British Residency, Swaziland,  
October 1, 1892.

SIR,

WITH reference to the Swaziland estimates for 1892-93, which are still under consideration and unapproved by your Excellency and the South African Republic, I have the honour to call attention to the fact that the local revenue for the past half-year ended yesterday has yielded approximately only 1,000*l.* as compared with 1,480*l.* for the corresponding period of last year.

The decrease is attributable to the small-pox epidemic and the effects of border quarantine.

The gross revenue last year amounted to 3,571*l.*

I cannot think that in view of the present decrease a similar amount will be realised this year, or that it may be expected to exceed very much the minimum of 2,500*l.*, estimated by the Treasurer as reported in telegram of April 4th, 1892, from this office.

Presuming the local revenue yields 2,500*l.*, and allowing for the 14,000*l.* contributed by the two Governments, together with the balance of 803*l.* brought forward, the gross receipts total 17,303*l.*

In the estimates for 1892-93, drawn up by the Government Treasurer, and referred to in Colonel Martin's Despatch of the 14th March, the gross expenditure is put down at 18,491*l.*

I do not know what reductions in the proposed estimates may be contemplated, or upon what basis the local revenue is being calculated, but beg to submit the above comparisons, as I infer from the Secretary of State's Despatch of the 21st January 1892 that 7,000*l.* only is appropriated for the current year's grant to Swaziland.

His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) G. Y. LAGDEN,  
Acting British Commissioner.

No. 29.

LIEUT.-GENERAL CAMERON to the MARQUESS OF RIPON.  
(Received October 31, 1892.)

Government House, Cape Town,  
October 10, 1892.

(Extract.)

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from the British Commissioner in Swaziland in regard to the collection of revenue.

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Enclosure in No. 29.

FROM ACTING BRITISH COMMISSIONER, Swaziland, to HIGH COMMISSIONER, Cape Town.

The British Residency, Swaziland,  
October 1, 1892.

(Extract.)

IN connexion with my Despatches of this date, and of the 2nd September, I have the honour to state that, in a private conversation with my Transvaal colleague, he informed me that he was assured some people intended to bring a case into court for refund of grazing licenses with a view to test the legality of demand; that if successful it would form a precedent for cases for refund of other taxes; and that Mr. Shepstone was about to sue the committee for refund of all moneys received on account of Native passes other than Swazis.

Any such action would, if successful, tend to materially cripple the financial resources of the Committee.

Mr. Esselen observed to me that he had always expressed himself as fearing this attitude, and had consistently opposed increased estimates of expenditure based upon any contemplated increase of local revenue unless it had been legally and specifically proclaimed.

He appears to have given Colonel Martin as his reason for opposing proposals to increase the revenue, that any scheme of taxation would conflict with concessions and particularly with those held by the South African Republic.

He has never expressed himself in these terms to me, but has represented that all taxation is illegal.

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No. 30.

LIEUT.-GENERAL CAMERON to the MARQUESS OF RIPON.  
(Received November 8, 1892.)

(Continued by No. 32; Answered by No. 49.)

Government House, Cape Town,  
October 18, 1892.

MY LORD MARQUESS,

IN continuation of my Despatch of the 10th instant,\* respecting the shortfall in the Swaziland revenue for the current year, I have the honour to transmit, for your Lordship's information, the enclosed copies of telegrams, from which it will be observed that I have again represented to the President of the South African Republic the importance of the early settlement of the estimates for the current year, which were referred to him in May last, together with suggestions as to certain reductions in them, and in regard to which he was reminded in July and September last.

I hope to be in a position to communicate the estimates to your Lordship at an early date, and in the meantime, in view of the probable reduced revenue, I have, as will be observed, taken steps for the reduction of the expenditure.

I am not at present in a position to state whether it will be necessary to provide for an additional grant-in-aid, but if the expenses of the Boundary Commission referred to in Sir Henry Loch's Despatch of the 5th instant† are to be paid out of the Joint Government funds, it seems probable that such necessity will arise, though every effort will be made to avert it.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

I have, &c.  
(Signed) W. G. CAMERON,  
Lieut.-General,  
Administrator and High Commissioner.

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\* No. 28.

† Not printed.

## Enclosure 1 in No. 30.

From HIGH COMMISSIONER, Cape Town, to his Honour STATE PRESIDENT, Pretoria.

## TELEGRAM.

13th October. Will your Honour kindly telegraph when I may expect reply to Despatch of 4th May, *re* Swaziland Estimates for current year.

Delay is causing serious inconvenience. As there will be a shortfall in revenue it is necessary to consider whether it will not be necessary to provide increased grant-in-aid, which, however, I hope may be avoided.

In the meantime, I have informed British Representative that all expenditure, other than salaries and unavoidable expenses of Government, should be curtailed, and trust that representative of your Honour's Government will receive similar instructions.

## Enclosure 2 in No. 30.

From HIGH COMMISSIONER, Cape Town, to his Honour G. Y. LAGDEN, Breimersdorp.

## TELEGRAM.

13th October. Your despatch of 1st October. Following is copy of telegram I have sent to President, South African Republic.

Begins, Will, *vide* Enclosure 1. . . . . instructions. Ends, I hope you will arrange with Government Secretary that all but actually unavoidable expenditure be reduced, as it is most desirable that additional grant-in-aid should be avoided. Please inform me what prospect there is of the latter being the case.

Please also ask Government Secretary to send at once statement of revenue and expenditure under each head of the estimates for first half of the year.

## Enclosure 3 in No. 30.

From BRITISH REPRESENTATIVE, Breimersdorp, to HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

October 14th. Your Excellency's telegram of yesterday received. I have requested Government Secretary to send statement required. I have communicated with him in sense suggested, and will reply shortly to question asked at latter end of telegram.

## No. 31.

J. WHITTAKER, Esq. (the Swaziland Committee), to COLONIAL OFFICE.

11, St. Helen's Place, Bishopsgate Street Within, E.C.,

November 16, 1892.

MY LORD MARQUESS,

By the instructions of the Swaziland Committee which has been formed, arising out of a public meeting held on Friday last the 11th instant, at the Great Eastern Hotel, Liverpool Street, E.C., I have the honour to enclose, for your Lordship's perusal, a copy of the resolutions passed thereat, and to ask whether your Lordship will be kind enough to fix an early date to receive a deputation upon the subject.

The following members of Parliament have intimated their intention of attending with the deputation:—

Sir George Baden-Powell, K.C.M.G., M.P., M.A., F.R.S.S.

Sir Albert Rollit, LL.D., M.P.

Sir Reginald Hanson, Bart., M.P.

A. G. H. Gibbs, Esq., M.P.

Benjamin L. Cohen, Esq., M.P.

I have, &c.

(Signed) J. WHITTAKER,

Hon. Secretary of the  
Swaziland Committee.

To the Most Hon. the Marquess of Ripon, K.G.,

&c. &c. &c.

Secretary of State for the Colonies.

## Enclosure in No. 31.

## RESOLUTIONS.

1. That in the opinion of this meeting the statements made at various times by Cabinet Ministers to the effect that Swaziland would not be handed over to the Boers, is binding upon the honour of this country, and that the treaty rights already existing should be enforced for the protection of British interests and the maintenance of the independence of the Swazies.

2. That in the opinion of this meeting no question of the modification of existing treaties should be entertained by this country, until the franchise and equal civil rights with those now enjoyed by the Dutch population of the South African Republic be conferred upon British subjects resident in such Republic, and that free trade in railways be guaranteed in order that the resources of the country may be efficiently developed.

3. That in the opinion of this meeting the proposal for the construction of a harbour at Sodwana Point and of the railway from thence to the Swaziland frontier, which has already been advocated by the following Chambers of Commerce, viz.: London, Leeds, Bradford, Liverpool, Birmingham, and Sheffield, is deserving of all legitimate support and encouragement at the hands of Her Majesty's Government, and that no interested opposition from any adjoining Colonies should be allowed to have undue weight with Her Majesty's Government in determining the conditions under which the proposals should be carried out.

4. With a view to the co-operation of all interested in Swaziland, a permanent committee consisting of the following gentlemen:

- F. H. Faviell, Esq. (Chairman), Forbes Reef Gold Mining Company, Limited.  
 J. Harvey, Esq. (Chairman), Henderson and Forbes Gold Mining Company, Limited.  
 E. Escombe, Esq. (Chairman), Swaziland Gold Exploration.  
 \*Lord Ribblesdale (Chairman), Horo Concessions, Limited.  
 H. T. Van Laun, Esq.  
 E. P. Mathers, Esq.  
 \*H. R. Fox Bourne, Esq. (Secretary), Aborigines Protection Society.  
 Sir George Baden-Powell, K.C.M.G., M.P., M.A., F.R.S.S.  
 Sir Albert Rollit, LL.D., M.P.  
 Sir Reginald Hanson, Bart., M.P. } City members.  
 \*Alban G. H. Gibbs, Esq., M.P. }

be formed with power to add to their number, and that a deputation from such committees and others to be selected by them are hereby requested to wait on the Most Honourable Marquess of Ripon, K.G., on a day to be appointed by him for the purpose of laying before him the views embodied in the foregoing resolutions.

## No. 32.

LIEUTENANT-GENERAL CAMERON to the MARQUESS OF RIPON.  
 (Received November 22, 1892.)

[Answered by No. 49.]

Government House, Cape Town,  
 November 2, 1892.

MY LORD MARQUESS,

IN continuation of my Despatch of the 18th ultimo,† I have the honour to transmit a copy of a Despatch from the British Representative in the Joint Govern-

\* NOTE.—These gentlemen did not authorise their names to be placed on the Committee. † No. 30.

ment of Swaziland, from which your Lordship will observe that, in Mr. Lagden's opinion, no additional grant-in-aid will be required for that territory during the current year.

I enclose copy of an account prepared by the Government Treasurer, but not yet audited, showing the receipts and payments for the first half of the year, and a copy of a telegram which I have received from the State Secretary of the South African Republic respecting the estimates.

I have, &c.  
(Signed) W. G. CAMERON, Lieut.-General,  
Administrator and High Commissioner.

The Most Hon. the Marquess of Ripon, K.G.,  
&c. &c. &c.

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Enclosure 1 in No. 32.

BRITISH REPRESENTATIVE, SWAZILAND, to His Excellency the HIGH COMMISSIONER,  
CAPE TOWN.

The British Residency, Swaziland,  
October 22, 1892.

SIR,

WITH reference to your Excellency's telegram of the 13th instant, and to mine of the 14th and 20th, in the latter of which I said that a Despatch should follow upon the subject, I have the honour to state that the half-yearly statement required has been sent to the Imperial Secretary, and that I have made a careful scrutiny of the Treasury accounts.

The Treasurer estimates the minimum revenue for the second half year at about 1,350*l.* There is further a sum of 200*l.* for customs dues received in the past quarter and not brought to account before the books closed.

It appears that the bulk of the various licenses hitherto paid after 31st March are this financial year to be payable after 1st January. These items, together with the effects of quarantine upon the receipts derived from hawkers, waggon traders, and Kaffir passes account sufficiently for the falling off on the half year as compared with the corresponding period of last year.

With regard to the expenditure in the past half year, amounting to 8,724*l.*, I have ascertained that the purchase of mealies, and annual supply of clothing for police and gaols, was, for economic reasons, made early in the year. Consequently, the expenditure on these votes in the second half year should show reductions.

In consequence of the non-appointment of a Landdrost of Mahamba, clerk to Attorney-General, one constable in the Police Department, all provided for in the proposed estimates, and a vacancy in the Medical Department, there was a saving in the half year of 663*l.*; and so long as these appointments remain unfilled, the saving will continue. I understand that the Commandant of Police does not now consider the extra constable necessary.

There will be a further saving in the Medical Department also, as the doctor has resigned, and his place cannot well be filled for a month or two.

Taking all this into consideration, I am of opinion that under ordinary circumstances no additional grants-in-aid should be required from the Protecting Governments.

I have, however, enjoined the Treasurer to be most careful in not incurring expenditure beyond establishments unless absolutely required, and urged his attention to the necessity of watching closely the interests of the Protecting Governments in collecting all available revenue.

His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) G. Y. LAGDEN,  
British Representative.

## Enclosure 2 in No. 32.

## SWAZILAND GOVERNMENT COMMITTEE.

## ABSTRACT ACCOUNT of the RECEIPTS and PAYMENTS of the Treasurer of Swaziland for the half-year ended 30th September 1892.

RECEIPTS.	Amount.		PAYMENTS.	Amount.	
	£	s. d.		£	s. d.
<i>Customs</i> . . . . .	—	225 3 10	<i>Government Committee Department:</i>	—	1,800 0 0
<i>Licenses, Taxes, &amp;c.:</i>			<i>a. Personal emoluments</i> . . . . .		
Canteen licenses . . . . .	18 15 0	—	<i>Government Secretary and Treasurers Department:</i>		
Store . . . . .	38 15 0	—	<i>a. Personal emoluments</i> . . . . .	1,100 0 0	—
Transport waggon licenses . . . . .	26 0 0	—	<i>b. Other charges:</i>		
Waggon trading " . . . . .	10 0 0	—	Rent of offices at Bremersdorp . . . . .	140 0 0	—
Hawkers " . . . . .	35 0 0	—	Stationery, printing, advertising, &c. . . . .	103 5 3	—
Grazing hirers tax . . . . .	238 0 0	—	Office furniture, &c. . . . .	46 19 6	1,390 4 9
Battery stamp head tax . . . . .	15 0 0	—	<i>Legal Department:</i>		
Mineral concession tax . . . . .	12 0 0	—	<i>a. Personal emoluments</i> . . . . .	2,162 10 0	—
Poll tax . . . . .	6 0 0	—	<i>b. Other charges:</i>		
Kafir passes . . . . .	71 6 0	—	Administration of justice . . . . .	111 9 0	2,273 19 0
Court fines and forfeitures . . . . .	130 8 0	601 4 0	<i>Police Department:</i>		
<i>Fees of Court or Office</i> . . . . .	—	98 7 0	<i>a. Personal emoluments</i> . . . . .	1,430 10 0	—
<i>Rents of Government property</i> . . . . .	—	45 0 0	<i>b. Other charges:</i>		
<i>The Imperial Government</i> . . . . .	—	3,000 0 0	Horse rations . . . . .	164 14 0	—
<i>The Government of the South African Republic.</i>	—	3,000 0 0	Native police rations . . . . .	273 9 7	—
Balance forward from 31st March 1892 . . . . .	—	803 16 6	Police clothing . . . . .	111 0 6	—
		7,773 11 4	Barracks . . . . .	76 5 10	—
			Compensation for loss of horses . . . . .	25 0 0	—
			Medical attendance and drugs . . . . .	20 8 9	—
			Handcuffs . . . . .	5 19 0	—
			Firearms and ammunition . . . . .	22 2 9	—
			Rents of police barracks, Piggs Peak . . . . .	30 0 0	2,159 10 5
			<i>Prisons:</i>		
			<i>a. Personal emoluments</i> . . . . .	176 0 0	—
			<i>b. Other charges:</i>		
			Rations, gaoler, and white warder . . . . .	45 15 0	—
			" native warders . . . . .	10 6 0	—
			Hospital . . . . .	19 11 6	—
			Rations for prisoners . . . . .	297 2 2	—
			Clothing " . . . . .	25 0 0	—
			" for native warders . . . . .	2 0 0	575 14 3
			<i>Customs Department:</i>		
			<i>a. Personal emoluments</i> . . . . .	100 0 0	—
			5 per cent. on amount collected . . . . .	11 5 2	111 5 2
			<i>Audit Department:</i>		
			<i>a. Personal emoluments</i> . . . . .	—	15 15 0
			<i>Medical Department:</i>		
			<i>a. Personal emoluments</i> . . . . .	—	58 6 8
			<i>Hospital and Dispensaries:</i>		
			Poor and destitute . . . . .	—	55 15 0
			<i>Public Works</i> . . . . .	—	173 11 6
			<i>Miscellaneous</i> . . . . .	—	110 10 0
Balance debit at 30th September 1892 . . . . .		961 0 10			
	£	8,724 12 2			8,724 12 2

Government Treasurer's Office, Bremersdorp,  
30th September 1892.

JOH. Z. DE VILLIERS,  
Government Treasurer.

## Enclosure 3 in No. 32.

## TELEGRAM.

STATE SECRETARY OF SOUTH AFRICAN REPUBLIC to His Excellency the HIGH COMMISSIONER.

27th October.—Your telegram of 13th instant in which your Excellency asks for an answer to your Despatch of the 4th May concerning the Swaziland estimates for the current year.

I regret that I cannot now deal with these estimates, because his Honour the State President is at present on tour. His Honour is expected back on the 9th November when this matter will receive as soon as possible the consideration of the Government.

## No. 33.

THE UMBANDINE SWAZIELAND CONCESSIONS SYNDICATE to  
COLONIAL OFFICE.

[Answered by No. 39. Further letter No. 51.]

8, Finch Lane, London, E.C.,  
December 12, 1892.

MY LORD,

I HAVE the honour to address your Lordship on behalf of the Umbandine Swazieland Concessions Syndicate, Limited, a Company formed and incorporated in London by British subjects which owns the following Concessions, and was established with a view to their profitable utilisation and to the development thereby of the Swazi territory.

The Concessions owned by this Company are the following:—They have been fully recognised by the Joint Commission. I forward under cover herewith copies of those, Nos. 1 to 9 inclusive.

*Unallotted Lands.*

1. Sole, full, free, and exclusive right over all such pieces and portions of Swazieland bounded on the north by the Komatie River, on the west by the Transvaal border, on the south by the Transvaal border, on the east by the Portuguese and Tongaland borders and lying within those boundaries, as had not at the date of signing the Concession (26th July 1889) been granted for farming and agricultural purposes.

2. The sole, full, free, and exclusive right of refusal of all forfeited Concessions and unallotted mineral rights.

3. The sole, full, free, and exclusive right to print and publish the Government Gazette, and the exclusive right to carry on the business of a lithographer, bookbinder, and advertising agent.

4. The sole, full, free, and exclusive right of manufacturing or making gas for all purposes.

5. A certain large tract of land, "Peebles Syndicate."

6. The sole and exclusive right of printing and publishing newspapers and books.

7. The sole, &c., right to erect pounds for impounding cattle, horses, or any stray animals, and sole and exclusive right to levy fines and fees for such impounding.

8. The sole, full, free, and exclusive right to carry on the business of banking in all its branches.

9. The sole and exclusive right to treat tailings of any nature.

10. The sole right to import liquors.

11. One full third in the Concession for the importation of iron and manufacture of iron.

12. One full fourth in the Concession for the importation of tobacco, &c.

13. One full fourth in the Concession for the importation of diamond drills.

14. One full fourth in the Concession for the manufacture of liquors.

This Company has been for some time aware that negotiations have been on foot with reference to the future and permanent Government of Swaziland, and from the information which they have received the directors consider that the time has come when they should make Her Majesty's Government formally acquainted through your Lordship with their extensive interests in Swaziland, and place on record their most respectful but firm protest against the Government of Swaziland being placed upon any footing whereby those interests would not be conscientiously regarded and their legitimate rights protected.

I would desire to draw your Lordship's special attention to the two Concessions of unallotted lands and unallotted mineral rights which of themselves are believed to give to the owners a preponderating interest in the soil and mineral wealth of the country.

Without troubling your Lordship with details upon other points with which your Lordship's official information will have made you thoroughly acquainted, or dwelling upon the well authenticated preference of the natives themselves for British protection, I beg most respectfully on behalf of the Umbandine Swaziland Concessions Syndicate, Limited, to protest against any action of Her Majesty's Government which might transfer the dominant power in Swaziland unaccompanied by effective guarantees for the due observance of Concessions legally granted to British subjects and such as would prevent their value from being destroyed by arbitrary taxation or otherwise by the power to whom any such transfer might be permitted.

To the Most Hon.  
The Marquess of Ripon, K.G.  
&c. &c. &c.

I have, &c.  
(Signed) GEO. H. RAW,  
Acting Chairman.

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Enclosure 1 in No. 33.

Duly registered in the books of the King.

(Signed) ALLISTER M. MILLER,  
Resident Secretary and Agent, Swazie King.  
Embekelweni,  
29th July 1889.

TO ALL WHOM IT MAY CONCERN—

BE it hereby made known that I, Umbandeni, King and Paramount Chief of the Swazie Nation, acting with the advice and consent of my Indunas in Council assembled, hereby grant, cede, and assign unto and on behalf of John Thorburn and Frank Watkins, their heirs, executors, administrators, and assigns, the sole, full, free, and exclusive farming right over all such pieces and portions of my country of Swazieland bounded on the north by the Komatie River, on the west by the Transvaal border, on the south by the Transvaal border, on the east by the Portuguese and Tongaland borders, and lying within these boundaries, as have not at the date of signing of these presents been granted for farming and agricultural purposes.

The said John Thorburn and Frank Watkins and their foresaids shall further enjoy the full right and privilege to divert streams, make and utilise watercourses, make roads, build dwelling-houses, store-houses, and cattle kraals and stables, and do all such acts and things as may be requisite and necessary for the better carrying out of the business of a farmer on any and all such pieces, plots, and portions of ground as are contained in the boundaries aforesaid, and become their property by the signing of these presents.

The said John Thorburn and Frank Watkins and their foresaids shall also have the right to use such water for irrigating and other purposes as they may deem necessary, the right to cut and use wood on the farms above referred to, the right to import any and every description of machinery and farming implements which they may deem requisite and expedient for furthering the interests and requirements ceded to them by this grant, as also the right to import all grains, cereals, and manures for farming purposes.

The said John Thorburn and Frank Watkins and their foresaids shall have the right to sublet, sell, or transfer to any person or persons, or company, syndicate, or companies of persons, any portion or portions or the whole of the ground made over to them by virtue of this grant, and such person or persons or companies aforesaid shall acquire all and singular the rights, privileges, and benefits, granted under these presents.

The period during which the said concessionaires and their foresaids shall enjoy the rights made over to them shall be for a period of fifty (50) years, to be reckoned from the date of the signing of these presents, provided, should they so desire it, they shall obtain a renewal of the rights hereby made over and granted for a further term of fifty (50) years, subject to the same terms and conditions as herein are provided.

As and in full consideration for the rights and privileges hereby granted and made over, the said John Thornburn and Frank Watkins and their foresaids shall pay to me or my successors by way of yearly rental the sum of fifty pounds (50*l.*) sterling.

The said John Thorburn and Frank Watkins, on behalf of themselves and successors, agree and bind themselves to respect all prior rights, should such exist, affecting this grant, and further in no way to interfere with the rights of my native subjects; and I, Umbandine, on behalf of myself and successors, agree to afford them all protection in the enjoyment of the rights hereby granted and recognised by me.

And it is the true intent hereof—

(1.) That he said John Thorburn and Frank Watkins and their foresaids shall enjoy the full and exclusive grazing rights over all portions of my country lying to the south of the Komatie River, and bounded as above described, and which have not at the date of these presents been granted to anyone else; as also the grazing rights over all portions of my kingdom already granted, but which may during the continuance of this grant lapse and become null and void through any cause whatsoever; further, the right to carry on dairy operations in connection with the grazing rights; and also, as aforesaid, the right to make use of and import all machinery and dairy appliances which may be considered necessary.

(2.) The full, sole, free, and exclusive right in that portion of my country lying to the south of the Komatie River, and bounded as already described, to cultivate and carry on any and every species of agriculture and arboriculture and planting, on all portions or pieces of land where such rights have not been granted at the date of these presents to anyone else; as also the full and exclusive right to carry on any species of agriculture, planting, or arboriculture on all portions of my country over which such rights have already been granted, but which may during the continuance of this grant through any cause whatsoever lapse and fall back to me; and, further, for the purpose of carrying on agricultural operations, to make use of all such agricultural machinery and appliances as may by the concessionaires be deemed needful and necessary.

The concessionaires and their foresaids shall enjoy and have the full, free, and undisturbed use and enjoyment of the rights hereby granted them, for which grant I have this day received good and sufficient consideration, and I engage, on my protection being asked, to prevent anyone whomsoever from destroying and trespassing upon or injuring the agricultural operations or works of the said concessionaires.

Given under my hand and seal at my Head Kraal, Embekelweni (Gufane), Swazieland, on this, the twenty-sixth (26th) day of July, in the year one thousand eight hundred and eighty-nine (1889), in the presence of the subscribing witnesses.

(Signed) UMBANDENI, King, his × and (L.S.)

	Their
T'KUBA	×
HELEME	×
M'TSHASA	×
JOSEBOMOU	×
BOBOSA	×
MAKAHLALAGA	×
INCABANA	×
LANGABALALA	×
A'MABELE	×
LUNSHENGA	×
	mark

As Witnesses:

(Signed) ALLISTER M. MILLER.  
 CLAUDE H. VERRALL.  
 A. O. GOULD.

I, the undersigned, hereby declare that I, this twenty-sixth day of July in the year 1889, duly and truly interpreted the contents of the above document to King Umbandeni and to his Indunas whose names are subscribed above.

(Signed) E. COOPER.

This is to certify that by deed of transfer dated June 3rd, 1891, all the right, title, interest and property to the within deed of Concession has been ceded and transferred unto and on behalf of the Umbandine Swazieland Concessions Syndicate, Limited, and that the said cession and transfer has been duly registered in the books of the Swazie nation to William Young Campbell in trust.

(Signed) WM. C. PENFOLD,  
 For THEOPHILUS SHEPSTONE,  
 Resident Adviser and Agent,  
 Swazie Nation.

Resident Adviser's Office,  
 June 3, 1891.

## [COPY OF ORDER OF COURT.]

In the High Court of Swazieland, before the full Bench.  
*In re* application of John Thorburn and Frank Watkins.  
 Bremersdorp, this 17th day of December, A.D. 1890.

After hearing Mr. Sauer of counsel and reading the documents filed of record,  
 It is hereby ordered that the unallotted Farming Rights Concession granted to John Thorburn and Frank Watkins on the 26th day of July 1889 be and the same is hereby confirmed.

In the name of the Court,  
 (Signed) G. WREFORD HUDSON,  
 Registrar of High Court, Swazieland.

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Enclosure 2 in No. 33.

Duly registered, 24th December 1888.

(Signed) THEOPHILUS SHEPSTONE,  
 Resident Adviser and Agent, Swazie King.

BE it hereby made known that I, Umbandeni, King and Paramount Chief of the Swazie nation, acting with the full consent of my Council, do hereby give, grant, assign, and make over unto John Thorburn, his heirs, executors, administrators, and assigns, the sole, full, free, and exclusive right to prospect, mine, dig, search, or otherwise explore for gold or other minerals or precious stones on all such pieces, parcels, plots, or portions of ground or country in this my kingdom of Swazieland, as have not up to the date hereof been granted, assigned, or apportioned as mineral concessions or rights; and further, the sole, full, free, and exclusive right of refusal of all such concessions, mineral or otherwise, as may from time to time from the date hereof be abandoned or forfeited by the present holders; the said John Thorburn and his foresaids in each and every instance abiding by the conditions laid down for the working and rental of such concession or concessions, unless I, the said Umbandeni, or my successors, agree to the modification of the same; and the said John Thorburn and his foresaids on discovering gold or precious stones or minerals of any description on or in any parcels or plots of ground or country which are by these presents made over to him or them, or which may from time to time, either by forfeiture or abandonment or noncompliance with document or agreement, become the property of the said John Thorburn or his foresaids, shall have the sole, full, free, and exclusive right to treat the same by machinery or otherwise, according to the usages of mining in all its branches, and for the sole and exclusive benefit of the said John Thorburn and his foresaids, to whom shall belong the full and undivided profits thereof.

The period during which the said John Thorburn and his foresaids shall enjoy the rights made over to him and them by these presents shall be a term of fifty (50) years, to be reckoned from the date hereof; provided that, should he or they so desire it, the said John Thorburn or his foresaids shall obtain a renewal of the rights hereby granted for another term of fifty (50) years, subject to the same terms and conditions as herein are provided.

As and in consideration in full for the rights hereby granted him and them, the said John Thorburn or his foresaids shall yearly pay to me or to my successors in office the sum of 100*l.* (one hundred pounds sterling), for each and every Concession, whether mineral or otherwise, becoming the property of the said John Thorburn or his foresaids, through forfeiture or abandonment of the original holder or holders, or his or their heirs, executors, administrators, or assigns, the said John Thorburn shall pay to me, or my successors in office, a yearly rental as set forth in the original Grant or Concession Deed of the Concession so acquired by the said John Thorburn or his foresaids. And, furthermore, the said John Thorburn and his foresaids hereby agree to pay to me or to my successors in office a bonus of 3,000*l.* (three thousand pounds), on the completion of the erection of the first stamping machinery or batter on any of the mineral concessions granted to him and his foresaids by virtue of this document.

The said John Thorburn or his foresaids shall have the sole, full, free, and undivided right to divert watercourses, dig and construct water-races, build houses and workshops, and cut timber on each and every piece or parcel of ground on which he or his foresaids may by virtue of these presents mine, or dig for precious stones, such rights,

however, only to be exercised for the better development of the mineral rights and privileges hereby made over to him and them.

And, further, the said John Thorburn and his foresaids shall have the sole and exclusive right and privilege to build stores and trade goods and liquors on such mineral concessions and mining lands as are by these presents granted him and them.

And the rights hereby granted and made over to the said John Thorburn and his foresaids is a sole and exclusive grant and concession for the whole of Swaziland, whereby the said John Thorburn and his foresaids become possessed of mineral rights over each and every portion of this my country which has not at the date and signing hereof been granted for mining purposes; and further, of the sole, full, and free right to take over on the original terms, unless modified terms are mutually agreed upon between I, the said Umbandeni, and the said John Thorburn or his foresaids all Concessions, whether mineral or otherwise, abandoned or forfeited by the original holders, their heirs, executors, or assigns, such rights and privileges being further extended to the heirs, executors, administrators, and assigns of the said John Thorburn.

And, furthermore, I, the said Umbandeni, on behalf of myself and successors, agree and bind myself not to grant any further mineral concession or concessions for the mining of and for precious stones in this my country after the date and signing of these presents; nor to grant a similar right for the first refusal of each and every concession abandoned or forfeited by the original holders, their heirs, executors, administrators, or assigns, to any other person or persons, company or companies, syndicate or syndicates; but, on the other hand, to forbid, disallow, and prevent any other person or persons, company or companies, syndicate or syndicates from infringing on any one or each of the rights and privileges for the finding and treatment of gold, and the securing of abandoned and forfeited concessions hereby granted to the said John Thorburn and his foresaids.

The said John Thorburn and his foresaids shall have the right of disposing of and transferring the rights granted under this Concession, or portion of such rights, to any person or persons, company or companies, syndicate or syndicates, who shall thereby acquire all and singular the rights or portions thereof which are enjoyed by the said John Thorburn and his foresaids in respect of same.

It is the true intent hereof that the said John Thorburn and his foresaids shall enjoy and have the full, free, and undisturbed use, occupation, and enjoyment of the rights hereby granted him; but it is required of him that he and his foresaids shall duly respect all prior rights granted by me.

In making this Grant or Concession I do not alienate any part of my dominion, but reserve to myself and successors the sovereignty of the country.

Thus done and passed at Embekelweni Kraal, Swaziland, this twenty-second day of December, in the year one thousand eight hundred and eighty-eight, in the presence of the subscribed witnesses.

(Signed) UMBANDINE, King, his × and (L.S.)  
 Their  
 T. KUBA ×  
 UNYUBEKA ×  
 HELEME ×  
 JOBBE ×  
 marks.

Witnesses :—

(Signed) T. B. RATHBONE.  
 ALLISTER M. MILLER.

I, the undersigned, do hereby declare that the foregoing deed of Concession or Grant was duly and truly translated and interpreted by me to the Swazie King, Umbandeni, in the presence of his Council and of the witnesses before mentioned.

(Signed) T. B. RATHBONE,  
 Interpreter.

This is to certify that by deed of transfer, dated June 3rd, 1891, all the right, title, interest, and property to the within deed of Concession has been ceded and transferred unto and on behalf of the Umbandine Swaziland Concessions Syndicate, Limited,

and that the said cession and transfer has been duly registered in the books of the Swazie nation to William Young Campbell in trust.

(Signed) WM. C. PENFOLD,  
For THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

Resident Adviser's Office,  
June 3rd, 1891.

[COPY OF ORDER OF COURT.]

In the High Court of Swazieland, before the Full Bench.

*In re* Application of J. Thorburn,

Bremersdorp, this 17th day of December, A.D. 1890.

After hearing Mr. Sauer of counsel and reading the documents filed of record,  
It is hereby ordered that the unallotted Mineral and Forfeited Concession Rights granted to John Thorburn on the 22nd day of December 1888 be and the same is hereby confirmed.

In the name of the Court,  
(Signed) G. WREFORD HUDSON,  
Registrar of the High Court,  
Swazieland.

Enclosure 3 in No. 33.

Duly registered in the books of the King.

(Signed) ALLISTER M. MILLER,  
Secretary and Agent, Swazie King.  
Embekelweni,  
May 10th, 1889.

BE it hereby made known that I, Umbandine, King of Swazieland, with the full consent of my Council, do hereby give, grant, assign, and make over unto Mary Florence Thorburn, her heirs, executors, administrators, and assigns, the sole, full, free, and exclusive right to print and publish a paper (other than a newspaper), to wit—"The Swazieland Government Gazette," such paper to be the only official organ in which the advertisements of the Government of the country may appear, and the said Mary Florence Thorburn and her foresaids shall further have the sole and exclusive right to carry on the business of a lithographer, bookbinder, and advertising agent; and for the better carrying out of this grant or concession the said Mary Florence Thorburn and her foresaids shall have the sole, full, free, and exclusive right to import into this my country of Swazieland all such paper, ink, stones, and other lithographic, bookbinding, or advertising materials, implements, or machinery as she or they may find necessary. And I also grant to the said Mary Florence Thorburn and her foresaids the sole and exclusive right, free of rent or taxes other than those imposed by the Government of the country, to sell newspapers, books, periodicals, or publications of any description whatsoever at any or all such railway station or stations as may be erected in Swazieland, the said Mary Florence Thorburn and her foresaids having the sole, full, free, and exclusive right also to place advertising boards at stations or on such railway property in Swazieland as she or they may think fit so far as the exercising of such right does not interfere with the proper working of the railway or railways. The period during which the said Mary Florence Thorburn and her foresaids shall enjoy the rights made over to her and them by these presents shall be a term of fifty (50) years, to be reckoned from the date hereof, provided that should she or they desire it the said Mary Florence Thorburn or her foresaids shall obtain a renewal of the rights hereby granted for another term of fifty (50) years, subject to the same terms and conditions as herein are provided.

And in consideration in full for the rights herein granted her and them, the said Mary Florence Thorburn or her foresaids shall yearly pay to me or my successors in office the sum of thirty (30/.) pounds sterling.

And the rights hereby granted to the said Mary Florence Thorburn and her foresaids are a sole and exclusive right and grant for the whole of Swazieland, and I, the said Umbandine, on behalf of myself and successors, agree and bind myself not to grant a similar right or any portion of same to any other person or company; but on the other

hand to forbid, disallow, and prevent any other person or company of persons or companies from carrying out the said business or portion thereof or otherwise engaging in the same.

The said Mary Florence Thorburn or her foresaids shall have the right to erect such buildings and premises as she or they may deem necessary for the carrying on the said business of printing of the "Government Gazette," bookbinding, lithographing, and other branches of the trade or trades pertaining thereto; also the business of railway station book-stall keeping and the agency for advertising and advertisers as she may deem expedient for the offices and branches of the said business or businesses and for the use of the employed therein.

The said Mary Florence Thorburn and her foresaids shall have the right of disposing of and transferring the rights granted under this Concession or portion of such right to any person or persons, company or companies, syndicate or syndicates, who shall thereby acquire all and singular the rights or portions thereof which are enjoyed by the said Mary Florence Thorburn and her foresaids in respect of same.

It is the true intent hereof that the said Mary Florence Thorburn and her foresaids shall enjoy and have the full and free and undisturbed use, occupation, and enjoyment of the rights hereby granted her.

In making this grant or concession I do not alienate any part of my dominion, but reserve to myself and successors the sovereignty of the country.

Thus done and passed at Embekelweni, Swaziland, this 1st day of May, in the year one thousand eight hundred and eighty-nine, in the presence of the subscribed witnesses.

	(Signed)	UMBANDINE, his X and (L.S.)	Their
			X
	(Signed)	SCHASHAE	X
		TECUBA	X
Witnesses :		HELM	X
(Signed)	H. E. GILBERT.	MAKAHLEGA	X
	E. COOPER.		marks.

Interpreted to King Umbandeni and his Council by me in the presence of above witnesses.

(Signed) E. COOPER.

This is to certify that by deed of transfer dated June 3rd, 1891, all the right, title, and interest, and property to the within deed of concession has been ceded and transferred unto and on behalf of the Umbandine Swaziland Concessions Syndicate, Limited, and that the said cession and transfer has been duly registered in the books of the Swazie nation to William Young Campbell in trust.

	(Signed)	WM. C. PENFOLD,
		For THEOPHILUS SHEPSTONE,
Resident Adviser's Office,		Resident Adviser and Agent,
June 3rd, 1891.		Swazie Nation.

[COPY OF ORDER OF COURT.]

In the High Court of Swaziland, before the full Bench,

Exparte M. F. THORBURN.

Bremersdorp, 12th December 1890.

After hearing Mr. Sauer for applicant, and reading the documents of record,

IT IS HEREBY ORDERED that the concession for lithography granted unto Mary Florence Thorburn on the 1st day of May 1889 be and the same is hereby confirmed subject to erasure of clause whereby the Government Committee can be compelled to advertise in one certain newspaper so called the "Government Gazette."

In the name of the Court,  
(Signed) G. WREFORD HUDSON,  
Registrar.

Enclosure 4 in No. 33.

Duly registered in the books of the King.

(Signed) ALLISTER M. MILLER,

Secretary and Agent, Swazie King.

Embekelweni,  
May 10, 1889.

BE IT HEREBY MADE KNOWN—

THAT I, UMBANDENI, King and Paramount Chief of the Swazie Nation, acting with the consent and advice of my Indunas in Council assembled, do hereby give, grant, assign, and make over unto Mary Florence Thorburn (herein-after styled the concessionaire), her heirs, executors, administrators, or assigns (herein-after styled her foresaids) the sole, full, free, and exclusive right in Swazieland to carry on the business of manufacturing or making gas for the illumination of houses or streets, or any public buildings, public or private roads or thoroughfares, private residences, workshops, or any and all other places where coal, oil, mineral, or other gas or gases may be required for the purpose of illumination, motive power, or all such purposes for which the said gases may be used, either known at the present day or which may become known during the period during which this grant or concession remains in force. And I further grant, make over, and assign unto the said concessionaire and her foresaids the sole, full, free, and exclusive rights to construct such works, to erect such buildings, to import and use such machinery and materials as may be required by the said concessionaire and her foresaids to enable them to win and obtain from coal and oil, or coal or oil, or minerals, or oils or liquids of any description the gas or gases which may be necessary or of use for illumination, motive power, sanitation, or any or such other purposes whatsoever in any or every portion of this my kingdom of Swazieland.

The said concessionaire and her foresaids shall have the right to select and occupy free of rental not more than ten (10) plots of ground, of two hundred (200) morgen each, in such portion or portions of my kingdom as shall be found necessary for the better carrying out of the rights herein granted. Should the said concessionaire and her foresaids select land or lands for a site or sites for her works or buildings in a portion or portions of Swazieland already made over by me, the said concessionaire and her foresaids shall be empowered to take over the land on payment of a fee arrived at by mutual understanding between the occupant of the land and the said concessionaire and her foresaids, or by valuator or arbitrators, not more than three (3) in number, appointed by the contending parties and the white governing body in Swazieland for the time being.

The period during which the said concessionaire and her foresaids shall enjoy the rights made over to her and them shall be a term of sixty (60) years, to be reckoned from the date hereof. Provided she or they so desire it, the said concessionaire or her foresaids shall obtain a renewal of the rights hereby granted for another term of sixty (60) years, subject to the same terms and conditions as herein are provided.

As and in consideration in full for the rights hereby granted her and them the said concessionaire or her foresaids shall yearly pay to me or my successors in office the sum of twenty-five (25/.) pounds sterling.

And the rights hereby granted to the said concessionaire or her foresaids are a sole or exclusive right and grant for the whole of Swazieland, and I, the said Umbandeni, on behalf of myself and successors, agree and bind myself not to grant a similar right for the said business of the making or manufacturing of gas or gases to any other person or persons, but, on the other hand, to forbid, disallow, and prevent any person or company, or persons or companies from carrying on the said business of manufacturing or making gas or gases, or portions thereof, or otherwise engaging in the same.

The said concessionaire or her foresaids shall have the sole and exclusive right to supply, dispose of, or sell gas or gases to such persons or companies or corporations, or to whoever may require such gas, and the concessionaire or her foresaids shall regulate the price of such gas according to the charges for the supply of gas or gases in the Transvaal, due regard being had for the greater difficulties and expenses which may be experienced by the concessionaire or her foresaids in the exercising of the rights hereby granted her and them for Swazieland.

The said concessionaire or her foresaids shall have the right of disposing of and transferring the rights hereby granted under this concession or portion of such rights to any person or persons, company or companies, syndicate or syndicates, who shall hereby

acquire all and singular the rights or portions thereof which are enjoyed by the said concessionaire and her forebears in respect of same.

It is the true intent hereof that the said concessionaire and her forebears shall enjoy the full and free and undisturbed use, occupation, and enjoyment of the rights hereby granted her and them.

This done and passed at Embekelweni, King's Kraal, Swazieland, this first (1st) day of May, one thousand eight hundred and eighty-nine, in the presence of the subscribed witnesses.

(Signed) UMBANDENI, King, his × and (L.S.)  
 Their  
 TECUBA ×  
 SCHASHAE ×  
 HELM ×  
 JOBBE ×  
 MAKHALAGA ×  
 marks.

Witnesses :

(Signed) H. E. GILBERT.  
 E. COOPER.

I, the undersigned, hereby declare that the foregoing deed of concession or grant was duly and truly translated by me to the Swazie King, Umbandeni, in the presence of his council and the witnesses before mentioned.

(Signed) E. COOPER.

This is to certify that by deed of transfer dated June 3rd, 1891, all the right, title, interest, and property to the within deed of concession has been ceded and transferred unto and on behalf of the Umbandine Swazieland Concessions Syndicate, Limited, and that the said cession and transfer has been duly registered in the books of the Swazie nation to William Young Campbell in trust.

(Signed) WM. C. PENFOLD,  
 For THEOPHILUS SHEPSTONE,  
 Resident Adviser and Agent,  
 Swazie Nation.

Resident Adviser's Office,  
 June 3, 1891.

[COPY OF ORDER OF COURT.]

In the High Court of Swazieland, before the full Bench.

*In re* application John Thorburn.

Bremetsdorp, this 18th day of Dec., A.D. 1890.

After hearing Mr. Sauer of counsel and reading documents filed of record,

It is hereby ordered that the gas concession granted to Mary Florence Thorburn on the 1st day of May 1889, be and the same is hereby confirmed.

In the name of the Court,

(Signed) G. WREFORD HUDSON,  
 Registrar.

Enclosure 5 in No. 33.

Duly registered, 25th August 1888.

(Signed) THEOPHILUS SHEPSTONE,  
 Resident Adviser and Agent, Swazie King.

I, I, Umbandeni, King and Paramount Chief of the Swazie nation, with the advice and consent of my Council, do hereby grant, cede, and assign unto and on behalf of John Thorburn for the Peebles Syndicate, their heirs, executors, administrators, or assigns, the sole and exclusive right and privilege for a term or period of fifty years (50), with the right of renewal for fifty (50) years.

2. That portion of my country of Swazieland contained between the following beacons and boundaries :—The present Tembi waggon road on the north ; the M'Uzimmene River and Thorburn's Concession on the west ; the Usutu River on the south ; and the Imzimpofo Spruit on the east (known as Kannemeyer's Concession), less that portion granted to Mr. Bremer, for the purpose of farms, cultivating land, grazing cattle, horses, sheep, goats, and all other stocks, and to carry on farming in all its business and branches.

3. The said John Thorburn for Syndicate and their foresaids shall in no way interfere with my subjects who are or may be living on the said grant of land.

4. And in consideration of this grant, the said John Thorburn for Syndicate and their foresaids shall pay or cause to be paid to me the sum of twenty-five pounds annually by way of rental (25%).

5. The said John Thorburn for Syndicate and their foresaids have the right to cede, give, transfer, or sub-lease this grant of land.

6. And I further agree not to grant a similar right to any other person or persons.

Given under my hand at my Head Kraal, Embekelweni, in Council, this 20th day of August, one thousand eight hundred and eighty-eight, in the presence of the undersigned witnesses :—

(Signed) UMBANDENI, King, his × and (L.S.)

Their

SANDHLANA ×

UNYEBECKA ×

HELM ×

TECUBA ×

marks.

Witnesses :

(Signed) ROBERT McNAB.  
T. B. RATHBONE.  
GEORDIE CUMMING.

I, the undersigned, do hereby declare that the above Deed of Concession was duly and truly translated by me to the said Umbandeni, King and Paramount Chief of the Swazie Nation.

(Signed) C. GRUENING.

This is to certify that by deed of transfer dated June 3rd, 1891, all the right, title, interest, and property to the within deed of Concession has been ceded and transferred unto and on behalf of the Umbandine Swazieland Concessions Syndicate, Limited, and that the said cession and transfer has been duly registered in the books of the Swazie nation to William Young Campbell in trust.

(Signed) WM. C. PENFOLD,  
For THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

Resident Adviser's Office,  
June 3rd, 1891.

[COPY OF ORDER OF COURT.]

In the High Court of Swazieland, before the full Bench,  
*In re* Application of John Thorburn, on behalf of Peebles Syndicate.  
Bremersdorp, the 17th day of December, A.D. 1890.

After hearing Mr. Sauer of counsel and reading the documents filed of record,  
It is hereby ordered that the grant of lease made to John Thorburn, on behalf of the Peebles Syndicate, on the 20th day of August 1888 be and the same is hereby confirmed.

In the name of the Court,  
(Signed) G. WREFORD HUDSON,  
Registrar of High Court,  
Swazieland.

## Enclosure 6 in No. 33.

Duly registered February 14th, 1889.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie King.

TO ALL WHOM IT MAY CONCERN :

BE it hereby made known that I, Umbandeni, King of the Swazie nation, in council assembled at the Embekelweni Kraal this twentieth day of January, one thousand eight hundred and eighty-nine, have granted and do hereby grant, cede, and assign and make over unto and on behalf of George L. D. Maber, his heirs, executors, administrators, and assigns (herein-after called the concessionaire), the whole sole and exclusive right and privilege to print, with machinery or otherwise, all newspapers, books, and to carry on the business of a printer and publisher in this my kingdom of Swazieland for a term of sixty years from the date of these presents, and with the right of renewal for a further term of sixty years, but always under the following conditions :—

1. The concessionaire shall pay to me and my successors a yearly sum of twenty pounds sterling by way of rental or fee, and on failure this grant shall become void.
2. The concessionaire shall have the right to erect buildings, lay water pipes, cut furrows, erect water-wheels and machinery for the purposes of this concession, and shall import free of duty all implements, material, and machinery.
3. The concessionaire shall have the exclusive use of a certain portion of land situate on the western bank of the Little Usutu River at the waggon drift which is between the Nobamba Kraal and Colenbrander's Store, such land to be ten acres in extent.
4. The concessionaire shall have the right to manufacture his own paper.
5. The concessionaire shall have the right to cut timber for the purposes of this concession.
6. I declare this grant to be binding on my successors, and desire them to carry out my engagements according to the true intent of these presents.

(Signed) UMBANDENI, his X and (L.S.),

Their

TEKUBA X

HELM X

JOBE X

marks.

As witnesses :

(Signed) T. B. RATHBONE.  
JOHN STERLING.

I certify that the foregoing grant or concession was faithfully interpreted by me to Umbandeni in the presence of the subscribing witnesses and above-named Indunas.

(Signed) T. B. RATHBONE.

This is to certify that by deed of transfer dated June 3rd, 1891, all the right, title, interest, and property to the within deed of concession has been ceded and transferred into and on behalf of the Umbandeni Swazieland Concessions Syndicate, Limited, and that the said cession and transfer has been duly registered in the books of the Swazie nation to William Young Campbell in trust.

(Signed) WM. C. PENFOLD,

FOR THEOPHILUS SHEPSTONE,

Resident Adviser's Office,  
Embekelweni, June 3rd, 1891.

Resident Adviser and Agent, Swazie Nation.

[COPY OF ORDER OF COURT.]

In the High Court of Swazieland, before the full Bench.

*In re* application of J. Thorburn.

Bremersdorp, this 17th day of December, A.D. 1890.

After hearing Mr. Sauer of counsel and reading the document filed of record,

It is hereby ordered that the printing concession granted to George Maber on the 20th day of January 1889 be and the same is hereby confirmed.

In the name of the Court,

(Signed) G. WREFORD HUDSON,  
Registrar.

Enclosure 7 in No. 33.

Duly registered, January 14th, 1889.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie King.

TO ALL WHOM IT MAY CONCERN :

I, UMBANDENI, King and Paramount Chief of the Swazie nation, in council assembled, and with the advice and consent of my principal Indunas, declare to have this day given and granted to Innes Edward Player, his heirs, executors, and assigns, for a term or period of fifty years, with a right of renewal for a further like period, the sole and exclusive rights to erect, build, maintain, and keep in this our kingdom of Swazieland all pounds of Schuthoks for the impounding of cattle, horses, mules, donkeys, goats, sheep, or any other stray animals, and with the further sole and exclusive right to the said Player or his foresaids to levy all such fines and fees for such impounding, and to make all such rules and regulations therefor as may be fair and reasonable.

And I hereby grant to the said Player or his foresaids the right to erect all such buildings and kraals as may be necessary for the due and proper enjoyment of this exclusive right, as also the right to depasture all such, and animals\* as may be impounded round and about any such kraal or kraals, pound or pounds, &c.

And I hereby grant the said Player power to sell or dispose of the whole or any portion of this exclusive right, and I guarantee and promise him full protection in the enjoyment of the right hereby granted, and I will forbid and disallow any other persons from interfering therewith.

And I acknowledge to have this day received from the said Player the sum of five pounds sterling, and I declare that the annual rental hereof shall be five pounds sterling.

This done and passed at Embekelweni, Swazieland, this 4th day of December, in the year 1888.

(Signed) UMBANDENI, King, his X and (L.S.)

Their

SANDHLANA X

UMJUBECK X

HELM X

marks.

As witnesses :

(Signed) J. THORBURN.  
THEOPHILUS SHEPSTONE.

Interpreted by me—  
(Signed) THEOPHILUS SHEPSTONE.

This is to certify that by deed of transfer dated June 3rd, 1891, all the right, title, interest, and property to the within deed of concession has been ceded and transferred unto and on behalf of the Umbandine Swazieland Concessions Syndicate, Limited, and that the said cession and transfer has been duly registered in the books of the Swazie nation, to William Young Campbell in trust.

(Signed) WM. C. PENFOLD,  
For THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazie Nation.

Resident Adviser's Office,  
June 3rd, 1891.

[COPY OF ORDER OF COURT.]

In the High Court of Swazieland, before the full Bench.

*In re* application of J. Thorburn.

Bremersdorp, this 8th day of December, A.D. 1890.

After hearing Mr. Sauer of counsel and reading the documents filed of record,

It is hereby ordered that the concession for pounds granted by Umbandine, King of Swazieland, to Innes Edward Player, on the fourth day of December 1888, and by him ceded to John Thorburn, be and the same is hereby confirmed.

\* Sic in original.

The right of fixing fines and fees, and of making any rules or regulations is waived by concessionaire through his counsel in favour of the Government Committee.

In the name of the Court,

(Signed) G. WREFORD HUDSON,  
Registrar.

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Enclosure 8 in No. 33.

Duly registered December 1st, 1888.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazie King.

BE it hereby made known that I, Umbandeni, King of Swazieland, with the full consent of my Council, do hereby give, grant, assign, and make over unto John Thorburn, his heirs, executors, administrators, and assigns, the sole, full, free, and exclusive right in Swazieland to carry on the business of banking in all its branches, and in particular to advance money upon property and securities of all kinds, to discount bills, notes, and other securities, to deal in exchanges and specie, and to receive money on deposit at interest or otherwise, to borrow or raise money by the issue of, or upon, bonds, debentures, bills of exchange, notes, or other obligations or securities, and generally to carry on the banking business.

The period during which the said John Thorburn and his foresaids shall enjoy the rights made over to him and them by these presents shall be a term of fifty (50) years, to be reckoned from the date hereof, provided that should he or they so desire it, the said John Thorburn or his foresaids shall obtain a renewal of the rights hereby granted for another term of fifty (50) years, subject to the same terms and conditions as herein are provided.

As and in consideration in full for the rights hereby granted him and them the said John Thorburn or his foresaids shall yearly pay to me or to my successors in office the sum of 50*l.* (fifty pounds sterling.)

The right hereby granted, *inter alia*, to the said John Thorburn and his assigns to issue bank notes shall be subject to such limitations, if any, which may be in force in the South African Republic now over the public banks carrying on business therein.

The charges, rates, expenses, and dues which may be made by the said John Thorburn and his foresaids in the conduct and carrying on of the banking business under this Concession shall be fair and equitable, compared with the bank rates, dues, charges, and expenses obtaining in the South African Republic and other parts of South Africa, due regard being had to the greater difficulties under which such business may be carried on in Swazieland.

And the rights hereby granted to the said Thorburn and his foresaids are a sole and exclusive right and grant for the whole of Swazieland, and I, the said Umbandeni, on behalf of myself and successors, agree and bind myself not to grant a similar right for the said banking business or any portion of same to any other person or company, but, on the other hand, to forbid, disallow, and prevent any other person or company, or persons or companies, from carrying out the said business or portion thereof, or otherwise engaging in the same.

The said John Thorburn shall have the right, either by himself or his foresaids, to erect such buildings and premises as he may deem necessary for the carrying on the said banking business in such place or places in Swazieland as he may deem expedient for the offices and branches of the said banking business, and for the use of the employees therein.

The said John Thorburn and his foresaids shall have the right of disposing of and transferring the rights granted under this Concession, or portion of such rights, to any person or persons, company or companies, syndicate or syndicates, who shall thereby acquire all and singular the rights or portions thereof which are enjoyed by the said Thorburn and his foresaids in respect of same.

It is the true intent hereof that the said John Thorburn and his foresaids shall enjoy and have the full, free, and undisturbed use, occupation, and enjoyment of the rights

hereby granted him. In making this grant or concession I do not alienate any part of my dominion, but reserve to myself and successors the sovereignty of the country.

Thus done and passed at Embekelweni Kraal, Swazieland, this 26th day of May, in the year one thousand eight hundred and eighty-eight, in the presence of the subscribed witnesses.

(Signed) UMBANDENI, King × his mark and (L.S.)  
 Their  
 SANDHLANA ×  
 UMJEBECKA ×  
 HELM ×  
 MAKAHLAGA ×  
 marks.

As witnesses :

(Signed) FRED ECKERSLEY.  
 T. B. RATHBONE.  
 C. GRUENING.

I, the undersigned, do hereby declare that the foregoing deed of concession or grant was duly and truly translated by me to the Swazie King, Umbandeni, in the presence of his Council and of the witnesses before-mentioned.

(Signed) T. B. RATHBONE.  
 C. GRUENING.

May 26th, 1888.

De Clausule is gecan-  
 celleerd, de Concessionaris  
 daarvan afstand doende.  
 (Signed) J. G. Korze,  
 8/2/90. H. Rechter.

For the further and more full understanding of the paragraphs relating to the issue of "Notes" in the foregoing deed, it is hereby ordered that any "Bank Notes" that may be issued by the within-named John Thorburn or his foresaids, whether his heirs, executors, administrators, or assigns, or any person or persons or company of persons to whom the within rights may be transferred, shall be held to be and shall be a "legal tender" within this my kingdom of Swazieland, the said terms of "bank notes" and "legal tender" to be taken in the same sense as they are understood in commercial transactions in the civilised world.

This done, passed, and signed at the Embekelweni Kraal this 29th day of August, A.D. 1889, in the presence of the subscribing witnesses.

(Signed) UMBANDENI × his mark and (L.S.)  
 Their  
 T'CUBA ×  
 HELM ×  
 marks.

As witnesses :

(Signed) ALLISTER M. MILLER.  
 F. ECKERSLEY  
 (And INTERPRETER).

This is to certify that by deed of transfer dated June 3rd, 1891, all the right, title, interest, and property to the within deed of concession has been ceded and transferred unto and on behalf of the Umbandine Swazieland Concessions Syndicate, Limited, and that the said cession and transfer has been duly registered in the books of the Swazie nation to William Young Campbell in trust.

(Signed) WM. C. PENFOLD,  
 For THEOPHILUS SHEPSTONE,  
 Resident Adviser and Agent.  
 Swazie Nation

Resident Adviser's Office,  
 June 3rd, 1891.

## [COPY OF ORDER OF COURT.]

In the High Court of Swaziland, before the full Bench.

In *re* Application of JOHN THORBURN.

Bremersdorp, the 17th day of December, A.D. 1890.

After hearing Mr. Sauer of counsel and reading the documents of record,  
It is hereby ordered that the Banking Concession granted to John Thorburn on the 26th day of May 1888, be and the same is hereby confirmed, subject to the withdrawal of the legal clause.

In the name of the Court,  
(Signed) G. WREFORD HUDSON,  
Registrar of High Court,  
Swaziland.

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Enclosure 9 in No. 33.

CONCESSION.

Duly registered in the books of the King,  
(Signed) ALLISTER M. MILLER,  
Resident Secretary and Agent, Swazie King.

Embekelweni,

July 29, 1889.

I, UMBANDINE, King and Paramount Chief of the Swazie nation, with the advice and consent of my Councillors and Chief Indunas, as will appear from our duly legalised marks hereunto affixed, do hereby freely grant and give to John Thorburn and Henry Town jointly, their heirs, successors, or assigns, the sole and exclusive right to treat tailings of any nature from batteries or mills for crushing or grinding all and any variety of metal bearing ore, in order to extract such metal or metals as may be contained therein by any process or method whatsoever whether mechanical or chemical, including the exclusive use of any patent method for treating tailings for extraction of the metals therein contained, as also the exclusive right to treat all concentrates from tailings as aforesaid for the extraction of the metals therein contained in all portions of my country Swaziland, with the right to cede and make over all or any portion of these rights to any one whomsoever.

The period for which I grant these rights is 50 years with the right of renewal for a further period of 50 years.

I further engage to give the said grantees and all those obtaining their rights from and under them all protection in the exercise of the rights hereby granted.

As and for payment or rent in consideration of the grant of the above rights the said grantees shall pay the sum of 25*l.* (twenty-five pounds sterling) yearly after the giving of notice by them that they are prepared to treat tailings and concentrates; and fifteen pounds sterling annually previous to such notice being given.

The said grantees shall have the right to abandon this grant and to be free from all payments hereunder six months after notice given to that effect.

In the interpretation hereof the right to treat tailings and concentrates shall include the right to import, construct, and erect wherever necessary such machinery and appliances, and also to construct, and erect all buildings whether for machinery or employees or otherwise in connexion with the treatment, as are required or considered necessary; further the right to use wood and water in connexion with the treatment provided no previously existing rights in this respect are infringed.

Tailings shall be taken to mean all and every variety of refuse or debris from metal bearing ores after the ore shall have been passed through a battery or mill or other grinding or crushing machinery and subjected to the ordinary treatment by being passed over copper or other plates coated with mercury.

Concentrates shall be taken to mean the impure metal extracted from the tailings which has to undergo further special processes to free it from impurities. Grantees shall include the present grantees as well as all legal successors of theirs whether by purchase, last will, or otherwise.

The usual and ordinary signification of the words tailings and concentrates in respect where such may be fuller and ampler than above set forth shall be taken as included in the interpretation hereof.

Given at Embekelweni under my hand and under the hands of my Councillors and Chief Indunas after being fully and clearly interpreted to us in the presence of the undersigned witnesses this twenty-sixth day of July, one thousand eight hundred and eighty-nine.

(Signed) UMBANDINE, King × his mark and (L.S.)  
 Their  
 T'KUBA ×  
 HELEME ×  
 MAKAHLALAGA ×  
 NGEABANA ×  
 M'TSHASHA ×  
 mark.

As witnesses :

A. O. GOULD.  
 ALLISTER M. MILLER.

I, the undersigned, hereby declare that the foregoing grant was fully and truly interpreted and translated to the Swazie King Umbandine, and his Councillors at Embekelweni, on the twenty-sixth day of July 1889.

(Signed) E. COOPER.

I hereby transfer all my rights to the within Concessions to John Thorburn, August 12th, 1890.

(Signed) H. TOWN.

Witnesses to signature :

THOMAS GHISLIN.  
 ELIZA L. THORBURN.

This is to certify that by deed of transfer dated June 3rd, 1891, all the right, title, interest, and property to the within deed of grant has been ceded and transferred unto and on behalf of the Umbandine Swazieland Concessions Syndicate, Limited, and that the said cession and transfer has been duly registered in the books of the Swazie nation to William Young Campbell in trust.

(Signed) WM. C. PENFOLD,  
 FOR THEOPHILUS SHEPSTONE,  
 Resident Adviser and Agent,  
 Swazie King.

[COPY OF ORDER OF COURT.]

In the High Court of Swazieland, before the full Bench,

In *re* Application of JOHN THORBURN,

Bremersdorp, this 18th day of December, A.D. 1890.

After hearing Mr. Sauer of counsel and reading the documents of record.

It is hereby ordered that the Tailings Concession granted to John Thorburn and Henry Town on the 26th day of July 1889, and whereof Henry Town did cede his share unto John Thorburn on the 12th day of August 1890, be and the same is hereby confirmed in terms of consent—Paper—Exemption of duty waived.

In the name of the Court,

(Signed) G. WREFORD HUDSON,  
 Registrar of High Court,  
 Swazieland.

No. 34.

LIEUT.-GENERAL CAMERON to the MARQUESS OF RIPON.  
(Received December 19, 1892.)

[Answered by No. 49.]

MY LORD MARQUESS,

Government House, Cape Town,  
November 28, 1892.

I HAVE the honour to transmit, for your Lordship's information, the enclosed copies of telegrams to and from Mr. Lagden, respecting the amount of the grant-in-aid required next year for Swaziland.

It will be observed that, owing to the uncertain state in which the revenue question now stands, a question on which I have addressed your Lordship in my Despatch, of 29th instant,\* Mr. Lagden is unable to estimate the probable amount of the deficit.

In view of this circumstance I can only suggest that the Imperial grant-in-aid should be fixed at the same amount as for the current year, viz., 7,000*l.*, and I have caused this amount to be inserted in the general South African estimates which I am transmitting to your Lordship by this mail.

I have, &c.  
(Signed) W. G. CAMERON, Lieut.-General,  
Administrator and High Commissioner.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c.      &c.      &c.

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Enclosure 1 in No. 34.

From HIGH COMMISSIONER, Cape Town, to BRITISH REPRESENTATIVE, Bremersdorp.

TELEGRAM.

November 25th.—It will be necessary for me to insert in South African estimates going home next mail the amount required for Swaziland grant-in-aid next year.

Please, therefore, inform me by wire what you estimate probable deficit next year will amount to approximately. Desirable that grant-in-aid should not be higher than this year.

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Enclosure 2 in No. 34.

From Mr. LAGDEN, Bremersdorp, to HIGH COMMISSIONER, Cape Town.

TELEGRAM.

November 26th.—Your Excellency's telegram of 25th received last night. It would be impossible for me to frame any useful estimate so long as the subject referred to in my telegram of November 22nd, of which I have received no acknowledgement, is *sub judice*.

\* No. 35.

No. 35.

LIEUT.-GENERAL CAMERON to the MARQUESS OF RIPON.  
(Received December 19, 1892.)

[Answered by No. 49.]

[Continued by No. 41.]

MY LORD MARQUESS,

Government House, Cape Town,  
November 29, 1892.

I HAVE the honour to enclose, for your Lordship's information, a copy of a correspondence which has taken place respecting a refusal on the part of Dr. Esser, the Attorney General of Swaziland, to pay customs duties.

Your Lordship will observe that this question is now terminated in so far as it affects Dr. Esser, but it is of course possible that the matter may be contested by some private individual.

I have, &c.

The Most Hon. (Signed)  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

W. G. CAMERON, Lieut.-General,  
Administrator and High Commissioner.

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Enclosure 1 in No. 35.

FROM ACTING BRITISH COMMISSIONER, Swaziland, to HIGH COMMISSIONER, Cape Town.

The British Residency, Swaziland,  
September 2, 1892.

SIR,

I HAD the honour in previous Despatches to refer to the views of my colleagues relative to the indefinite conditions under which taxation is levied in Swaziland, and to allude to the difficulties attendant upon the process of collection owing to the non-existence of any legislative powers to impose penalties in default.

I beg now to transmit copy of correspondence between the customs officer and Dr. Esser, in which the latter in his individual capacity questions the authority under which invoices and dues are demanded and declines to comply.

When the matter came into committee it was decided that the customs officer must proceed as in the case of any other individual.

I consider it right, however, to observe to my colleagues that while Dr. Esser could reserve all the rights of an individual, the propriety of the course he had adopted appeared to me very questionable seeing that he as Attorney General had previously advised the Government Committee to take proceedings for the recovery of dues and had been entrusted and might yet be entrusted with cases involving the issues he had raised which might obviously be prejudiced by the precedent opinion now expressed.

I have since heard privately that Dr. Esser has consented to pay the dues and would therefore beg leave to submit this part of the matter for your Excellency's information only.

But whether Dr. Esser, being legal adviser to the Government Committee, chose an opportune form or not of ventilating the matter the fact remains that there is no law to compel the production of invoices or permits.

Since the subject arose I have learnt that a customs law was drafted in March 1891, and was held over pending adjudication upon the case of Schwab and the proceedings threatened in that of Wallerstein and Bremer, the results of which it was thought might possibly have nullified the usefulness of the law. It was, I understand, feared that, if Wallerstein and Bremer's claim to exemption from duty was contested and upheld, the whole trade of Swaziland might filter through that firm and the customs revenue be thus lost. As a matter of fact, however, Wallerstein and Bremer do not now pay customs dues, and the trade does not flow through them, because presumably the other traders can do as well without using that channel.

I would therefore propose to consult my colleagues at an early date with a view of discussing whether it is not desirable to reconsider the draft law, and in the meanwhile to

make some special provision by notice to meet, as a temporary measure, present contingencies.

I have, &c.  
(Signed) G. Y. LAGDEN  
Acting British Commissioner.

His Excellency the High Commissioner, Cape Town.

GOVERNMENT SECRETARY TO BRITISH COMMISSIONER.

Government Office, Bremersdorp, Swaziland,  
August 31, 1892.

SIR,

As requested in committee meeting yesterday I have the honour to forward you copies of correspondence relative to Dr. Esser's refusal to pay import duties.

I have, &c.  
(Signed) JOH. Z. DE VILLIERS.

WILLIAM SCOTT, Esq., for Collector of Customs, to Dr. ESSER.

Customs Office, Bremersdorp,  
August 10, 1892.

SIR,

I HAVE the honour to request you to furnish me with your invoice or invoices of goods received by you on Tuesday the 19th inst. per W. Delport, Transport Rider.

I have also to mention that a permit was necessary for the off-loading of the goods and that you neither obtained nor applied for same.

I have, &c.  
(Signed) WILLIAM SCOTT.

Dr. J. ESSER to WILLIAM SCOTT, Esq., Acting Chief Collector of Customs.

SIR,

Bremersdorp, August 13, 1892.

IN reply to your honoured, dated August 11th, 1892, I beg to state that I am not aware of any law or ordinance, legally published in Swaziland, which would compel me to produce any invoices of goods imported by me in this territory or to get a permit for the off loading of such goods.

I must therefore refuse to comply with your request, until your authority to act has been made clear to me.

I have, &c.  
(Signed) DR. J. ESSER.

COLLECTOR OF CUSTOMS to Dr. ESSER.

Customs Office, Bremersdorp,  
August 24, 1892.

SIR,

I HAVE the honour to request to be furnished with the invoices of those goods consigned to yourself and which arrived ex waggons, carrier Henrico.

I have, &c.  
(Signed) H. E. GILBERT.

Dr. ESSER to CHIEF COLLECTOR OF CUSTOMS.

SIR,

Bremersdorp, August 26, 1892.

I AM in receipt of your letter dated 24th inst., and in reply beg to state that I cannot comply with your request, for reasons set forth in my letter dated August 13th, to your Department.

Besides I have not got the invoices to which you refer.

I have, &c.  
(Signed) DR. J. ESSER.

## COLLECTOR OF CUSTOMS TO GOVERNMENT SECRETARY.

Customs Office, Bremersdorp,  
August 30, 1892.

SIR,

For the information of the Honourable the Government Committee and for their perusal, I have the honour to attach certain correspondence relating to the refusal of Dr. Esser to pay import duties.

I shall be pleased to receive instruction as to how I am to proceed further in this matter.

I have, &c.  
(Signed) H. E. GILBERT.

Enclosure 2 in No. 35.

From HIGH COMMISSIONER, Cape Town, to His Honour G. Y. LAGDEN, Bremersdorp.

Government House, Cape Town,  
September 21, 1892.

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 2nd instant, explaining the legal position in regard to the levying of customs dues in Swaziland.

I approve your proposal to consult your colleagues as to the preparation of a draft customs law.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

His Honour G. Y. Lagden, Bremersdorp.

Enclosure 3 in No. 35.

From Mr. LAGDEN, Bremersdorp, to HIGH COMMISSIONER, Cape Town.

TELEGRAM.

November 22nd. Adverting my Despatch September 2nd, I have to report that Attorney General Dr. Esser, in his private capacity refused to pay customs due as demanded by collector of customs, and was summoned in Landdrost's Court; case was thrown out upon exception that Botha, Landdrost's clerk, was not authorised to act as public prosecutor in civil action. Matter was discussed at length in committee to-day; I found it necessary to propose that as misunderstanding might arise in public mind and serious financial inconvenience ensue to Administration, it was incumbent upon us to take immediate steps to protect interests of Government Committee by issue of authoritative notice pending consideration of customs law. My colleagues dissented on grounds that there was no legal basis for taxation, and by majority passed amendment authorising Mr. Paglar, who is legal adviser to Swazi nation, to proceed in high court and test case. Should Dr. Esser succeed it must obviously have far-reaching effects and open out wider issues affecting whole local revenue. We are now confronted with spectacle of Attorney General openly resisting taxation from recognised sources; such action is calculated to destroy confidence that should be reposed in legal adviser, and is contrary to spirit of relations which should exist between him and his employers. We are now placed in position entailing liability for employment of separate legal practitioner during this litigation while paying Dr. Esser's salary.

I regard the position of affairs as serious, and I believe there is a conspiracy against the British Government to badger for sums of money which my colleagues and Attorney General and others are concerned in, believing that claims for refunding amounts of taxes paid in the two years will follow, if Attorney General succeeds in test case in matters of taxation. I am guided by legal opinion of 10th January last enclosed in your Excellency's Despatch of 28th January.

## Enclosure 4 in No. 35.

From HIGH COMMISSIONER, Cape Town, to STATE PRESIDENT, Pretoria.

## TELEGRAM.

November 24th. Mr. Lagden, the Acting British Commissioner in Swaziland, reports that Dr. Esser, in his private capacity, has refused to pay customs dues, and is contesting the matter legally. Without in any way prejudging the question whether Dr. Esser has or has not legal grounds for his contention, I consider that his action is unbecoming to a person in the position of Attorney General, whose duty is to uphold the authority of the Government of which he is the adviser, and not to show an example of contumacy to others by disputing its legal right in his private capacity.

I shall be glad to be favoured with your Honour's views on this question.

## Enclosure 5 in No. 35.

From MR. LAGDEN, Bremersdorp, to HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

November 28th. Attorney General has written a letter received by me Saturday evening 26th, in which he reconsiders position and offers to comply with requirements of collector of customs, despatch on subject.

## No. 36.

THE LONDON CHAMBER OF COMMERCE to COLONIAL OFFICE.

[Answered by No. 38.]

Botolph House, Eastcheap, London, E.C.,  
December 21, 1892.

MY LORD MARQUESS,

THIS Chamber has, for some years past, taken a practical interest in all matters affecting Swaziland, as the records of your Lordship's Department will show, and the attention of the Executive Committee has been directed afresh to the subject by a deputation of members, who have interests at stake in that country, which recently waited upon them.

As a result of the representations made by that deputation, the Committee desire to put forward several observations in the hope that they may receive favourable consideration at your Lordship's hands.

The Committee understand that some fears exist that Swaziland is to be handed over to the South African Republic, and that treaty rights which Great Britain has acquired in respect to that country are to be modified. Whilst alluding to these fears the Committee trust that your Lordship may be able to allay them by affording satisfactory assurances that neither of these steps is actually contemplated.

Should there, however, be any substantial ground for the allegations, the Committee desire to reiterate the opinion of the Chamber, that it is necessary, for the effective safeguarding of British interests in that country, that the complete independence of Swaziland from control by the South African Republic should be maintained. They would also urge that the question of modifying existing treaties, in regard to Swaziland, should not be considered by Her Majesty's Government until British subjects in the South African Republic have been granted the franchise and equal civil rights with the Dutch population; and, if these concessions be made, then any modifications of existing treaties should specifically provide for the maintenance under any altered *régime*, of all rights acquired up to the time of the change in Swaziland and especially of rights of ownership of property.

So strongly do the Committee feel that every care should be taken to secure all British interests in Swaziland, that they would support the appointment of a British Resident in the country; but inasmuch as an adequate representation on this point is not possible without a fuller knowledge than they have at present of the intentions of Her Majesty's Government, the Committee content themselves with this statement of their views,

reserving their freedom to make a further representation, should this be necessary, when your Lordship is able to announce the course it is intended to pursue.

The Deputation already referred to also urged that all legitimate support and encouragement should be accorded to the construction of a harbour at Sordwana Point and a railway to connect it with the Swaziland frontier. As the Chamber's views on this matter were conveyed to your Lordship's Department in a letter dated the 25th April\*, the Committee only mention it again now, as proof that the project has the support and approval of those who have substantial interests in Swaziland.

I am, &c.

(Signed) KENRIC B. MURRAY,  
Secretary.

The Most Hon. the Marquess of Ripon,  
Secretary of State for the Colonies.

No. 37.

LIEUT.-GENERAL CAMERON to the MARQUESS OF RIPON.

(Received December 27, 1892.)

[*Further Despatch No. 50.*]

MY LORD MARQUESS,

Government House, Cape Town,  
December 6, 1892.

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from the Acting British Commissioner in Swaziland, reporting the result of an action brought by Mr. Schwab against the Swaziland Government Committee.

I have, &c.,

The Most Hon. (Signed)  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

W. G. CAMERON, Lieut.-General,  
Administrator and High Commissioner.

Enclosure 1 in No. 37.

From BRITISH REPRESENTATIVE, Swaziland, to HIGH COMMISSIONER, Cape Town.

The British Residency, Swaziland,  
November 18, 1892.

SIR,

WITH reference to my telegram of the 9th June, your Excellency's reply of the 10th, and to previous correspondence upon the subject of the case of Schwab versus the Swaziland Government Committee, I have the honour to forward copy of the judgment that has now been delivered in the High Court, together with précis of the summons and pleadings furnished to me by the Attorney-General.

It will be seen that the plaintiff's claim, under a free import concession, for refund of 16*l.* customs dues was upheld, with costs amounting approximately to 70*l.*

The Committee are to meet and consider at an early date the question as to how this liability is to be met.

I learn that Wallerstein and Bremer, whose claim for refund of 750*l.* hinges upon the issue of the Schwab case, are about to take similar proceedings.

I have, &c.

His Excellency the High Commissioner,  
Cape Town.

(Signed) G. Y. LAGDEN,  
British Representative.

\* Not printed

In the HIGH COURT OF SWAZILAND. Before Mr. Justice du Toit. COPY of JUDGMENT delivered in *re* GUSTAV SCHWAB plaintiff, *versus* JOHAN ZULCH DE VILLIERS, N.O. defendant.

JUDGMENT delivered in *re* GUSTAV SCHWABBE *versus* JOHAN Z. DE VILLIERS, N.O.

In this case Johan Gulch de Villiers, in his capacity as secretary and treasurer of the Swaziland Government Committee, is sued by Schwab for 16*l.* 3*s.* 3*d.*, money paid under protest to the Swaziland Government Committee. The plaintiff alleges that he is exempted from all import and transit dues, road and waggon tax, under deed of grant bearing date 31 July 1888.

The defendant in his answer to the summons denies that plaintiff is resident in the South African Republic. He admits Articles 21 and 3 of the summons, but denies Articles 2, 4, and 5.

Defendant further pleads specially :

- (1.) Concession of plaintiff can only stand as over against the Swazi nation.
- (2.) That as over against the Swaziland Government Committee plaintiff's concession is null and void and contrary to law; 429*l.* 1*s.* 6*d.* is claimed in reconvention, failing which a subsidiary claim is put in for 379*l.* 1*s.* 6*d.*

The point whether Swab lives within this territory or beyond its borders is not of material importance in this case. The well known rule "Actor sequitur forum rei" has not been violated in any way. Swab, who maintains that he lives beyond the borders, sues the Swaziland Government Committee in the High Court here. The King Umbandine granted certain favours to Gustav Swab, and in this the Swazi Sovereign acted in harmony with the Dutch Roman Law. At the time when these privileges were bestowed upon Swab there was no *lex scripta* in this territory; and even if there were it would not have been contrary to Roman Dutch principles to have granted special favours beyond the written laws, provided such favours were not granted in direct opposition to the laws in force at the time, and to the prejudice of the other subjects. At the time when Swab got his dispensation there were no laws to speak of in this territory. The only laws that then existed were the customary laws of the Swazi kaffirs. Umbandine the King was the law giver, and as such had power over life and death. At the time it was not at all an uncommon thing to bestow favours upon particular individuals. The grant to Swab, the Swazis not being a commercial people, could in no way prejudice them. On the contrary, by allowing Swab to import articles duty free would have been to their advantage. Nor could such a grant have prejudiced the Whites, since they, at the time, had no political rights to speak of. Swab stated in court that he got his concession to protect himself against the White Committee, which Committee did not exist at the time and was only called into existence on a subsequent date.

H. of Article 2 of the Convention of 2 August 1890 makes provision for the confirmation of concessions. Swab's concession has not been before the Concession Court, but relief has been given him to bring his concession before the Chief Court here, which was done; and after a thorough investigation it was duly confirmed on the 1st day of May 1891. In all cases where confirmation has been sought the Court has been most careful as to the suppression of material facts or as to the true state of affairs generally, but wherever it found that matters were brought before it in their true colour, and that everything was in order, the Court confirmed such concessions. It might, perhaps, have been better for the community at large if many of these concessions had not been granted, but having been granted, the Court, when its confirmation was sought, closely examined whether the information was true, and whether nothing relating to the matter had been suppressed, or whether anything had been stated contrary to the truth, whereupon the Court allowed or disallowed confirmation. This was most strictly applied to Swab's concession when confirmation was sought, and the Court having found everything correct confirmed his concession in the usual way. The point at issue here seems to me to be, is the concession of Swab a legal document, or is it null and void *ab initio*; if legal must it be considered to stand as over against the Swazi nation alone, or must it be accepted to stand as over against the Swaziland Government Committee as well? If the last contention is to be accepted as the correct one, would, in that case, the defendant be entitled to his claim in reconvention? I am of opinion that the concession of Swab, granted on the 31st day of July 1888, must be accepted *prima facie* as a legal document *in toto*. The charter, which was granted one day subsequent to Swab's concession, has been argued as producing acceptable reasons for questioning the validity of the document under discussion. If, in this case, for the purpose of argument merely, we

accept both Swab's concession and the charter, in the form in which it is lodged in this Court, as confirming legitimate rights in the terms contained therein, the question of the superiority of the one over the other is then to be considered. The principle that a prior document must stand as over against a subsequent one, provided that the prior grant has not been distinctly recalled by the subsequent one, has been accepted by the Concession Court. This principle, though accepted, will, under the circumstances in which we live, be most carefully applied. In the charter, Swab's concession was in no wise recalled. Under circumstances it would be unjust towards Swab to accept that the King could have forgotten what he had given on the previous day. The King, when he granted Swab's concession, was an autocrat, and, as such, had absolute power. This absolute monarch who exempted Swab from all import and transit dues, granted a charter to the white people of this territory on a subsequent day. In that charter the privileges granted to Swab on the previous day were not recalled, thereby, to my mind showing that Umbandine intended Swab to enjoy his rights notwithstanding the charter. It seems to me just towards the plaintiff in this case to accept the principle that the King, if he intended to recall what he had given on the previous day, would have done so when he granted the charter. Not having done so he must have intended Swab to enjoy his privileges. The charter is a statute granted by Umbandine to the White population, and, as such, is part of the *lex scripta* of this territory. On principles of convenience and justice it is generally accepted that a statute should be constructed as prospective, and not retrospective in its operations. This principle, which has been accepted by Van Leeuwen and other Roman Dutch writers, is also agreeable to English common law writers. Broom, in his Commentaries on the Common Law of England, distinctly states that a statute must be considered as intended to regulate the future conduct of persons, and not to apply to past transactions. Broom further states that this rule need not always be followed, since it will yield to the intention of the legislature if sufficiently expressed. The immortal Van Leeuwen, if I follow him, goes even further, and is of opinion that new laws ought not to be extended to cases and transactions which occurred before their publication, except where they merely explain and declare prior laws. Here the grant made to Swab has in no wise been interfered with. In the charter there is no repealing clause affecting Swab's concession, nor is there a clause stating that it was the intention of the King that the charter should have a retrospective operation. This being so, the charter must be construed as prospective in its operation as over against the concession of Swab now under discussion. The reasoning that Swab's concession can only stand as over against the Swazi nation, and that as over against the Swaziland Government Committee it is null and void and contrary to law cannot stand. It was granted by the then absolute power; it was on a subsequent date duly confirmed by a properly constituted court. To accept the principle that this concession only stands as over against the Swazi nation would be illegal, unjust, and dangerous. The special plea of defendant must therefore be set aside, and the concession of Swab accepted to stand as over against the Swaziland Government Committee as well as over against the Swazi nation. The special plea having been set aside the first claim in reconvention goes with it; and the only point remaining is, would the defendant be entitled to his second or subsidiary claim in reconvention. The defendant bases his right of levying import dues upon certain agreements between himself and certain John Thorburn and Naphtali H. Cohen, of which plaintiff was not a party. Between plaintiff in this and the Swaziland Government Committee there was no *aggregatio mentium*. Thorburn and Cohen might have an action against Swab, but I fail to see how a contract between the Swaziland Government Committee on the one and Thorburn and Cohen on the other side could bind Swab. 379*l.* 1*s.* 6*d.* is demanded from Swab upon a contract with which he had nothing to do, and upon these grounds the claim for 379*l.* 1*s.* 6*d.* must be set aside. Swab's concession from King Umbandine, dated 31 July 1888, was duly confirmed on the 1st day of May 1891. Notwithstanding this he was forced on the 10th day of August 1891 to pay 16*l.* 3*s.* 3*d.* to the Swaziland Government Committee here, which was done under protest.

Having carefully considered all the points bearing upon this case, I come to the conclusion that there must be judgment in favour of Swab, *i.e.*, the 16*l.* 3*s.* 3*d.*, paid by Swab to the Government Committee on the 10th day of August 1891, under protest, must be returned to him.

Having decided the point in dispute, it now remains for the court to decide who has to pay the costs incurred in this suit. The question here is as to whether the well-known rule, "he who is in the wrong is condemned in the costs" should be followed in this.

The Concession Court, which sat under special circumstances, has ceased to exist as originally constituted. Taken for granted that the Concession Court, wherever the

Government Committee was concerned, followed a certain procedure, must this court, in similar cases, be expected blindly to follow the procedure as laid down by the Concession Court? I am of opinion that this court is in no wise bound to follow the procedure of a Court that sat under special circumstances. The Concession Court was not bound by the rules and regulations accepted for the guidance of this hon. Court. It is generally accepted that in criminal cases the Government does not pay nor does it receive any costs. This rule is, however, not so generally applicable to civil cases. In civil cases, speaking generally, no difference should be made between the Government and any private individual. The object of all courts of justice is, or ought to be, to administer justice equally to all, and by allowing a free pass to the Government the rights of private individuals might be interfered with. The Government beforehand knowing that it has very little to lose whatever way the case be decided might thereby be encouraged to institute actions on frivolous grounds, and it is to prevent this that the rule "that he who is in the wrong must be condemned in the costs" should be applicable in this and similar cases. Swab acted upon a right given him by the late King, and subsequently confirmed by this hon. Court, and in the execution of his privilege no one has a right to interfere. To condemn Swab in the costs, or to ask him to pay his own costs would be unjust. This being so, the court is of opinion that the Swaziland Government Committee must be condemned in the costs incurred in this suit.

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Enclosure 2 in No. 37.

Pleadings in the matter of G. SCHWAB *versus* J. Z. DE VILLIERS, N.O.

The plaintiff complains and says :—

1. That by deed of grant or concession, bearing date the 31st day of July 1888, the plaintiff acquired from Umbandine, late King of Swaziland, the right and privilege to import goods into and through Swaziland without paying any import or transit duty, or road or waggon tax, in respect of such goods in Swaziland.

2. That the said concession was duly confirmed by order of the High Court dated 1st May 1891.

3. On or about the 10th day of August 1891 certain waggons loaded with goods, the property of the plaintiff passed through Bremersdorp, when one William Scott, acting collector of customs, unlawfully demanded payment of 16*l.* 3*s.* 3*d.* for transit duties, alleged to be payable to the Swaziland Government Committee, and at the same time informed the plaintiff's agent that in case the said 16*l.* 3*s.* 3*d.* were not paid the waggons would be detained and the goods sold for recovery of the amount due.

4. Upon this the plaintiff paid the said amount under protest, and gave notice to the defendant that under his concession he considered himself to be exempted from payment of any duties :—

Wherefore judgment is asked for the sum of 16*l.* 3*s.* 3*d.* for costs.

*Defendant's Plea.*—1. The defendant says that plaintiff's concession only gives him rights against the Swazi nation, and does not exempt him from duties payable to the Swaziland Government Committee.

2. That against the Swaziland Government Committee the concession is null and void *ab initio*, as being against the public interests and not compliable with constitutional principles.

Reasons why the defendant prays that the claim may be refused, &c.

*b.* Claim in reconvention.

And for the reasons as set forth in the first plea of defendant, he the defendant says further that the plaintiff, whom he alleges to be an inhabitant of Swaziland, is liable to pay full import duties on everything imported by him, that he has imported certain goods without paying dues, a list of which is attached, and on which an amount of 429*l.* 1*s.* 6*d.* is still to be paid by the plaintiff (being for import duties on same). Wherefore judgment in reconvention is prayed for 429*l.* 1*s.* 6*d.*

*c.* *Subsidiary Claim in reconvention.*—And in case the foregoing claim be not upheld by the Court, the defendant puts in a subsidiary claim in reconvention for an amount of 379*l.* 1*s.* 6*d.*, being for import duties on all the liquor imported by the plaintiff. This claim is based on the following grounds :—

*d.* The sole right of importing liquors was given to J. Thorburn and others by concession dated 14th December 1888, and duly confirmed.

The concessionaires have waived one clause in their concession by which they were exempted from payment of duties, and have done so in favour of the present Government Committee.

- e. Nobody, therefore, except the concessionaires aforesaid can import liquors in Swaziland, and anybody who does import must be considered to do so with the consent of the concessionaires.
- f. The Government Committee have the right to levy duties from all liquor imported by or with the consent of the concessionaires.
- g. The plaintiff in this suit has imported liquor into Swaziland, and is therefore liable to pay import dues thereon to the amount of 379*l.* 1*s.* 6*d.* as per account attached to the pleadings.

Judgment is therefore asked for this amount.

*Plaintiff's replication.*—In reply to the foregoing the plaintiff refers again to the concession, which he alleges exempts him from all duties whatsoever; and he says, further, that his concession giving him the right to import everything *free* includes the right to import *everything*.

*Duplication.*—In answer to the last statement the defendant argued that the right to import everything free does not mean or include the right to import everything, as the Swazi King by putting such an interpretation on his grant would prevent himself from granting any monopoly to import a certain kind of goods, as for instance, in the liquor concession.

*Judgment* given in favour of the plaintiff for 16*l.* 3*s.* 3*d.* and costs.

(Signed) Dr. J. ESSER,  
Attorney-General.

No. 38.

COLONIAL OFFICE to THE LONDON CHAMBER OF COMMERCE.

SIR,

Downing Street, December 31, 1892.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 21st instant,\* relative to the future Government of Swaziland and to the scheme for the construction of a harbour at Sordwana Bay and a railway thence inland. I am to state in reply, that his Lordship has nothing to add to the observations which were made by him on the 23rd ultimo, when he received the deputation of persons interested in Swaziland to which you refer.

I am to add that the Sordwana Bay Harbour and Railway Scheme has been referred to the Crown Agents for the Colonies.

The Secretary to the  
London Chamber of Commerce.

I am, &c.  
(Signed) JOHN BRAMSTON.

No. 39.

COLONIAL OFFICE to THE UMBANDINE SWAZIELAND CONCESSIONS SYNDICATE.

SIR,

Downing Street, December 31, 1892.

I AM directed by the Marquis of Ripon to acknowledge the receipt of your letter of the 12th instant,† enclosing copies of concessions stated to be held by the Umbandine Swazieland Concessions Syndicate, and protesting against any change in the Government of Swazieland whereby the interests of the Syndicate might be prejudiced.

I am to refer you in reply to the answer which was given by Lord Ripon on the 23rd ultimo to a deputation of persons interested in Swazieland, an account of which was published in the daily papers.

The Chairman of the Umbandine  
Swaziland Concessions Syndicate.

I am, &c.  
(Signed) JOHN BRAMSTON.

\* No. 36.

† No. 33.

No. 40.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received January 2, 1893.)

[*Answered by No. 49.*]

[*Further Despatch No. 42.*]

Government House, Cape Town,  
December 9, 1892.

MY LORD MARQUESS,

WITH reference to General Cameron's Despatch of the 2nd ultimo,\* I have the honour to transmit, for your Lordship's consideration, the enclosed copies of correspondence† that has taken place respecting the Swaziland estimates for the current year, which your Lordship will observe have at last been agreed to with certain modifications by the President of the South African Republic.

Your Lordship is aware from previous Despatches that between June and November various reminders on the subject have been addressed to the Government of the South African Republic, whose inaction in the matter I regret.

I would request that the formal approval of Her Majesty's Government may be given to the estimates as agreed upon, the revisions in which are shown in red ink.

I regret that I have been unable to obtain the assent of the Government of the South African Republic to the reduction of the Government Secretary's salary to 1,200*l.*, as desired in Lord Knutsford's Despatch of 21st January last.‡

Most of the small increases in the estimates are accounted for by the fact that provision for only part of the year was made in last year's estimates.

The addition of 50*l.* for a clerk to the Attorney-General is explained in the correspondence now sent; the addition of one white constable was strongly recommended by Colonel Martin, though it is probable that no permanent appointment will be found necessary; and the employment of two additional native warders was absolutely necessary on account of the insecure prison accommodation in Swaziland.

No details of the estimated Revenue have been furnished; but if, as your Lordship was informed in General Cameron's Despatch of 10th October last,‡ the total Revenue will not amount to more than 2,500*l.*, the nominal deficit will be 15,041*l.*, to meet which there will be 14,000*l.*, the contributions of the two Governments and the balance in hand at the commencement of the year, viz., 803*l.* 16*s.* 6*d.* As, however, certain savings may be expected to occur on the estimates in consequence of some of the appointments

remaining unfilled for a portion of the year, the actual deficit is not likely to exceed the sum which will in the ordinary course be at the disposal of the Government Committee.

Estimated expenditure	-	£ 17,541
Estimated revenue	-	2,500
		<hr/>
		15,041
		<hr/>

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

No. 41.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received January 2, 1893.)

[*Answered by No. 46.*]

Government House, Cape Town,  
December 12, 1892.

My LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, with reference to my Despatch of the 29th ultimo,§ a copy of a Despatch from Mr. Lagden and

\* No 32.

† Not printed.

‡ No. 28.

§ No. 35.

or a telegram from the State Secretary respecting Dr. Esser's refusal to pay customs dues and his subsequent withdrawal, and the attitude of Mr. Lagden's colleagues.

I have, &c.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c.      &c.      &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 1 in No. 41.

FROM BRITISH REPRESENTATIVE, Swaziland, to HIGH COMMISSIONER, Cape Town.

The British Residency, Swaziland,  
November 26, 1892.

SIR,

IN my Despatch of the 2nd of September I had the honour to call attention to the fact that the Attorney-General, Dr. Esser, had, in his private capacity, questioned the authority under which customs dues were demanded and declined to pay, that he subsequently agreed to pay, and that I proposed to consult my colleagues upon the subject of the draft customs law and the advisability of issuing a notice to meet present contingencies.

At the following committee meeting I brought the matter up, but at the request of my Transvaal colleague, who said he was preparing an exhaustive memorandum upon the subject, I withdrew it out of courtesy. My colleagues then proceeded to Mahamba together, whence Mr. Esselen went to meet President Krüger at Piet Retief, and, upon their return, a committee meeting was held on November 1, at which Mr. Esselen said, in consequence of his absence he had been unable to finish his memorandum upon the subject of customs, which was therefore again postponed.

Subsequently it was brought to my notice that Dr. Esser had again refused to pay dues on a further consignment of goods, and that proceedings against him had been taken in the Landdrosts' Court. The case was thrown out upon an exception raised by Dr. Esser as to the right of the Landdrost's clerk to prosecute.

I then called for a special committee meeting, and on the 22nd instant telegraphed your Excellency the result of it.

At this meeting it was apparent to me that there was a desire on the part of my colleagues to force the matter into the High Court and get a decision which I had reason to believe would be adverse to our interests. I urged as strongly as possible that any precipitate action might open out wider issues and fatally affect the whole revenue question, and appealed to my colleagues to make a united effort to deal with the question in such a way as to tide over the difficulty for the present. They replied that the best remedy was a dictum of the High Court. I did not, however, concur with them, and eventually recorded a resolution, copy of which I enclose, to which an amendment was proposed by Mr. Shepstone, and carried by the majority, that Mr. Attorney Paglar, who is Legal Adviser to the Swazi nation, be instructed to take proceedings against Dr. Esser in the High Court.

My reasons for the course I took are as follows:—

- (1.) Upon the issue of a ruling by the Court, from which there is no appeal, as to the legality of exacting customs dues the whole prospect of future taxation hinges. It was therefore, in my opinion, undesirable that the Committee should, unless forced into Court, assume that taxes levied since the Convention was signed were illegally levied. Mr. Schreiner's opinion of 10th January 1892 was plain, but I feared the Court would take a different view.
- (2.) If the case in the High Court went against the Government Committee it would appear probable that claims for refund of taxes paid since the Convention was signed would be made, and, if upheld, a very serious liability entailed.
- (3.) Customs dues were a recognised source of revenue.

Proclamation of 14th January 1890	-	-	-	} copies	4.
Tariff of dues, drawn up in 1888, and republished from time to time	-	-	-		
Notice by collector of customs	-	-	-	} enclosed	5.
<i>Vide</i> Art. 2k. of Convention	-	-	-		
„ Art. 13. Organic Proclamation	-	-	-		
„ Art. 4, 5, 6. Proclamation of 18th December 1889	-	-	-		

(4.) I had reason to believe that were the notice suggested in my resolution issued it would have tended to remove any doubts in the public mind and met the requirements of Dr. Esser for the time being.

I consider that the part Dr. Esser has played is reprehensible. It must be borne in mind that he is our legal adviser, and that by his action we were debarred from consulting him; and I cannot conceive it to be consistent with his position to have so acted. We were at any time liable to opposition from the public, but should at least have had the Attorney-General to advise and act for us.

It is necessary here to allude briefly to the non-existence of a proclaimed customs law.

In March 1891 a customs law was drafted and for various reasons "hung up."

In the early part of 1892 it was proposed to abolish customs dues and substitute another form of revenue, and a scheme of taxation was suggested in Colonel Martin's Despatch of 10th December 1891, and in your Excellency's Despatch to President Krüger, dated 20th January 1892, copy of which was sent here.

In February 1892 the draft law was again before Colonel Martin and Mr. Shepstone (Mr. Esselen being absent), who in view of the pending litigation, affecting free import, by Messrs. Wallerstein, Bremer, and others, together with the proposal to abolish customs dues, decided that it was desirable to postpone its consideration.

Since sending my telegram to your Excellency of the 22nd instant, Dr. Esser has written the Government Secretary a letter dated the 24th instant, received by me this evening, in which he reconsiders his position. But the ball has been set in motion and it may reasonably be expected that some other importer will now intervene.

It is impracticable for me to rely upon legal advice or co-operation here, and I should be glad of any instructions or views your Excellency may desire to express for my guidance upon the subject.

I have, &c.  
(Signed) G. Y. LAGDEN,  
British Representative.

His Excellency the High Commissioner,  
Cape Town.

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MR. LAGDEN TO HIGH COMMISSIONER.

TELEGRAM.

November 22.—Admitting my Despatch September 2nd, I have to report that Attorney-General Dr. Esser has in his private capacity refused to pay customs dues demanded by collector of customs, and was summoned in Landdrosts' Court. Case was thrown out upon exception that Botha, Landdrost's clerk, was not authorised to act as public prosecutor in civil action. Matter was discussed at length in Committee to-day. I found it necessary to propose that as misunderstanding might arise in public mind and serious financial inconvenience ensue to administration, it was incumbent on us to take immediate steps to protect interests of Government Committee by issue of authoritative notice pending consideration of customs law. My colleagues dissented upon grounds that there was no legal basis for taxation, and by majority passed amendment authorising Mr. Paglar, who is Legal Adviser to Swazi nation, to proceed in High Court and test case. Should Dr. Esser succeed it must obviously have far-reaching effects and open out wider issues affecting whole local revenue. We are now confronted with spectacle of Attorney-General openly resisting taxation from recognised sources. Such action is calculated to destroy confidence that should be reposed in Legal Adviser, and is contrary to spirit of relations which should exist between him and his employers. We are now placed in a position entailing liability for employment of separate legal practitioner during this litigation while paying Dr. Esser's salary.

(I regard the position of affairs as serious, and I believe there is a conspiracy against the British Government to badger for money which my colleagues and Attorney-General and others are concerned in. They believe that claims for refund of amounts of taxes paid in the last two years will follow if Attorney-General succeeds in test case. In matters of taxation I am guided by legal opinion of 10th January last enclosed in your Excellency's Despatch of 28th January.)

## RESOLUTION proposed by me in Committee, November 22nd, 1892.

(In view of the fact that the Legal Adviser to the Swaziland Government Committee has in his private capacity taken action to dispute the payment of custom dues, and serious inconvenience to the administration may ensue, it is desirable that some immediate steps be taken to protect the interests of the Government Committee, and that a public notice of the following purport be issued.)

“Whereas it is necessary to remove any doubts pending the promulgation of a customs law, as to the obligations entailed upon importers of goods into Swaziland, the following notice by the collector of customs and tariff of dues due and payable to the Swaziland Government Committee which have already been published under authority, are hereby ordered to be republished for public information and guidance.”

## SWAZIELAND PROCLAMATION.

To all whom it may concern :

Whereas J. J. Ferreira, as the agent of F. C. Eloff, in the month of October 1889, issued a notice notifying that the Swazieland Royal Revenues, and certain other dues and taxes, were to be paid to him under and by virtue of, a certain power of attorney or document granted by the late King of Swazieland to J. R. Harington; and whereas the Honourable the Joint Commission did, on the 5th day of December 1889, pass a resolution to the effect that all concessions of a similar nature to the one above mentioned should remain in abeyance, and did further pass a resolution requesting the said J. R. Harington, or those representing him, to withdraw the said notice; and whereas complications and misunderstandings may arise from the existence thereof :

Now, therefore, notice is hereby given that the following taxes, dues, and moneys, both arrear and current, are to be paid at the office of the Provisional Government Committee, Embekelweni, Swazieland, without delay, namely :—

Customs dues.  
 Store licenses to 31st December 1889.  
 Canteen licenses, to 31st December 1889.  
 Trading waggon license, to 31st December 1889.  
 Hawker's licensess, to 31st December 1889.  
 Transport waggon licenses, to 31st December 1889.  
 Transport cart licenses, to 31st December 1889.  
 Mineral concessions tax.  
 Mineral concessions battery stamp tax.  
 Grazing-right holders' tax.  
 Tax on all persons not directly taxed.

Thus done and passed at the Office of the Provisional Government, Embekelweni, this 14th day of January 1890.

(Signed) THEOPHILUS SHEPSTONE, Chairman,  
 „ R. E. R. MARTIN, } Members,  
 „ D. J. ESSELEN, }  
 Provisional Government Committee.

## NOTICE.

In accordance with the above notice it is hereby made known that the annual tax of 1*l.* (one pound sterling) on the holder of each leasehold or freehold grant of land in Swazieland must be paid, without delay, both for the current and previous year, at the Government Offices, Embekelweni.

(Signed) WM. C. PENFOLD,  
 Secretary, Provisional Government Committee.  
 Offices of the Provisional Government Committee,  
 Embekelweni, Swazieland, 14th January 1890.

In the earlier prints of this, the heading was : by order of King Umbandine and Committee :—

## IMPORT DUES, SWAZIELAND.

	£	s.	d.
Beer, per gallon - - - - -	-	0	1 0
Spirits - - - - -	-	0	2 6
Biscuits per lb. - - - - -	-	0	0 1
Butter „ - - - - -	-	0	0 2
Candles „ - - - - -	-	0	0 1
Cheese „ - - - - -	-	0	0 3
Dried and preserved fruits, per 1 lb.	-	0	0 3
Fish, dried or tinned „ - - - - -	-	0	0 2
Gunpowder „ - - - - -	-	0	0 4
Lead and shot „ - - - - -	-	0	0 3
Mustard „ - - - - -	-	0	0 2
Ostrich feathers „ - - - - -	-	0	10 0
Pepper „ - - - - -	-	0	0 3
Curry powder „ - - - - -	-	0	0 3
Tea „ - - - - -	-	0	0 3
Cigars, per 100 - - - - -	-	0	2 6
Cigarettes, per 1,000 - - - - -	-	0	3 0
Coffee, per 1 cwt. - - - - -	-	0	7 6
Chicory „ - - - - -	-	0	5 0
Cartridges (loaded), per 1,000 - - - - -	-	2	0 0
„ (cases), „ - - - - -	-	1	0 0
Guns, per barrel - - - - -	-	0	10 0
Pistols „ - - - - -	-	0	5 0
Grain bags, each - - - - -	-	0	0 1
Hoes and picks, each - - - - -	-	0	0 3
Rice, per 100 lbs. - - - - -	-	0	1 6
Sugar „ - - - - -	-	0	2 6
Matches, per gross - - - - -	-	0	0 6
Oil (except parafin and machine), per gallon - - - - -	-	0	2 6
„ parafin and machine „ - - - - -	-	0	0 3
Ox tails, per dozen - - - - -	-	0	5 0
Beads - - - - -	-	-	-
Sweets of all kinds - - - - -	-	-	-
Cotton sheets - - - - -	-	-	-
Blankets and all cotton goods - - - - -	-	-	-
Cutlery of all kinds - - - - -	-	-	-
Clothing of all kinds - - - - -	-	-	-
Jams, jellies, &c. - - - - -	-	-	-
Potted meats - - - - -	-	-	-
All other goods not enumerated above - - - - -	-	-	-
Harness and saddlery - - - - -	-	6	„ „
Milk, preserved - - - - -	-	-	-
Tobacco pipes - - - - -	-	-	-
Pickled or preserved beef - - - - -	-	-	-
„ „ pork - - - - -	-	-	-
Soap - - - - -	-	3	„ „

## EXPORT DUTY.

	£	s.	d.
Mealies, per bag of 200 lbs. - - - - -	-	0	5 0

## TRANSIT DUTY.

All goods in transit - - - - - 1½ per cent. ad valorem.

Flour and boer meal, machinery of all kinds, seeds of all kinds, books and stationery, uniforms and appointments for the use of any forces, in full pay and on active service under the King are exempt from duty.

By Order of the Committee.

ATTORNEY-GENERAL TO GOVERNMENT SECRETARY.

SIR,

Bremersdorp, November 24, 1892

I HAVE the honour to bring the following to the notice of the Honourable Swaziland Government Committee. Some time ago, I, in my private capacity, was requested by the Chief Collector of Customs, to produce the invoices of certain goods imported by me. I declared my willingness to hand over the information asked for as soon as the Chief Collector of Customs would show me his authority to proceed. This official failed to do so, and the result of it is, as I am informed, that Mr. Attorney Paglar has been instructed on behalf of the Committee to take legal steps against me.

Speaking now as an official of the Swaziland Government Committee, I respectfully point out the following: Repeatedly the Chief Collector of Customs consulted me about the difficulties he experienced in collecting the customs, by reason of his having no legal instructions how to act, and at the same time he told me that several persons had disputed his authority; but although he frequently had urged the Swaziland Government Committee to give him instructions or to pass the law which has been drafted for some considerable time on the subject, as yet he remained in the same position.

Also on several occasions I myself had the honour to point out the same difficulties to the Committee.

When as above stated it came to happen to myself that I was asked for the invoices by the Chief Collector of Customs, and that official failed to produce his authority, I could not very well do anything but refuse, until such authority should be produced, thereby at the same time supporting the Chief Collector of Customs, and pointing out the difficulties to the Committee again. Of course, as I also told the Chief Collector of Customs, I expected him to again apply for legal authority to the Government Committee, and the speedy dissolution of the obstacles. I see now, however, that the Committee have taken a different view of the case, and have instructed Mr. Paglar to proceed. I must respectfully observe that such course seems to me to be dangerous with regard to the publicity which the case will necessarily obtain. Rather than to involve the honourable the Swaziland Government Committee into any difficulties, I have now acquainted the Chief Collector of Customs with my intention to give him all the required information.

(Signed) DR. J. ESSER,  
Attorney-General.

## SWAZILAND GOVERNMENT COMMITTEE.

*Customs Notice.*

To whom it may concern,—

Having reference to the importation of goods into Swaziland, Be it hereby made known, that on and after this date, no goods or merchandise whatsoever will be permitted to be received or off-loaded in Swaziland without the necessary Government permit being first obtained.

Further, it is notified that in all cases before such permit is granted, invoices of goods or merchandise, as above referred to, must be deposited with the Sub-Collector of Customs, or such official as may be appointed to receive the same.

Any contravention of the above renders those concerned liable to the seizure and confiscation of such goods.

Customs Office, Bremersdorp,  
October 1, 1891.

H. E. GILBERT,  
Chief Collector of Customs,

With reference to the foregoing notice the under-mentioned persons are authorised to receive all customs dues, grant receipts for same, and do all such acts and things in my name as may be required.

H. E. GILBERT,  
Chief Collector of Customs.


Enclosure 2 in No. 41.

TELEGRAM.

STATE SECRETARY, South African Republic to His Excellency the HIGH COMMISSIONER, Cape Town.

(*Translation.*)

8th December 1892.—Your Excellency's telegram of 25th November last. This Government has, in consequence of its request for further report with regard to the conduct of Mr. Esser, received the following telegram from the Government Secretary, Swaziland :—

*Begins.*—In reply to your telegram *re* Dr. Esser respecting import dues, I send his letter to the Committee.

(*See previous page.*)

(*Translation.*)

The Government only wishes to add here that the question in its opinion has arisen out of and rests upon the question whether the Committee had the right to levy the import duties.

No. 42.

SIR H. B. LOCH to the MARQUESS OF RIPON.

(Received January 2, 1893.)

[*Answered by No. 49.*]

Government House, Cape Town,  
December 13, 1892.

MY LORD MARQUESS,

WITH reference to my Despatch of the 9th instant,\* forwarding the Swaziland estimates for the current year, I have the honour to transmit the enclosed further correspondence, from which your Lordship will observe that it has been found necessary to increase the provision made under the vote "Miscellaneous" from 100*l.* to 300*l.*, and that such increase has been approved by the Government of the South African Republic and by myself.

I request the approval of Her Majesty's Government accordingly.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 1 in No. 42.

GOVERNMENT SECRETARY, Swaziland, to the IMPERIAL SECRETARY, Cape Town.

Government Office, Bremersdorp,  
November 26, 1892.

SIR,

I HAVE the honour to inform you that I have been directed by the Government Committee to ask the two protecting Governments to approve of an excess of 200*l.* on my estimate of 100*l.* for miscellaneous expenditure, making it a total of 300*l.* This excess of 200*l.* includes the amount of 75*l.* asked for in my letter to you dated 21st ultimo. The additional amount of 125*l.* is required owing to the Government Committee losing in the High Court the action of Schwab *v.* Government Committee for 16*l.* 3*s.* 3*d.*, and costs 72*l.* 13*s.* 1*d.*

The balance is deemed necessary for any small contingency that may arise.

\* No. 40.

I have therefore to ask you to obtain his Excellency the High Commissioner's approval to the amount of 200*l.*, in excess of my estimated vote of 100*l.* on account of miscellaneous expenditure. The amount asked for has been approved of by the Government Committee.

You will observe that had not these unforeseen legal expenses arisen my estimate of 100*l.* would have been sufficient.

The Imperial Secretary, Cape Town.

I have, &c.  
(Signed) JOH. Z. DE VILLIERS,  
Government Secretary and Treasurer.

Enclosure 2 in No. 42.

From STATE SECRETARY, Pretoria, to his Excellency HIGH COMMISSIONER, Cape Town.

TELEGRAM.

(Translation.)

10th December.—Since my telegram of 3rd instant, I received a letter from the Government secretary and treasurer, Swaziland, requesting that the item "unforeseen expenditure 100*l.*" be increased by 200*l.* on account of taxed bill of costs, amounting to 74*l.* 6*s.* 3*d.*, of Attorney Adcock for work on behalf of the Government Committee at the time of the sitting of the Concession Court in 1890, and 16*l.* 3*s.* 3*d.*, plus 72*l.* 13*s.* 1*d.*, respectively for refund of import duties by the Committee to Schwab, and the cost of the case which was lost by the Committee, with balance of 36*l.* 17*s.* 5*d.* to be employed for further eventual unforeseen expenditure. Under the circumstances this Government finds itself obliged to give its approval to this proposed increase of item. Does your Excellency agree?

Enclosure 3 in No. 42.

From HIGH COMMISSIONER, Cape Town, to his Honour the STATE PRESIDENT, Pretoria.

TELEGRAM.

12th December.—Your Honour's telegram of 10th instant *re* Swaziland estimates. I agree to the provision under vote "Miscellaneous" being increased from one to three hundred for the reasons stated, but I hope it may be possible to make a corresponding saving under other heads.

Enclosure 4 in No. 42.

IMPERIAL SECRETARY, Cape Town, to the GOVERNMENT SECRETARY, Swaziland.

Government House, Cape Town,  
December 14, 1892.

SIR,

WITH reference to your letter of the 26th ultimo, and to my letter of the 9th instant, respecting the Swaziland estimates for the current year, I am directed by the High Commissioner to inform you that his Excellency approves the provision made under vote "Miscellaneous" being increased from 100*l.* to 300*l.* in order to cover the unforeseen expenditure referred to by you, but he trusts that it may be found possible to make corresponding savings under other heads.

I am to add that his Excellency has been informed by the State Secretary that the Government of the South African Republic also approve the proposed increase.

I have, &c.  
(Signed) GRAHAM BOWER,  
Imperial Secretary.

The Government Secretary, Bremersdorp.

No. 43.

## COLONIAL OFFICE to TREASURY.

[Answered by No. 44.]

SIR,

Downing Street, January 3, 1893.

I AM directed by the Marquess of Ripon to request that you will lay before the Lords Commissioners of the Treasury the accompanying copies of Despatches\* from the Acting High Commissioner for South Africa respecting the finances of Swaziland, and the amount of the grant-in-aid which will be required for the year 1893-4.

Their Lordships will learn from this correspondence that the Swaziland estimates for 1892-3, were prepared and transmitted to the High Commissioner in March last, and were by him forwarded to the Government of the South African Republic on the 4th of May with suggestions as to reductions of expenditure; but that the High Commissioner has not been able to obtain from the President any definite answer on the subject.

In these circumstances it is not reasonable to expect the Acting British Commissioners in Swaziland to frame even approximate estimates for 1893-4; but the returns of the actual revenue and expenditure for 1891-2, which were transmitted to you on the 17th of September last,† and those for the first half of 1892-3, enclosed in General Cameron's Despatch of the 2nd of November,‡ point to an increase rather than a diminution of the deficit, so long as the Government of the South African Republic fails to co-operate with the High Commissioner in endeavouring to increase the revenue or reduce the expenditure.

Lord Ripon has therefore no alternative to proposing to the Lords Commissioners that the grant-in-aid, representing the British moiety of the deficit for the year 1893-4, should be estimated, as before, at 7,000*l.*

The Secretary to the Treasury.

I am, &c.  
(Signed) R. H. MEADE.

No. 44.

## TREASURY to COLONIAL OFFICE.

[Answered by No. 47.]

SIR,

Treasury Chambers, January 19, 1893.

THE Lords Commissioners of Her Majesty's Treasury have had before them your letter of the 3rd instant,§ and its enclosures respecting the finances of Swaziland, and the grant in aid that will be required for 1893-4.

The Marquess of Ripon will no doubt agree with my Lords that the present position of that territory is far from satisfactory.

An extravagant establishment of officers has been set on foot, which the British Government cannot control to any purpose because the estimates are under the dual authority of the South African Republic and this country, not to mention the voice of Swaziland itself. My Lords may criticise salaries or suggest economies, but nothing follows, because President Kruger is too busy to look at the estimates of a year that is already three parts over, and which in consequence have not yet been sent to this country.

The revenue derived from European settlers in Swaziland, exclusively for the support of the European administration, is about one-fifth of its cost, is sinking, and is levied under laws so imperfectly drawn that the salaried Attorney-General, whose special function is to maintain the law, thought it becoming and safe to refuse in his private capacity to pay any import duties. My Lords trust that the law will be amended, and that Dr. Esser's services may be dispensed with at the earliest opportunity. They note that his salary of 1,200*l.* per annum is one of those of which the reduction was suggested in the Treasury letter of the 5th January 1891.†

The result of this state of things is a very heavy yearly charge divisible between the United Kingdom and the South African Republic. The latter country is so much interested in Swaziland as a close neighbour that the charge seems to be a matter of indifference to it; but the interest of the United Kingdom in Swaziland is not so palpable

\* Nos. 28, 30, 32, 34 and 35.

† Not printed.

‡ No. 32.

§ No. 43.

and obvious as to prevent my Lords from being extremely anxious to reduce or terminate the charge as much or as soon as possible.

My Lords will now briefly review the revenue and expenditure since the Joint Government of Swaziland begun on 18th September 1890 :—

## EXPENDITURE.

	1890-1. Actual.	1891-2. Actual.	1892-3. Estimate in part.	1893-4. Estimate.
	£	£	£	£
Civil and Judicial Salaries	6,591	10,438	First half of year showed an actual expenditure of 8,725 <i>l.</i> Add for second half 8,000 <i>l.</i>	No indications afforded.
Police	2,288	3,973		
Prisons	172	696		
Public Works	1,551	764		
Various	1,699	1,211		
Total Expenditure	12,301	17,082	16,725	—

## REVENUE.

	1890-1. Actual.	1891-2. Actual.	1892-3. Estimate in part.	1893-4. Estimate
	£	£	£	£
Customs	1,146	1,313	First half of year yielded an actual revenue of 970 <i>l.</i> Add for second half 1,550 <i>l.</i>	No indications afforded.
Licenses	154	789		
Stamps	624	211		
Fines, Fees, &c.	306	323		
Grazing Tax	3	291		
Various	796	445		
Total Revenue	3,029	3,372	2,520	—
Deficiency -	9,272	13,710	14,205	—
	12,301	17,082	16,725	—

Parliament has provided for the British half of the above deficiencies as follows :—

	British Half of Actual Deficiency.	Parliamentary Grant issued.	
1890-1	£ 4,636	£ 4,893	(107 <i>l.</i> of the Vote of 5,000 <i>l.</i> was surrendered.) (Full Vote.)
1891-2	6,855	7,000	
1892-3	7,102	7,000	
	18,593	18,893	(Full Vote.)

This shows a probable balance of voted moneys in the hands of the Treasurer of Swaziland on 31st March 1893 of 300*l.*

In view of the foregoing figures, my Lords fear that they cannot count upon less than 7,000*l.* being sufficient for the grant in aid of 1893-4, and they consent to the provision of that sum accordingly in the Colonial services estimate.

They earnestly hope, however, that some arrangement may soon be made which will relieve Imperial funds of a charge for which it seems to them difficult to find any adequate defence.

The Under Secretary of State,  
Colonial Office.

I am, &c.  
(Signed) R. E. WELBY.

No. 45.

## COLONIAL OFFICE to TREASURY.

[Answered by No. 48.]

[See further Letter No. 47.]

SIR,

Downing Street, January 24, 1893.

I AM directed by the Marquess of Ripon to transmit, for the formal approval of the Lords Commissioners of the Treasury, the estimates of expenditure of the Swaziland governing committee for the year 1892-3, together with a copy of the covering Despatch\* from the High Commissioner for South Africa with its other enclosures.

I am to enclose also a copy of a further Despatch,† from Sir H. Loch, explaining the necessity of increasing the vote "Miscellaneous" from 100*l.* to 300*l.*

As stated in the letter from this Department of the 3rd instant,‡ the delay in the presentation of these estimates is due to the inaction of the Government of the South African Republic.

Their Lordships will observe that, but for the increase above referred to in vote "Miscellaneous," the estimated expenditure as revised would have been slightly less than the approved estimate of expenditure for the year 1891-2, and that, while several additions proposed by the governing committee have been disapproved by the High Commissioner and the President of the South African Republic, Sir H. Loch has failed to induce the President to concur in reducing the salary of the Government Secretary and Treasurer. It is not clear whether Sir H. Loch's suggestion that the appointment of Landdrost at Bremersdorp should be transferred from this officer to his "accountant and clerk" has been adopted, but such a transfer would not affect the estimates.

With regard to the revenue, of which there is no detailed estimate, Lord Ripon has nothing to add to what is contained in the letter from this Department of the 3rd instant‡; but I am to state, for their Lordships' information, that he has gathered from other Despatches, bearing on political and administrative questions, that every effort of the British representative on the governing committee to place the revenue on a more satisfactory basis has been defeated by his colleagues. In accordance with the decision of Her Majesty's Government, Sir H. Loch has received authority to hold a conference with the President of the South African Republic at which modifications in the Government of Swaziland will be discussed.

The Secretary to the Treasury.

I am, &c.  
(Signed) EDWARD FAIRFIELD.

No. 46.

The MARQUESS OF RIPON to SIR H. B. LOCH.

[Answered by No. 53.]

SIR,

Downing Street, January 31, 1893.

FROM your Despatch of the 12th of December last§, and other papers, I gather that the British representative in the Governing Committee of Swaziland, has failed to induce his colleagues to co-operate with him in placing the revenue system of that country on a satisfactory basis.

It will, in my opinion, be convenient if you will obtain from Colonel Martin a categorical account of his various attempts to induce his colleagues to enact a customs law, or to improve the financial situation in any way; including the steps, which, I presume, he took in pursuance of my predecessor's Despatch of the 10th of October 1891|| in which the abolition of customs duties and the substitution of other forms of revenue were suggested.

\* No. 40.

† No. 42.

‡ No. 43.

§ No. 41.

|| No. 20.

The statement should, of course, be supplemented by a reference to any efforts which you may have made with a similar object by direct communication with the Government of the South African Republic.

Sir H. B. Loch.

I have, &c.  
(Signed) RIPON.

No. 47.

COLONIAL OFFICE to TREASURY.

SIR,

Downing Street, February 4, 1893.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 19th ultimo\* on the subject of the finances of Swaziland.

The Lords Commissioners of the Treasury will have learnt from the letter from this Department of the 24th ultimo† that Lord Ripon is fully alive to the inconvenience and difficulty of the situation.

Their Lordships will also have perceived that the figures given in the enclosures to that letter point to a local deficiency for 1892-3, about 1,000*l.* greater than that quoted in your letter under acknowledgment, and to the consequent possibility of the balance in the hands of the local Treasurer disappearing altogether.

The Secretary to the Treasury. I am, &c.  
(Signed) EDWARD FAIRFIELD.

No. 48.

TREASURY to COLONIAL OFFICE.

SIR,

Treasury Chambers, February 10, 1893.

THE Lords Commissioners of Her Majesty's Treasury direct me to acknowledge the receipt of Mr. Fairfield's letter of the 24th ultimo,† enclosing, by desire of the Marquess of Ripon, the estimates of Swaziland for 1892-93, with various explanatory documents.

*Revenue.*

My Lords are disappointed at finding no estimate of revenue whatever. They are only referred to the rough forecast communicated in your letter of 3rd ultimo,‡ of a total receipt of only 2,500*l.*, or about 26 per cent. less than the actual revenue of 1891-92, and are informed that the Transvaal and Swazi members of the Government Committee seem bent on defeating every effort at improvement.

My Lords can only say that, if such be the case, the sooner the present system of Government is brought to an end the better, and they are glad to learn that a conference is about to be held which is likely to have this result.

*Expenditure.*

My Lords are of opinion that, under present circumstances, Her Majesty's Government can only receive the estimates of expenditure under protest, accepting them as a guide to the sum which must be paid from the votes of Parliament for making good one moiety of the deficit of the year, but in no other sense approving of them.

If the miscellaneous head be raised from 100*l.* to 300*l.* as proposed by Sir H. Loch, the total estimate will be 17,741*l.*, or 659*l.* more than the actual expenditure of last year, notwithstanding some considerable reductions which have been effected by the High Commissioner, and an insignificant provision for all charges other than personal emoluments.

\* No. 44.

† No. 45.

‡ No. 43.

In order to bring out the true character of the estimate, my Lords will re-arrange it as follows :—

	Personal Emoluments.	Other Charges.
	£	£ s. d.
British member of Committee - - -	1,800	—
Transvaal " " - - -	1,800	
Secretary and Treasurer - - -	1,600	490 0 0
" staff of two - - -	600	
Judge - - -	1,800	350 0 0
Attorney-General - - -	1,200	
Registrar and Master - - -	500	1,489 10 0
Legal staff of five - - -	875	
Commandant of Police - - -	450	706 1 0
Inspectors and constables, 38 in all, at from 250 <i>l.</i> to 18 <i>l.</i> per annum.	2,558	
Gaoler - - -	150	—
" staff of five - - -	202	
Collector of Customs - - -	275	—
Audit Clerk - - -	21	
Medical Officer - - -	300	75 0 0
Relief of sick, poor, and destitute - - -	—	
Public works - - -	—	200 0 0
Miscellaneous - - -	—	300 0 0
	14,131	3,610 11 0
	17,740 11 0	

The above staff consists of 61 persons, who between them collect a revenue of 2,500*l.*, and administer an expenditure (apart from their own emoluments) of 3,610*l.* 11*s.* per annum. The five principal officers receive between them emoluments of 8,200*l.* per annum, or nearly half the gross expenditure, and over three times the local revenue.

Taking the staff altogether, in relation to its duties, it is probably the most expensive in the whole world. The only member whom it seems convenient to stint is the audit clerk.

The original sub-enclosures to Mr. Fairfield's letter are returned herewith.

The Under Secretary of State,  
Colonial Office.

I am, &c.  
(Signed) R. E. WELBY.

No. 49.

The MARQUESS OF RIPON to SIR H. B. LOCH.

SIR,

Downing Street, March 2, 1893.

I HAVE the honour to acknowledge the receipt of the Despatches\* noted in the margin, and to inform you that Her Majesty's Government will not refuse to accept the estimates of the expenditure of the Joint Government of Swaziland for the year 1892-93 (which accompanied your Despatch of 9th December 1892) as a guide to the sum which Parliament must be asked to provide towards making good the deficit.

This sum has been fixed, as in the case of the previous year, at 7,000*l.*

I enclose an extract from a letter† from the Treasury on the subject of the estimates of expenditure for the current year.

Sir H. B. Loch.

I have, &c.  
(Signed) RIPON.

Gen. Cameron,  
10 Oct. 1892.  
Gen. Cameron,  
18 Oct. 1892.  
Gen. Cameron,  
2 Nov. 1892.  
Gen. Cameron,  
28 Nov. 1892.  
Gen. Cameron,  
29 Nov. 1892.  
Sir H. Loch,  
9 Dec. 1892.  
Sir H. Loch,  
13 Dec. 1892.

\* Nos. 28, 30, 32, 34, 35, 40, and 42.

† No. 48.

No. 50.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received April 10, 1893.)

Government House, Cape Town,  
March 21, 1893.

MY LORD MARQUESS,

WITH reference to General Cameron's Despatch of 6th December last,\* I have the honour to transmit the enclosed copies of telegraphic correspondence with the British representative in Swaziland respecting Messrs. Wallerstein and Bremer's claim against the Government Committee for the refund of Customs duties paid under protest by that firm in 1891.

Your Lordship will observe that the Government Committee have offered, and Messrs. Wallerstein and Bremer have accepted, the sum of 500*l.* as a compromise of their claim for 937*l.* I consider that, after the decision in the Schwab case, referred to in General Cameron's Despatch above quoted, there would have been no chance of successfully contesting in court Messrs. Wallerstein and Bremer's claim, and the payment now in question, which, as will be observed, will not involve a supplementary grant-in-aid, may therefore be considered as a satisfactory settlement of a very unsatisfactory matter.

I have, &amp;c.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 1 in No. 50.

From Mr. LAGDEN, British Representative, Bremersdorp, to His Excellency  
the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

16th.—I am informed by Government Secretary that Wallerstein and Bremer have taken legal action to recover sum of 792*l.* for Customs dues paid under protest in 1891; this claim turns on that referred to in my Despatch of the 18th November, and the matter has been the subject of despatches prior to my arrival. The liability has long been hanging over the Committee. I cannot see reasonable ground for fighting the claim and incurring charges in addition.

Does your Excellency concur?

Enclosure 2 in No. 50.

From HIGH COMMISSIONER, Cape Town, to His Honour G. Y. LAGDEN, Bremersdorp.

TELEGRAM.

16th December 1862.—Yours of to-day *re* Customs. You had better act on the advice of the Attorney-General. You should also invite your colleagues to draft a Customs law and forward it for the consideration of the two Governments.

Enclosure 3 in No. 50.

From HIGH COMMISSIONER, Cape Town, to Colonel MARTIN, Bremersdorp.

TELEGRAM.

17th March.—The following telegram has been received from Government Secretary. *Begins* :—As the Government Committee have been threatened by Messrs. Wallerstein and Bremer of this place with an action for the recovery of 937*l.* odd capital and interest, being different amounts paid by them from time to time under protest for Custom dues, the said Committee, after having consulted the Attorney-General, and being aware that the Concession of Wallerstein and Bremer for the importation in this country of all goods free of duty was confirmed on the 4th December by the Concession Court, resolved to

\* No. 37.

offer the said Wallerstein and Bremer the sum of 500*l.* as a compromise, which offer they have accepted. Thereupon I was instructed to apply to his Excellency the High Commissioner for a supplementary vote of 250*l.* on this year's estimates with request to wire the money as soon as convenient to the Standard Bank, Barberton, so that the amount reach there before the end of this month. *Ends*:—Have you agreed to the proposed payment to Wallerstein and Bremer? If so, cannot the amount be met out of balances in hand? The whole 7,000*l.* grant-in-aid authorised by Her Majesty's Government has been paid over, and I cannot pay any further sum this year without obtaining the sanction of Her Majesty's Government which I am prepared to do by cable if absolutely necessary. Please reply at once.

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Enclosure 4 in No. 50.

From Colonel MARTIN, Bremersdorp, to his Excellency the HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

18th March.—Your Excellency's telegram *re* Wallerstein and Bremer received. I agreed to proposed payment, and have seen Government Secretary, who says he will arrange payment without further advance.

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Enclosure 5 in No. 50.

From Colonel MARTIN, Bremersdorp, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

18th.—Wallerstein and Bremer claimed 937*l.*, which includes Customs paid under protest to the provisional government Committee and interest thereon. After the decision in Schwab's case and consulting the Attorney-General we came to the conclusion that we could only refuse payment made to Provisional Government Committee; we therefore agreed to offer 500*l.*, compromise, which offer they accepted.

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No. 51.

The UMBANDINE SWAZILAND CONCESSIONS SYNDICATE to  
COLONIAL OFFICE.

(Answered by No. 54.)

8, Finch Lane, London, E.C.,  
April 11, 1893.

MY LORD MARQUESS,

I BEG respectfully to be allowed the privilege of addressing your Lordship in continuation of the communication which the Acting Chairman of this Company had the honour to address to your Lordship on the 12th of December last.\* I have just returned to England from a visit to the Transvaal Republic, and can most emphatically confirm all that was stated to your Lordship by Mr. Geo. H. Raw. While in South Africa, I made very careful and full inquiry as to the position in which this Company would be placed by any agreement under which the Transvaal Government would be permitted to assume control of the affairs of Swaziland as an integral part of their own country. Such inquiry on my part prompts me most respectfully but firmly to urge upon your Lordship that, in the event of it being decided that the Transvaal shall in future govern Swaziland, the very greatest caution should be exercised in the drawing up of any agreement between the South African Republic and the British Government. I have the less diffidence in doing this, as I know that it is the desire of the Imperial Government to protect in every manner possible British interests in that

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\* No. 33.

country. There are many concessions granted by the Swazi king, and confirmed by the Court appointed for that purpose, which render the government of Swaziland impossible under the laws at present in existence in the Transvaal. Many of these laws would entirely deprive Concessionaires of the rights which were solemnly granted by the king and nation [natives?] of the country. Apart from this it would be a very simple matter for the Transvaal Government, having acquired the power to make laws for the good government of Swaziland, to pass such measures as would entirely emasculate the rights held under the orders of the court appointed by the British and Transvaal Governments. May I take the liberty of mentioning to your Lordship a few concessions which would at once conflict with the laws in existence in the Transvaal territory, some of them belonging to this syndicate? The concessions for the monopoly of customs, the monopoly of minerals, the monopoly of banking, monopoly of railways, monopoly of post offices and telegraphs, monopoly for printing, monopoly for the manufacture of liquors, importation of liquors free of duty, the sole right for importation of iron, are among the concessions granted by the Swazi King, and are a few of the monopolies which convey the powers required by any single country taking over the sole control of the land. In the interests of my shareholders, and of other British subjects I would respectfully impress upon your Lordship the necessity, in case of Swaziland being handed over to the Transvaal Government, of having such stringent clauses inserted in any agreement between this country and the South African Republic as will render it impossible for the Transvaal Government, by passing vexatious laws or placing the country under their own laws, to slowly reduce to a vanishing point the value of existing concessions. This syndicate has spent a considerable sum of money in protecting and vitalising its rights, and it is at this moment making new arrangements for a development of these on a very large scale. Without some absolute guarantee of protection of their interests my Company would, my Lord, view with considerable concern the step of allowing the Transvaal Government to annex Swaziland as a result of the Conference to be held on the 18th instant at Colesberg. May I humbly say, in conclusion, that if there is any information which I am able to give your Lordship, and your Lordship should so desire it, I should have pleasure in waiting upon your Lordship at any place and time you may appoint, and our general manager in Johannesburg, who is well acquainted with the whole of these concessions and their bearing in regard to the possible annexation by the Transvaal Government of Swaziland, could also be instructed, if required, to wait upon your Lordship's representatives at Colesberg.

The Most Hon.  
The Marquess of Ripon, K.G., P.C., G.C.S.I.,  
&c.                      &c.                      &c.

I have, &c.  
(Signed) D. W. BELL,  
Chairman.

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No. 52.

THE GLASGOW CHAMBER OF COMMERCE to COLONIAL OFFICE.

[Answered by No. 55.]

To the Most Hon. The Marquess of Ripon, K.G., &c., &c., &c.

The MEMORIAL of the CHAMBER of COMMERCE and MANUFACTURERS in the CITY of GLASGOW, incorporated by Royal Charter in 1783, ratified and confirmed in 1860.

RESPECTFULLY SHEWETH,

THAT this Chamber, embracing numerous members, interested in British trade and commerce with Africa, begs leave respectfully to express to Her Majesty's Government, through the Colonial Office, the anxiety felt respecting the future policy and action of Great Britain in connexion with the affairs of Swaziland.

The Chamber is so far conversant with the negotiations between accredited Representatives of this country, and the Swazis, as to be satisfied that, relying thereon, a large amount of British capital has been invested, and numerous subjects of Great Britain have purchased lands, or acquired concessions, in the Swazi territory.

In April 1889, this Chamber drew the attention of Her Majesty's Foreign Office, "to the great and growing importance of British trade and commerce in South Africa, and notably in Swaziland, and to the urgent necessity of adopting measures for the protection of the interests of British subjects in these territories, from unjust and unfair interference."

In reply, the Chamber was advised by Her Majesty's Foreign Office, that the matter was then engaging the attention of Her Majesty's Government.

The Chamber is credibly informed that it is the desire of the Native Chiefs and inhabitants of Swaziland to remain under the protectorate of this country, and the Chamber is led to understand that, under this protection, civilizing influences have been greatly developed.

The Chamber considers that any disregard of promises or assurances given by accredited agents, of support or protection to the Swazis, or even the indication of a wavering in the avowed policy, in that respect, of Her Majesty's Government, would derogate from the prestige of Great Britain among nations and people at present sensible of its power and influence in African affairs, and would prove prejudicial to the commercial interests of this country, and to civilization generally.

The Chamber believes that it would be for the material interest of this country, and of Swaziland, that the British Protectorate over it should be continued.

Your Memorialists accordingly respectfully urge upon Her Majesty's Government the necessity of giving early and earnest consideration to the advancement of such a policy and course of action as may secure the continuance of friendly communications presently existing with African nationalities, and in this way not only assist the trade and commerce of Great Britain, but also tend to develop the resources of the territories in question, and to further generally the interests of civilization.

And your Memorialists will ever pray, &c.

Signed in name, on behalf, and by authority, of the Directors of the Chamber of Commerce of Glasgow, this 18th day of April 1893.

(Signed) DAVID BANNERMAN,  
President.

No. 53.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received April 24, 1893.)

Government House, Cape Town,  
April 4, 1893.

MY LORD MARQUESS,

WITH reference to your Lordship's despatch of 31st January last,\* I have the honour to transmit a copy of a despatch from Colonel Martin, in which he recounts the various efforts made to induce his colleagues in the Government Committee of Swaziland to co-operate with him in endeavouring to increase the revenue, and to otherwise improve the financial situation in that country.

Your Lordship is aware that I have had great difficulty in coming to an understanding with the President of the South African Republic in regard to the Swaziland Estimates for both the years 1891-2 and 1892-3, those for the latter year having been under President Krüger's consideration from May to December last, during which period I caused several reminders to be sent to him.

As regards the measures to be taken for increasing the revenue, the only direct communication which I have made to the President will be found in the enclosed copy of a despatch which I sent to him on 20th January 1892, to which I have, as yet, received no reply.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

Enclosure 1 in No. 53.

The BRITISH COMMISSIONER, Swaziland, to his Excellency the HIGH  
COMMISSIONER, Cape Town.

The British Residency, Swaziland,  
March 20, 1893.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's despatch, dated 3rd March, enclosing one from the Secretary of State, of the 31st January,

\* No. 46.

directing me to prepare a full and categorical statement of the various attempts which I have made to induce my colleagues to co-operate with me, with a view to placing the revenue system of Swaziland on a satisfactory basis :—

In accordance with your Excellency's request, I beg to state that, on receipt of your Excellency's despatch, dated 20th June 1891, I invited my Transvaal colleague to confer with me as to the best way in which the Swaziland revenue might be increased, and the expenditure reduced.

On the 28th July, I informed your Excellency, by telegram, that though Mr. Esselen affirmed that he had telegraphed to the State Secretary on the 23rd July, embodying my suggestion that we should consult together on the subject of the revenue and expenditure, up to that date, he informed me, he had received no instructions.

On the 10th September, notwithstanding the fact that I had on several occasions expressed my earnest desire to consider the question with him, Mr. Esselen still pleaded inability to consult with me, owing to lack of instructions from the State Secretary, and as he did not know what concessions were held by the Transvaal Government in the country, and consequently was unaware how any scheme for increasing the venue might affect them.

On the 12th November I informed your Excellency, by telegram, that my Transvaal colleague had received instructions to consult with me, with a view to increasing the revenue; and, as I stated in my despatch of 3rd December 1891, at an interview on the previous day, Mr. Esselen gave me to understand that, though he was authorised to consider with me the revenue question, he was not in a position to make any proposals himself.

It was thus evident to me that I could look but for little assistance from him in carrying out your Excellency's instructions.

Under these circumstances, in order to avoid delay, I proposed to my colleagues that I should, in conjunction with the Government Treasurer, prepare alternative schemes for the increase of the revenue, which should first be discussed in committee, and then forwarded to the two Governments.

To this proposal my colleagues agreed.

On the 12th December I received a semi-official letter from the Chairman of the Government Committee and Resident Adviser, a copy of which I forwarded to your Excellency under cover of my despatch of 17th December 1891, in which he questioned the right of the Government Committee to increase the revenue, but said that when he had the schemes before him he would be able to go more fully into the matter.

On December 15th I laid my schemes before the Committee, when both my colleagues said they were unable to consider any plan for increasing the revenue until certain points affecting the power of the Committee to do so, had been decided by the High Commissioner and the State President.

It afterwards came to my information that Mr. Shepstone had, with the knowledge of Mr. Esselen, but without intimating his intention to me, signed a notice on the 14th December, with a view to increasing the King's private revenue.

A copy of the notice referred to was transmitted to your Excellency under cover of my despatch of 17th December 1891.

I beg to state that at no time since the formation of this Government, have I received any assistance from my colleagues in my endeavours to improve the financial position of this Government.

The consideration of the Customs Law, which some time ago was drafted by the Attorney-General, has been from time to time postponed pending the decision of the High Court regarding certain concessions affecting the revenue.

I have, &c.

His Excellency the High Commissioner, (Signed) R. E. R. MARTIN, Colonel,  
Cape Town. British Commissioner.

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Enclosure 2 in No. 53.

From his Excellency the HIGH COMMISSIONER, Cape Town, to his Honour the  
STATE PRESIDENT, South African Republic.

Government House, Cape Town,  
January 20, 1892.

SIR,

I HAVE the honour to acquaint your Honour that I have been considering the best means for increasing the Swaziland revenue.

To continue the collection of a customs revenue when an exemption concession is held by Messrs. Wallerstein and Bremer would be, in my opinion, unjust in principle to the public and to the other traders in the country.

I therefore propose to your Honour's Government the abolition of the customs dues and the substitution of another form of revenue.

After consultation with Colonel Martin, and under all the circumstances of the case, I recommend that a charge or per-centage be levied on sales based somewhat on the lines of law No. 6 of 1882 of the South African Republic.

The scale of charges would have to be higher than those imposed by this law, but the charge would be less burdensome to storekeepers than customs duties, as the payment of customs is necessarily made in advance, and before the money realised by the sale of the goods has been received.

The proposed law would also contain provision for the payment by persons other than traders of the same *ad valorem* per-centage upon their receipt of imported goods brought into the country for consumption and use, and not for purposes of trade. This provision would be necessary for the protection of traders.

His Honour the State President,  
South African Republic.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

No. 54.

COLONIAL OFFICE to the UMBANDINE SWAZILAND CONCESSIONS SYNDICATE.

[*Not answered.*]

SIR,

Downing Street, April 26, 1893.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of the 11th instant,\* having reference to the interests of your syndicate in Swaziland.

I am to refer you to the letter from this Department of the 31st of December last,† and to state that in view of the very full information contained in your letter to this Department of the 12th of that month,‡ as to the claims of your syndicate, as to the merits of which, however, Lord Ripon does not desire to express an opinion, it seems to his Lordship unnecessary to require you to make any further personal explanation. It would, however, be of advantage if you would state in writing how much capital your syndicate has actually raised in cash, how much (as far as your directors know) it has actually expended up to date in relation to the concessions which it claims to hold, and whether the payments to the Swazi nation reserved in the various concessions have been regularly paid up to date, in order that these and other particulars may be communicated to Sir Henry Loch for his information and consideration.

I am, &c.  
(Signed) EDWARD FAIRFIELD.  
The Chairman of the Umbandine Swaziland Concessions Syndicate, Ltd.  
&c. &c. &c.

No. 55.

COLONIAL OFFICE to THE GLASGOW CHAMBER OF COMMERCE.

SIR,

Downing Street, April 28, 1893.

I AM directed by the Marquess of Ripon to inform you that he is in receipt of the Memorial of the Glasgow Chamber of Commerce of the 18th instant § relating to Swaziland, to which he will give his best attention.

2. Without going into the different points raised in the Memorial, or necessarily admitting their correctness, Lord Ripon desires to assure the Chamber of Commerce,

\* No. 51.

† No. 39.

‡ No. 33.

§ No. 52.

that in any arrangements that may be come to in reference to the future of Swaziland, legitimate British interests will be carefully considered and protected.

3. He wishes to point out, however, that it is incorrect to assert, as is asserted in the Memorial, that there is a "British Protectorate" over Swaziland. On this point Lord Ripon desires to call your attention to the answer given by Baron Henry de Worms to Mr. Baumann, in the House of Commons, on the 7th of August 1890, in which he negatived the existence of even a joint protectorate in that country, and declared that Her Majesty had no jurisdiction there under the Foreign Jurisdiction Acts, as well as the statement made by the late Mr. W. H. Smith, then First Lord of the Treasury, in the same place, on the 17th of March 1890, that it would be a breach of the London Convention of 1884 for Her Majesty to declare a protectorate over Swaziland without the consent of the South African Republic.

I am, &c.  
(Signed) EDWARD FAIRFIELD.

The President of the Chamber of Commerce,  
Glasgow.

No. 56.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received June 17, 1893.)

MY LORD MARQUESS,

Government House, Cape Town,  
May 29, 1893.

I HAVE the honour to transmit, for your Lordship's information, the enclosed copy of a letter from the Government Secretary of Swaziland, covering the reports of the various officials on affairs in the territory for the year to 31st March 1893.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure in No. 56.

FROM THE GOVERNMENT SECRETARY, Bremersdorp, to the HON. THE IMPERIAL  
SECRETARY, Cape Town.

SIR,

Government Office, Bremersdorp, Swaziland,  
April 12 (May ?) 1893.

IN accordance with Article 2 of the Convention, I have the honour to forward you the following reports of the various Head Officials and others, for the information of His Excellency the High Commissioner, from which the whole state of affairs both as regards the administration of the various Departments and also as regards this territory will appear, viz. :—

Government Treasurer.  
Attorney-General.  
Orphan Master.\*  
Commandant of Police.\*  
Landdrost.\*  
Registrar and Master of the High Court.\*  
Collector of Customs.\*  
Sheriff and Messenger.\*  
Justice of the Peace, Mahamba.\*  
Justice of the Peace, Lebombo.\*  
Idem Pigg's Peak.\*  
Idem Forbes Reef.\*  
And Medical Officer.\*

\* Not printed.

I have further the honour to report that, as far as I am aware, everything was quiet and peaceful during the past service year.

The country was, however, unfortunately visited by the so much dreaded disease the small-pox, which disease demanded many victims, especially among the natives. There was only one case of a white person, viz., that of the late Rev. Mr. Hales.

The country was then put under quarantine by the Government of the South African Republic on the 6th July 1892 for natives, and on the 28th July 1892 also for white inhabitants.

It was raised first for a part of Swaziland, viz., along the borders of Barberton and Ermelo on the 7th November 1892, and later, on the 18th January 1893, for the border of Piet Retief as well. During all that time there was thus no communication with the outside world.

It gives me pleasure, however, to be able to state at present that not the slightest shadow of the sickness has remained in the country.

Now, however, malarial fever prevails badly through the whole country, worse than we have experienced in the last the three years.

The Kafirs say that it is fully 20 years since the fever was so bad. The number of deaths among the Kafirs is great. At Bremersdorp old and young have suffered from it. The place was like a big hospital. Thus far, however, only the death of one boy, called William Duprat, was to be regretted.

Fortunately we had the district surgeon here, who did his work with the most untiring energy and consequently rendered good service.

If we did not have him here, the consequences would have been fatal in many a case. It is hoped, however, that the sickness will abate towards the end of the month. This is to be desired, since people who have had the sickness get a relapse every time.

As regards the other matters relating to the country, as for instance the harvest of mealies and other products, that is expected to be very good this year, notwithstanding the destructive rains that we had, by which all the rivers overflowed their banks and thus totally washed away several mealie-gardens.

We had very late rains, in consequence of which the young grass already makes its appearance, and we are looking forward to a good winter for the cattle.

Something which requires the special attention of the two Governments is the state of the roads. They are in a pitiful state through the heavy and continuous rains, so that hardly any trade communication can take place.

The white population of Swaziland has not increased at all; on the contrary, I should say it has decreased now that the mines are shut down.

I have, &c.  
(Signed) JOH. Z. DE VILLIERS,  
Government Secretary.

The Hon. the Imperial Secretary,  
Cape Town.

Treasurer's Office, Bremersdorp, Swaziland,  
April 14, 1893.

SIR,

I HAVE the honour to report, for your information, that the revenue and expenditure for last service year was as follows:—

	£	s.	d.
Revenue - - - - -	2,166	13	2
Expenditure - - - - -	16,661	8	4

The revenue has decreased considerably, and this is in a great measure attributable to the collection of import duties. The free import and transit of goods granted to Wallerstein and Bremer and Schwabbe has broken that source of revenue entirely.

The rest of the revenue as it is at present means nothing, unless a total revision takes place and most of the heads be increased from 200 to 500 per cent.

To increase the revenue it will moreover be absolutely necessary to create other taxes.

My estimates of revenue and expenditure for the new service year with the remarks which you should consider as part of this report, will, I consider, fully elucidate the state of affairs.



7th. Criminal procedure for Swaziland. Most of these laws are still under consideration of the higher authorities.

*Department.*

Mr. D. S. Botha was added to the Department as clerk.

Bremersdorp, March 31, 1893.

(Signed) DR. J. ESSER,  
Attorney General.

No. 57.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received August 21, 1893.)

Government House, Cape Town,  
July 31, 1893.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, a copy of a despatch which I have received from Colonel Martin, covering a list of the Swaziland concessions, showing the amount originally paid, and the amount paid by the present holders.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.  
The Most Hon. the Marquess of Ripon, K.G.,  
&c. &c. &c.

Enclosure in No. 57.

His Honour the BRITISH COMMISSIONER, SWAZILAND, to His Excellency the HIGH COMMISSIONER, Cape Town.

The British Residency, Swaziland,  
July 23, 1893.

SIR,

WITH reference to your Excellency's Despatch of 27th May, I have the honour to forward copy of a letter received from Mr. Shepstone, together with a list of amounts paid by original grantees and by present holders for concessions.

In reply to a communication received from Mr. Shepstone, I informed him that I did not think that your Excellency required a return of prices paid for grazing and farming rights.

I have, &c.

(Signed) R. E. R. MARTIN, Colonel,  
British Commissioner.  
His Excellency the High Commissioner,  
Cape Town.

Mr. SHEPSTONE to Colonel MARTIN.

Offices of the Swazi Nation, Embekelweni,  
July 20, 1893.

SIR,

IN compliance with the invitation of his Excellency the High Commissioner contained in your Honour's Letter, of the 20th ultimo, I have the honour to enclose herewith a list of amounts paid by original grantees and by present holders for concessions.

Many of the amounts were paid before my arrival in Swaziland, and during the period that Mr. Miller acted as secretary to the late King, and in some cases I have had to avail myself of extra-official information in compiling the list.

I have, &c.

(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent, Swazi Nation.  
His Honour the British Commissioner,  
Swaziland.

Original Grantee.	Date of Grant.	Amount paid to the King.	Present Holder or Holders.	Amount paid by present Holders.	Nature of Concession.
McLachlan and Carter	{ 7 May 1882 8 Aug. 1886	{ 3,000	{ Pigg's Peak Company - Crystal Creek (La Caisse des Mines) Paris.	{ - -	Mineral.
James Forbes	20 June 1885	3,000	Forbes Reef Company	-	"
Forbes, Swears, and others	-	-	Forbes, Swears, and others	-	"
Wylde, Kidson, and Simpkins	15 Sept. 1886	-	Wylde'sdale G. Exploration Company.	15,000	"
Purcocks and Bogie	15 Oct. 1886	-	Various persons	350	"
R. F. Rylands	25 Oct. 1886	-	-	-	"
Wylde, Truter, and Company	20 Nov. 1886	-	Wylde, Truter, and Company	-	"
C. B. Acton	20 Nov. 1886	-	Acton's Swaziland Concession Company, Limited.	5,000	"
J. G. & G. Ferreira	20 Nov. 1886	-	J. G. and G. Ferreira	-	"
A. J. Shepstone	10 Dec. 1886	-	Toweli Company Limited	3,000	"
J. G. Pullen	11 Dec. 1886	250	Pullen's Syndicate	1,000	"
Scott and McLachlan	17 Dec. 1886	4,000	The Horo Exploration Company.	-	"
T. B. Rathbone	17 Dec. 1886	150	Havelock G. M. Company	1,000	"
G. Maber	17 Dec. 1886	Nil	Umtimleni Syndicate	5,000	"
Handford and Peachy	9 Feb. 1887	-	Handford and Peachy	-	"
G. Kannemeyer	9 Feb. 1887	50	Various persons	200	"
Albre and Davis	11 Feb. 1887	200	Swaziland (African) Gold Estates, Limited.	5,000	"
D. Purcocks	17 Feb. 1887	150	D. Purcocks	-	"
J. Gama	17 Feb. 1887	30	J. Gama	-	"
Martyn, Raucher, and others	17 Feb. 1887	200	Various persons	500	"
Meek, Vos, and Company	19 Feb. 1887	120	Meek, Vos, and Company	Nil	"
R. McNab	19 Feb. 1887	Nil	Umbandeni Syndicate	100	"
D. Forbes, junior	19 Feb. 1887	180	D. Forbes, junior	-	"
J. Schruer	20 Feb. 1887	46	New Gelderland Syndicate	1,750	"
A. Meikle	21 Feb. 1887	-	Mines Company, Limited	10,000	"
G. E. Hales	21 Feb. 1887	50	Hales Syndicate	500	"
Henderson and Shepstone	10 Dec. 1886	500	Syndicate	7,000	"
Stephen Mini	21 Feb. 1887	50	Stephen Mini	-	"
A. H. Neumann	23 Feb. 1887	90	A. H. Neumann	-	"
A. Murray	24 Feb. 1887	50	E. King	500	"
J. H. Fells	24 Feb. 1887	50	Various persons	100	"
E. L. Stretch	28 March 1887	50	Stretch's Syndicate	Unknown	"
E. King	29 March 1887	50	H. Eckstein	1,000	"
W. Bird	30 March 1887	50	Bird's Swaziland Concessions, Limited.	500	"
T. B. Rathbone and W. Shepstone.	31 March 1887	-	Swaziland Explosives and Dynamite Company, Limited.	5,000	Dynamite.
C. B. McCreedy	1 April 1887	50	Various persons	500	Mineral.
E. C. du Pont	2 April 1887	50	du Pont and others	200	"
du Pont, Erskine, and others	6 April 1887	50	du Pont, Erskine, and Company.	-	"
James Forbes, junior	24 April 1887	50	H. Eckstein	1,200	"
Forbes and Henderson	28 April 1887	-	Forbes and Henderson G. M. Company.	20,000	"
C. du Preez	30 April 1887	50	Andrew Ewing	100	"
Davis and Morris	30 April 1887	100	Umbelooi Exploration Company, Limited.	1,500	"
J. Colenbrander	18 May 1887	Nil	F. Adcock	Unknown	"
Monk, Mason, and Rule	21 May 1887	50	Various persons	1,000	"
C. Westbeach	21 May 1887	50	Various persons	200	"
J. Thorburn	25 May 1887	50	H. Heller	775	"
H. H. Smith	8 June 1887	50	Various persons	100	"
J. Orton	8 June 1887	30	Various persons	Unknown	"
Laas and Michaelson	30 June 1887	-	Laas and Michaelson	-	"
Smit and others	22 July 1887	25	South African Republic	12,000	Railway.
C. B. Kestell	— July 1887	-	Usutu Concession Company, Limited.	190	Timber.
Maber and Bennett	11 Feb. 1888	100	Various persons	500	Liquor manufacture.
J. H. Wilde	14 March 1888	20	Various persons	Nil	Firearms.
Forbes' Reef Company	19 April 1888	25	Forbes' Reef Company	-	Canteen right.
E. R. Renny Tailyour	7 May 1888	Nil	Various persons	1,000	Cement manufacture.
R. McNab and A. Meikle	5 July 1888	10	R. McNab and A. Meikle	-	Woollen manufacture.
Rathbone and Adamson	28 July 1888	-	Rathbone and Adamson	-	Trading.
F. W. Forbes	15 Aug. 1888	-	South African Republic and others.	7,000	Electricity.
John Thorburn	20 Aug. 1888	-	South African Republic	2,000	Surveying.
John Johnson	24 Aug. 1888	-	Various persons	Nil	Importation tobacco.
John Thorburn	29 Aug. 1888	-	Umbandeni Syndicate	Shares	Banking.
A. Ewing	8 Sept. 1888	-	Harington and Cohen	2,500	Milling.
W. H. Davis	8 Sept. 1888	-	Various persons	132	Iron manufactory.
Henderson and Darke	10 Sept. 1888	-	Henderson and Darke	-	Trading.
Maber and Freeman	17 Oct. 1888	-	Various persons	Nil	"
J. R. Harington	29 Oct. 1888	-	South African Republic	12,000	Postal.
H. L. Dacomb	14 Nov. 1888	-	South African Republic	4,000	Inland Navigation.
H. L. Dacomb	14 Nov. 1888	-	H. L. Dacomb	-	Ponts and bridges.
Max Stone	30 Nov. 1888	-	J. Weich	500	Trading.
J. E. Player	4 Dec. 1888	-	Umbandeni Syndicate	Shares	Pounds.
John Thorburn	14 Dec. 1888	-	Umbandeni Syndicate	Shares	Importation of liquor.
John Thorburn	22 Dec. 1888	-	Umbandeni Syndicate	Shares	Unallotted minerals, &c.
Catherine Parr	26 Dec. 1888	-	South African Republic	2,000	Refreshment bars.
Jonah Duncan	8 Jan. 1889	-	A. Amoretti	50	Mechanical engineering.
George Maber	20 Jan. 1889	-	Umbandeni Syndicate	Shares	Printing.

Original Grantee.	Date of Grant.	Amount paid to the King.	Present Holder or Holders.	Amount paid by present Holders.	Nature of Concession.
E. Lissack - - -	2 Feb. 1889	£ 20	Various persons - - -	£ 1,000	Auctioneering.
E. Lissack - - -	2 Feb. 1889	10	Various persons - - -	Nil	Photography.
Prosser and Gordon - - -	18 Feb. 1889	—	Attached under writ of execution.	—	Silver Extraction.
M. Wells - - -	18 Feb. 1889	—	M. Wells - - -	—	Chlorination.
J. R. Harington - - -	19 Feb. 1889	—	South African Republic - - -	50,000	Licenses.
F. Eckersley - - -	21 Feb. 1889	10	Various persons - - -	300	Sulphur Springs.
Stewart and Middleton - - -	22 Feb. 1889	—	Stewart and Middleton - - -	—	Grand stands, &c.
C. Gordon - - -	28 Feb. 1889	Nil	Attached under writ of execution.	—	Electro chemical gold and silver extraction.
R. McNab - - -	6 March 1889	10	Various persons - - -	Nil	Tanneries.
M. Wells - - -	12 March 1889	10	Various persons - - -	150	Insurance.
S. H. Simpkins - - -	3 April 1889	Nil	Various persons - - -	Nil	Canteen grant.
J. R. Harington - - -	20 April 1889	10	J. R. Harington - - -	—	Diamond drills.
N. H. Cohen - - -	20 April 1889	—	Various persons - - -	Shares	Importation tobacco.
N. H. Cohen - - -	22 April 1889	—	South African Republic - - -	3,000	Customs.
R. M. Campbell - - -	26 April 1889	20	R. M. Campbell - - -	—	Steam.
M. F. Thorburn - - -	1 May 1889	Nil	Umbandeni Syndicate - - -	Shares	Gas.
M. F. Thorburn - - -	1 May 1889	Nil	Umbandeni Syndicate - - -	Shares	Advertising, &c.
H. G. Darke - - -	13 May 1889	—	H. G. Darke - - -	—	Sanitation.
H. G. Darke - - -	13 May 1889	—	H. G. Darke - - -	—	Sheep dipping.
C. Gordon - - -	18 May 1889	—	C. Gordon - - -	—	Mineral oils.
D. Forbes - - -	18 May 1889	—	D. Forbes - - -	—	Timber.
D. Forbes - - -	18 May 1889	—	D. Forbes - - -	—	"
C. H. Verrall - - -	28 May 1889	—	C. H. Verrall - - -	—	Pawnbroking.
J. C. Henwood - - -	3 June 1889	Nil	J. C. Henwood - - -	—	Trading.
G. T. Ferreira - - -	18 June 1889	—	P. M. Johnson - - -	75	Butcheries and bakeries.
R. McNab - - -	21 June 1889	Nil	Various persons - - -	Nil	Timber.
Jas. Fraser - - -	21 June 1888	Nil	Various persons - - -	100	Trading.
David Forbes - - -	26 June 1889	—	David Forbes - - -	—	Timber.
N. H. Cohen - - -	6 July 1889	—	Swazieland Monopoly Syndicate.	150	Importation machinery.
J. Thorburn and H. Town - - -	— July 1889	—	Umbandeni Syndicate - - -	Shares	Treatment of tailings.
N. H. Cohen - - -	6 July 1889	—	Swazieland Monopoly Syndicate.	150	Importation of cement.
J. R. Harington - - -	6 July 1889	—	South African Republic - - -	—	King's power of attorney.
J. A. Major - - -	6 July 1889	—	J. A. Major - - -	—	Trading.
J. R. Harington - - -	18 July 1889	—	Swazieland Monopoly Syndicate.	150	Central reduction mills.
T. Rathbone and G. Darke - - -	18 July 1889	10	T. Rathbone and G. Darke - - -	—	Wool washing.
E. N. Pullen - - -	24 July 1889	—	E. N. Pullen - - -	—	Trading.
F. Watkins and J. Thorburn - - -	26 July 1889	—	Umbandeni Syndicate - - -	Shares	Unallotted lands.
Ernest King - - -	27 July 1889	—	Ernest King - - -	—	Agency.
A. Ewing - - -	2 Oct. 1889	—	A. Ewing - - -	—	Timber.
G. Maber - - -	15 Feb. 1890	—	Various persons - - -	100	"

**PART II.—CORRESPONDENCE IMMEDIATELY RELATING  
TO THE CONFERENCE AND CONVENTION.**

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No. 58.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received July 12, 1890.)

TELEGRAPHIC.

EXTRACT.

12th July.—Following is substance of telegram sent me by Hofmeyr upon written statement handed over to him by Transvaal Executive Council:—

*Begins:* Transvaal Executive Council have many objections against both Memorandum and Convention. Glad to arrange matters amicably, if possible. Object to accepting Convention first, and that modifications should be considered afterwards. Cannot submit Convention with present conditions to Volksraad. Consider South African Republic has reason and right to expect Swaziland would be placed under their protection. Consider that course would be in the interests of the South African Republic and the whole of South Africa. Consider that Swaziland belongs to South African Republic historically and geographically. Also because subjects of South African Republic hold chief rights and interests in Swaziland.

Her Majesty's subjects and Swazis would be safe under South African Republican rule. They consider that Convention contains germs of difficulties. Consider that sovereignty of land required for railway and seaport as of small value, because of restrictions contained in Article No. VI. of Convention and No. 13 of Protocol. That absence of sovereignty of land through Swaziland makes possession of harbour to great extent illusory. Object also to treaties with Zambili and Umbegeza being subject to approval of Her Majesty's Government, and that [*sic*] this with a stipulation that gives even less unfettered action to South African Republic than Article No. IV. of London Convention of 1884. Cannot regard allowing Little Free State being annexed to South African Republic as being any concession. There are many other minor objections on which they do not enter. The Executive Council express desire for compromise, and will accept administration in Swaziland as proposed as a measure of transition, and to withdraw claim to territory to the north and to the north-west, provided Her Majesty withdraws to the east of the South African Republic, and gives them a free hand in the active unabridged sovereignty over piece of ground which would connect the existing territory of South African Republic with the sea. The Executive Council is further ready, when this sovereignty is obtained, to join Customs Union. *Ends.*

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No. 59.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received August 22, 1890.)

Government House, Cape Town,  
July 26, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Mr. Hofmeyr covering a copy of a communication which, in compliance with my request, he addressed to the Government of the South African Republic.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

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## Enclosure in No. 59.

Hon. J. H. HOFMEYR to HIGH COMMISSIONER, South Africa.

SIR,

Pretoria, July 18, 1890.

I HAVE the honour to enclose, for your Excellency's information, with reference to your telegrams of the 16th and 17th instant, a copy of a letter which I have addressed to the President of the South African Republic on the subject of the negotiations which have taken place since my arrival here.

I read and translated this letter word for word to his Honour, in the presence of the Executive Council and the State Attorney, and informed him that my instructions were to return to the Cape Colony if I did not receive a favourable reply by Saturday afternoon.

To his Excellency the High Commissioner,  
Cape Town.

I have, &c.,  
(Signed) J. H. HOFMEYR,  
Her Britannic Majesty's Special Agent.

Mr. HOFMEYR to President KRUGER.

Pretoria, South African Republic,  
July 17, 1890.

SIR,

WITH reference to the State Secretary's letter of the 11th instant, and the interviews with which I have been favoured by your Honour and the Executive Council in connexion with the Draft Convention between Her Majesty the Queen and the South African Republic, forwarded for ratification by the Volksraad under cover of his Excellency the High Commissioner's Despatch of the 29th May last, I have to inform your Honour that Her Majesty's Government, having considered the wishes of the Government of the South African Republic, and being anxious to give a further proof of their desire to promote friendly relations with the South African Republic, have authorised me to make the following communication:—

Firstly. Her Majesty's Government consent to an alteration of the preamble of above-mentioned Draft Convention so as to omit all reference to the Blignants Pont Memorandum.

Secondly. Her Majesty's Government cannot admit modifications in the terms and conditions of the said Convention and Memorandum other than the following:—

- A. Those necessary to meet the wishes of the South African Republic with regard to the omission of all references to Blignants Pont Memorandum.
- B Her Majesty's Government agree to the South African Republic acquiring rights of sovereignty over a strip of land for a line of railway, say a mile or two in breadth, running from either N'Yamos Hill along the Swaziland frontier or from a point south of that hill along the Pongolo River to a point where it would cut into the proposed line of railway from Kozi Bay north of the 27th degree of South latitude; provided that the provisions of article 6 of the Draft Convention and clauses 11, 12, and 13 of the Blignant's Pont Memorandum shall also apply to the strip of land in question and that Her Majesty's Government shall have the right of passing troops across the said strip at any place into Swaziland if necessary.

Thirdly. Her Majesty's Government will be prepared when the joint Government is established and concession claims are settled to consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible.

Fourthly. If a Convention with the above modifications is ratified, Her Majesty's Government will consent to the suppression of the previous draft.

Fifthly. Her Majesty's Government consent to the discussion of the Convention in the Volksraad of the South African Republic in secret session.

I have to draw your Honour's attention to the fact that the 15th clause of the Blignants Pont Memorandum is not intended to conflict with the 14th clause. If the then existing South African Customs Union into which the South African Republic enters under clause 14 levies duties on South African produce, then the South African Republic is, on entering into the Union, free to levy such duties, notwithstanding the provisions of clause 15 of the said Memorandum.

I have also to inform your Honour that Her Majesty's Government desire to arrange as to the publication of the Convention. They neither desire to anticipate nor to be anticipated in this respect. If your Honour will name a day for making the Convention, in either its original or modified form, known to the Volksraad in open Session, Her Majesty's Government will adopt the same day to make it known to Parliament. Should your Honour decline to bring it before the Volksraad, then Her Majesty's Government will exercise their own discretion as to the day when they will make the communication to Parliament.

In conclusion, I beg that your Honour will favour me at your earliest convenience with a reply to this letter as I am anxious to resume my Parliament duties, and I am authorised to return to the Cape Colony if I receive no favourable reply by Saturday afternoon.

To his Honour the State President, Pretoria,  
South African Republic.

I have, &c.  
(Signed) J. H. HOFMEYR,  
Her Britannic Majesty's Special Agent.

No. 60.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received September 22, 1890.)

MY LORD,

Government House, Cape Town,  
September 2, 1890.

I HAVE the honour to enclose, for your Lordship's information, a translation of a speech delivered at the prorogation of the Volksraad of the South African Republic by his Honour the State President.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.,  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure in No. 60.

His Honour the State President answered as follows:—Honourable Sir and Members of the Volksraad,—I can, in the name of my colleagues also, not otherwise than convey my gratitude for your support in the important matters which I have laid before you, and which were almost insurmountable, for the prosperity of the State. Thanks also for your patience in the most trying matters such as that of the Swaziland Convention, and you have seen that patience is the best way to obtain anything; and if you rely on the word and promise of Her Majesty the Queen of England, she will understand that this Council wish to co-operate to promote the prosperity and welfare of our country. I maintain that you will find that our reliance in her has not been in vain; I am sure that your words have not simply been "yes," "yes," but that the people will see that you have done your best here. I know that you will set the nation the example and urge them to trust in the Government. We hope and trust also that you will not be disappointed, and that you will find that the Government has worked for the well-being of the country together with the Free State and other States in South Africa. I have said. (Applause.)

NOTE.

Other correspondence respecting the Convention of 1890 will be found printed in Blue Books [C. 6200] and [C. 6217] of 1890.

No. 61.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received May 4, 1891.)

Extract.

TELEGRAPHIC.

May 4. [       \*] gave me in conversation to understand that he believed the danger of the trek† would disappear, provided that a final understanding could be arrived at with Her Majesty's Government *re* Swaziland. I did not give him any encouragement, but remarked what he had said to me was an admission that the Transvaal Government could stop the movement, and that, possessing this power, if it was not exercised, it made situation all the more serious.

I think that Krüger is doing his best, but has great difficulties to contend with. Her Majesty's Agent at Pretoria likewise considers Krüger doing all he can, but telegraphs general opinion trek will go on.

My opinion is that Joint Swaziland Government cannot be indefinitely successfully continued.

May I, either in conversation with [       \*] or otherwise as I may consider expedient, let Krüger understand that Her Majesty's Government will not refuse discussion sooner than time originally understood?

Early decision desirable.

No. 62.

LORD KNUTSFORD to SIR H. B. LOCH.

TELEGRAPHIC.

May 5, 1891.—If the trek is stopped Her Majesty's Government will not refuse discussion as to Swaziland sooner than the time originally understood, but Her Majesty's Government can pledge themselves no further than this.

No. 63.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received May 21, 1891.)

TELEGRAPHIC.

I think it advisable your Lordship should be in possession of full text of my private letter to President of the South African Republic, which he made public in Volksraad, and which may be made subject of remark. After reading of this letter Volksraad confirmed President's Proclamation of 25th April, and added further provision that any trekker would be liable to fine 500*l.* sterling, or one year's imprisonment with hard labour.

DEAR PRESIDENT KRÜGER,

I am sure you will share with me the desire that no proper effort should be omitted to avert, if possible, the danger which now threatens the continuance of friendly relations between Her Majesty's Government and that of the South African Republic, and I think the best hope that this result may be achieved lies in a frank interchange of views taking place between your Honour and myself. Your Honour has by your Proclamation fully admitted the obligations that your Honour's Government accepted by Article X. of the Convention of August last, and I may say Her Majesty's Government are no less mindful of the obligations they accepted under the same instrument and subsequently. Your Honour recently communicated to me by telegraph ‡ the substance of a Despatch which has apparently miscarried, the purport of which was to draw the attention of Her Majesty's Government to the consent that had been given on their behalf by Mr. Hofmeyr that, after the establishment of the joint Government and the

\* [The blanks represent the name of a gentleman of high public position in the South African Republic.]

† [Of Boers desiring to found a republic in Mashonaland.]

‡ See No. 64 and enclosures, pp. 122-124.

settlement of the Concession claims, Her Majesty's Government would be prepared to consider any matters relating to Swaziland that your Honour desired to discuss. To this Telegram I replied that it would be impossible for Her Majesty's Government to consider or discuss any subject relating to that country while large bodies of armed men were being openly organised in the Transvaal with a view of invading territory and establishing an independent Government in a country that was within the sphere of British influence. The information I receive with respect to the progress of the trek is conflicting, and I should be glad for some assurance from your Honour that the rumours that the treks are not abandoned are untrustworthy. The uncertainty which prevails has already caused Her Majesty's Government some anxiety and expense, as we have sent troops to Bechuanaland to relieve the Bechuanaland police in that country for service in the Bechuanaland Protectorate, and to be ready for otherwise meeting any attempt at invasion of British territory by the burghers of a country with which Her Majesty the Queen is at peace, and from whose action the Government of the South African Republic cannot sever their responsibility. I may further add that our confidence would not be restored, nor the responsibilities of the South African Republic end, by the mere declaration by the leaders of the treks, which have been originally organised for the object I have indicated, are now willing to occupy the same country in ostensibly a friendly instead of a hostile manner. I should regret, and I believe that your Honour would likewise regret, if anything occurred to prevent our meeting at no distant date in friendly conference, but your Honour must be aware that the present state of affairs may lead to still graver issues and more far-reaching results. I therefore invite your Honour in all earnestness to exert the full strength of the executive power you undoubtedly possess, before it is too late, to put a stop and a summary end to the imminent danger which now threatens.

Believe me, &c.  
(Signed) H. B. LOCH.

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No. 64.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 2, 1891.)

[*Answered by No. 65.*]

(*Further Despatch No. 69.*)

Extract.

Government House, Cape Town,  
May 9, 1891.

I HAVE the honour to enclose, for your Lordship's information, a copy of a correspondence which I have had with the Government of the South African Republic respecting a proposed reconsideration of the Swaziland question.

It is undeniable that the existing system of Government in Swaziland has many practical inconveniences, and can only be carried on if both the protecting Governments maintain a loyal forbearance from interior control and interior policy. On the other hand, this very forbearance gives to the local officers a wider discretion than is usually given by any Government to its officers, and might lead to abuse. Fortunately in Colonel Martin Her Majesty's Government possesses a thoroughly trustworthy officer, but even he has frequently experienced difficulties owing to the working of a dual control.

The necessarily temporary character of a system of dual control was clearly foreseen by Her Majesty's Government, for, on the 17th July 1890 Mr. Hofmeyr, who had been appointed as Her Majesty's Special Agent at Pretoria, acting under the authority of Her Majesty's Government, informed the Government of the South African Republic that "Her Majesty's Government will be prepared, when the Joint Government is established and concession claims are settled, to consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible."\*

The Joint Government has been established and the concession claims are settled. It is therefore perfectly competent to the Government of the South African Republic to ask for that reconsideration of the Swaziland question which has been promised to them.

In my reply to the State President I have expressed the desire of Her Majesty's Government to promote and strengthen friendly relations with the South African Republic, but I added that, "It is impossible that Her Majesty's Government can

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\* See Enclosure in No. 59.

“ consider or discuss the Swaziland question so long as a party of agitators are openly promoting and organising a hostile trek from the South African Republic into a country within the sphere of British interests.”

I believe there is no doubt that the Government of the South African Republic are loyally exerting themselves to discourage the threatened trek, and to fully carry out the engagements which they have entered into with Her Majesty's Government, and I trust the message which I have despatched to the State President may assist him in convincing his people of the serious injury to their interests caused by this mischievous agitation, and of the necessity for adopting such measures as must always be within the power of any Government that is not prepared to abrogate its executive authority, to stop its subjects from invading, with hostile intent, territory over which a friendly power exercises a controlling influence. At the same time I think it my duty to remind your Lordship that there is also an obligation resting on Her Majesty's Government if the Government of the South African Republic loyally exert themselves to fulfil their engagements.

It is, in my opinion, therefore desirable, provided the Government of the South African Republic succeed in their endeavours to stop the trek, that Her Majesty's Government should accept the proposal for a reconsideration of the whole Swaziland question.

I now recommend that I be authorised, after all danger of a trek is past, to inform President Krüger that Her Majesty's Government will be prepared to discuss the question raised by him at an early date.

Enclosure 1 in No. 64.

(Translation.)

TELEGRAM.

STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER, Cape Town.

5th May. On the 12th March last I addressed a letter to your Excellency *re* the future position of Swaziland; can your Excellency tell me when the Government may be favoured with a reply to that letter?

Enclosure 2 in No. 64.

TELEGRAM.

HIGH COMMISSIONER, Cape Town, to His Honour the STATE PRESIDENT, Pretoria.

5th May. Your Honour's telegram of to-day *re* Swaziland. I have not received the despatch to which you refer, and it cannot be traced in the records of this office. It is possible it may have been amongst the mail bags which I understand were lost in the flooded rivers.

Enclosure 3 in No. 64.

(Translation.)

TELEGRAM.

STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER, Cape Town.

6.5.91.—Thanks for your Excellency's telegram of the 5th instant. Because the matter will have to be submitted to the Volksraad, and the Government would be glad to have an early reply to the letter which, I was of opinion, had already reached your Excellency, I cause the contents thereof to follow. Begins:—I have the honour, in the name of this Government, to communicate the following for the consideration of Her Majesty's Government. In the course of the negotiations respecting the Swaziland Convention, I informed the Hon. J. H. Hofmeyr, under date 11th July 1890, that the Convention then proposed could not be accepted, *inter alia*, because neither was there agreed in it for the present, nor was prospect given for the future, that Swaziland would come under the protection of the Republic, notwithstanding that this would be in the interest, not only of the South African Republic, but of the whole of South Africa, and notwithstanding that all reasons of right, equity, and expedience argued for it. In his reply, dated 17th July 1890, Mr. Hofmeyr wrote that he was authorised by Her Majesty's Government to make the following communication:—“ Her Majesty's Government will

“ be prepared, when the Joint Government in Swaziland has been established, and the  
 “ concession claims have been settled, to consider such questions as the Government of  
 “ the South African Republic may bring before it, with a desire to meet the wishes of  
 “ the South African Republic as far as possible ” ; whilst Mr. Hofmeyr, in his letter  
 dated 16th July 1890, referring back to this promise, gave the assurance, that although  
 that promise was not included in the Convention, the Government had that promise in  
 writing, and could be accepted as sufficient guarantee that the obligations would be  
 acknowledged by Her Majesty’s Government. Taking this promise into consideration,  
 and relying upon it, the Volksraad attached its ratification to the Convention as a  
 measure of transition. It is now the duty of this Government to refer to this promise of  
 Her Majesty’s Government. Indeed for so far as is possible, the joint Government in  
 Swaziland has now been established. The concession claims also have been dealt with  
 according to the report sent to your Excellency by my letter dated 24th February last.  
 Nothing more, therefore, stands in the way to finally settle Swaziland matters well and  
 decidedly. With regard to the rights of this Republic respecting Swaziland, I had, *inter*  
*alia*, already under date 11th July 1890, the honour to write Mr. Hofmeyr the follow-  
 ing:--“ Historically Swaziland belongs under the protection of the Republic, which  
 “ protection only ceased to exist by Conventions forced upon the Republic. It is a fact  
 “ generally known that the Swazis have to thank their existence as a nation to the South  
 “ African Republic, which has preserved them from extermination by external and  
 “ internal wars and quarrels, and that their Kings successfully owe their position to the  
 “ Republic which has crowned them as such. This historical argument is supported by  
 “ the geographical one that Swaziland is almost entirely enclosed by the territory of  
 “ the Republic. Further the Government of the Republic, as well as its subjects, have  
 “ in their hands the most important rights and interests in Swaziland, whilst the rights  
 “ and interests of Her Majesty’s and other subjects would enjoy the same protection  
 “ under the Government, of the Republic as under any other Government, whilst also the  
 “ treatment of natives in the Republic and the eagerness and preference with which  
 “ natives in consequence of this treatment still constantly settle themselves in the  
 “ Republic, afford sufficient guarantees for the certainty that the Swazies also will be  
 “ protected in their rights by the Republic and civilization and humanity promoted  
 “ amongst them.”

The course of events and of the before-going negotiations and discussions have all led  
 up to cause not only the Government of this Republic, but the whole of South Africa, to  
 expect a solution of this Swaziland question favourable to the Republic. The Govern-  
 ment over Swaziland such as is now in force as a measure of transition urgently requires  
 alteration by the addition of Swaziland to the Republic. The present joint Government is  
 too expensive and too incompatible, and gives no satisfaction. Further, without proper and  
 final settlement of Swaziland matters, it is difficult or impossible for this Government to  
 go to any expense or take any trouble to carry out measures with regard to Swaziland in the  
 interests of this Republic as agreed upon in the Swaziland Convention. Ends.

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Enclosure 4 in No. 64.

TELEGRAM.

HIGH COMMISSIONER, Cape Town, to His Honour STATE PRESIDENT, Pretoria.

7th. I have to acknowledge the receipt of your Honour’s telegram of the 6th instant, and  
 will forward a copy of it by the next mail to Her Majesty’s Government. At the same  
 time I feel it my duty to inform you that whilst desirous of promoting and strengthening  
 friendly relations with the South African Republic, it is impossible that Her Majesty’s  
 Government can consider or discuss the Swaziland question so long as a party of agitators  
 are openly promoting and organising an armed and hostile trek from the South African  
 Republic into a country within the sphere of British interests.

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No. 65.

LORD KNUTSFORD to SIR H. B. LOCH.

[Answered by No. 68.]

SIR,

Downing Street, June 11, 1891.

I HAVE the honour to acknowledge the receipt of your despatch of the 9th ultimo,\*  
 enclosing a copy of correspondence which you have had with the President of the South

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\* No. 64.

African Republic respecting the proposal for a reconsideration of the Swaziland question.

I have already informed you by telegraph that if the apprehended trek into the sphere of British influence were stopped, Her Majesty's Government would not refuse to discuss the Swazi question at an earlier date than was originally understood, but that further than this Her Majesty's Government could not pledge themselves, and you are at liberty to make this communication to President Kruger.

I may observe that Her Majesty's Government have very little precise information as to the state of affairs in Swaziland and the working of the present arrangement, so that they are not in a position to judge whether the form of government now adopted is so inherently faulty in itself that no amendments would make it practically workable, or how far the present system could be amended, and in what direction.

I shall, therefore, be glad to receive a full statement of your views on the subject.

Sir H. Loch.

I have, &c.  
(Signed) KNUTSFORD.

No. 66.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 16, 1891.)

Government House, Cape Town,  
May 21, 1891.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a private letter\* which I addressed to the President of the South African Republic, urging him to use every effort to prevent the hostile trek which has been threatening the British sphere of influence.

This letter was communicated to the Volksraad of the South African Republic during the discussion on the trek, and at the instance of the Government a resolution was passed forbidding the trek and imposing penalties on persons disregarding the law.

The wise and patriotic action of the Volksraad was, I have reason to believe, due in a great measure to the influence produced on members by the perusal of my letter, as it helped to convince members of the dangers that might threaten the Republic if the unpatriotic action of the agitators should unfortunately prove successful.

I have, &c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.

Colonial Office.

No. 67.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received July 7, 1891.)

(Extract.)

Government House, Cape Town,  
June 17, 1891.

I HAVE the honour to acquaint your Lordship that from recent information received the trek agitation is now practically over, and that this result is in a great measure due to the energetic co-operation of the President of the South African Republic, who has exercised the whole weight of his personal authority in order to pass specially coercive legislation for the purpose of breaking up the trek and thus fulfilling his engagements to Her Majesty's Government.

There can be no question as to the loyalty of the President of the South African Republic in this matter, and he has, as I am aware, trusted throughout that his loyal co-operation would secure for him the early realisation of the hope which was held out at the time of the ratification of the Swaziland Convention, that "Her Majesty's Government will be prepared, when the Joint Government is established and concession claims are settled, to consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible."

\* See No. 63.

No. 68.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received July 27, 1891.)

(Extract.)

Government House, Cape Town,  
July 6, 1891.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 11th ultimo \* respecting the proposal for reconsideration of Swaziland questions.

Your Lordship remarks that " Her Majesty's Government would not refuse to discuss the Swazie question at an earlier date than was originally understood." The period originally fixed was that named in the Convention, namely three years. By common agreement, however, between Her Majesty's Government and that of the South African Republic it was, in the course of negotiation, arranged that Her Majesty's Government would consider such questions as the Government of the South African Republic might desire to bring before it when the Joint Government for Swaziland had been established and the concession claims settled.

That time has now arrived, and I therefore propose, subject to your Lordship's sanction, to arrange a meeting in August next with President Krüger to fulfil the engagement entered into between the two Governments to the above effect.

Your Lordship, however, observes that Her Majesty's Government cannot pledge themselves to anything beyond giving their assent to an earlier discussion of the Swaziland questions than that named in the Convention.

I gather from the above that in my conversations with President Krüger I should make him clearly to understand that the object of our meeting was to ascertain his views generally upon the questions, and to discuss in a friendly manner various matters that he might desire I should submit for the careful consideration of Her Majesty's Government.

I may add that the Government of the South African Republic has loyally fulfilled its engagements, and adopted very drastic legislation for the purpose of preventing the recent threatened Boer trek.

No. 69.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received January 18, 1892.)

*(Answered by Nos. 70 and 71.)*Government House, Cape Town,  
December 30, 1891.

MY LORD,

WITH reference to my despatch of the 9th May 1891,† I have the honour to enclose, for your Lordship's information, a translation of a despatch which I have received from the Government of the South African Republic respecting the claims of the South African Republic in regard to a reconsideration of the Swazie land question.

I have nothing to add to the remarks which I have already made in my despatch above referred to, as well as in subsequent despatches on this subject, and I shall be glad to receive your Lordship's instructions as to the reply to be sent to President Krüger.

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.

\* No. 65.

† No. 64.

Enclosure in No. 69.

Dr. LEYDS to Sir H. B. LOCH.

(Translation.)  
YOUR EXCELLENCY,Government Office, Pretoria, S. A. Republic,  
December 21, 1891.

ON the 6th May of this year I had, acting under instructions of this Government, the honour to transmit to your Excellency a telegram in which was embodied the contents of a letter from here to you, dated 12th March 1891, which according to your telegram of the 5th May last had not been received by you, possibly because it had been sent in one of the post bags which were at that time lost in one of the swollen rivers.

That despatch had reference to the future position of Swaziland, and in order to facilitate a reference thereto I take the liberty to enclose a copy of it.

Since the despatch of that telegram more than seven months have again elapsed, and hitherto this Government has looked out in vain for a communication from which it would appear that Her Majesty's Government have been pleased to act in accordance with the promise made in writing to this Government on the 17th July 1890\* through the medium of Mr. Hofmeyr, and confirmed by him with emphasis on the 26th of that month.

I am therefore now instructed to refer to the facts and circumstances brought under your Excellency's consideration in the accompanying despatch, and to point out how experience has taught, not only that the reasons which were at that time advanced in order to move Her Majesty's Government to a speedy decision favourable to this Government are still founded upon the same good grounds, but that some points, such as too great expense and undurability of the present joint Government, and its not giving any satisfaction, have since that time gained very much in weight and effectual demonstration.

There are yet other matters and circumstances which now emphatically argue in favour of such a decisive and early settlement, but before this Government brings them to your Excellency's notice, may it be allowed to mention a single word only in consequence of your telegram to his Honour the State President of the 7th May last, by which you acknowledged the telegraphic receipt of the despatch now attached, and promised to transmit a copy thereof to Her Majesty's Government by the next mail.

In that telegram your Excellency further says: "At the same time feel it my duty to inform you that whilst Her Majesty's Government is desirous of promoting and strengthening friendly relations with the South African Republic, it is impossible for it to take into consideration or discuss the Swaziland question as long as a party of agitators are openly promoting and organising an armed and hostile trek from the South African Republic into a country lying within the sphere of British interests."

With what Mr. Hofmeyr had said, namely, that Her Majesty's Government would be prepared to take into consideration such questions as this Government might bring before it with the desire to comply, as far as possible, with the wishes of the South African Republic, when the Government (in Swaziland) had been established, and the concession claims settled, there was thus fixed in your Excellency's telegram another condition in consequence of the trek in question.

The history of that trek now belongs to the past, and your Excellency knows that this Government, urged thereto by the earnest desire, true to its principles, to fulfil its promise, and to act according to the spirit and letter of the Swaziland Convention, thanklessly attempted with all its power all difficulties which arose in that respect, and succeeded in removing all uneasiness which existed with Her Majesty's Government in regard thereto.

The joint Government in Swaziland has already long since been established, and the concession claims have been settled; the said uneasiness also with regard to the territories in the north has been removed, and thus no reason should now any longer exist why the carrying out of the promise made on the part of Her Majesty's Government should be further postponed.

But as I have said above, this Government has still more to adduce now than formerly in fulfilment of that promise.

Did I inform your Excellency in my despatch attached that this Government held the most important rights and interests in Swaziland? I can now add thereto that the number of those rights has since that time been extended.

\* See Enclosure in No. 59.

The Government, in accordance with the portion of the Swaziland Convention having reference thereto, has also already acquired a strip of ground of three miles breadth through Swaziland, through the country of Umbegisa and that of Zambaan, as well as the right of navigation of the Pongolo river.

It has, besides the declarations of the independent Chiefs Zambaan and Umbegisa, transmitted to your Excellency by despatch from here of 13th April 1889, now also in its possession, a further document from Umbegisa, whereby this Government, *inter alia*, and in accordance with the previous contract between Umbegisa and Ferreira and Lammerding, of which I informed you per my despatch of the 30th January 1888, obtains as a renewal the right to take over the country of that Chief.

This Government proposes to further write to your Excellency at the proper time respecting these acquired rights and treaties.

Meanwhile it has up to now taken no definite steps with reference to the acquisition of rights and of a harbour in Tongoland, as it sees no use in it so long as Swaziland remains in the position in which it now is.

I have the honour to add hereto that this Government has availed itself of the opportunity during the stay of Mr. Theophilus Shepstone in Pretoria to privately discuss with him the existing state of affairs in regard to Swazieiland. On the grounds of the geographical position of the country, and in view of the rights which the Republic possesses in Swaziland, he is of opinion that the Government of Swaziland by any other power than the South African Republic will be impossible, and Mr. Shepstone would, should Her Majesty's Government have no objection to it, be prepared to use his influence in promoting the settlement of this question in the direction indicated.

After all the above, I have respectfully but with earnestness to express the wish that Her Majesty's Government may now be pleased to give its immediate and favourable consideration to the matter.

His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) Dr. W. J. LEYDS,  
State Secretary.

No. 70.

LORD KNUTSFORD to SIR H. B. LOCH.

TELEGRAPHIC.

26th January 1892.—Referring to your despatch of 30th December,\* Her Majesty's Government agree to your conferring with President of the South African Republic in person. Despatch follows by mail of 5th February.

No. 71.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, February 2, 1892.

I HAVE the honour to acknowledge the receipt of your despatch of the 30th of December,\* enclosing a communication from the State Secretary of the South African Republic, asking for a reply to the request made by that Government in the early part of last year for a reconsideration of the Swazi question on the ground that the conditions precedent to such a reconsideration specified by Mr. Hofmeyr had been then fulfilled. The request of the Government of the South African Republic might at the time of its coming under the consideration of Her Majesty's Government have been considered somewhat inopportune on more than one ground, for the Banyailand trek was then not at an end, and, in any view of the matter, might have seemed somewhat premature to assume that a Government was to be regarded as "established" (in the sense in which Mr. Hofmeyr must be taken to have used that word) when it had been but a few months in existence. Her Majesty's Government, however, have every desire to meet, so far as is possible, the wishes of the South African Republic, and I have now to authorise you to inform President Krüger that you are prepared to receive, as representing Her Majesty's Government in South Africa, proposals from him, respecting the Government of Swaziland.

He may be further informed that, while Her Majesty's Government will not decline discussion of any question which he may think it necessary to bring forward in connexion

\* No. 69.

with this subject, it will, of course, be understood that they cannot in any way pledge themselves as to the decision which may be ultimately arrived at by them. The President, however, may rest assured that every question raised by him will receive full and careful consideration.

Her Majesty's Government believe that it will be upon the whole most convenient that the discussion between you and the President should be carried on at a personal conference, where such full explanations may be given as will facilitate the final considerations of the questions brought forward, rather than by correspondence, and I have to instruct you therefore to apprise his Honour of the views of Her Majesty's Government, and to invite him to arrange for such a conference at a time which may be convenient for him and possible for you, making it plain to him that in your discussions with him you are only authorised to accept such proposals as he may make for reference to Her Majesty's Government, with whom the final decision as to the action of this country must rest.

Sir H. B. Loch.

I have, &c.  
(Signed) KNUTSFORD.

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No. 72.

SIR H. B. LOCH to the PRESIDENT of the SOUTH AFRICAN REPUBLIC.  
(Continued by No. 73.)

Government House, Cape Town,  
May 9, 1892.

SIR,

By my despatch of the 31st December last I informed your Honour that I had forwarded by the outgoing mail to the Secretary of State your communication of the 21st December\*, in which you drew my attention to the Swaziland question.

I have now the honour to inform you that I am authorised, as representing Her Majesty's Government in South Africa, to receive proposals from your Honour respecting the Government of Swaziland, with a view to the amendment of any defects that the experience of nearly two years' joint administration of that country may have made apparent, and that are capable of improvement.

Before entering further upon this subject, I beg to express my appreciation of the manner in which your Honour has co-operated with me in endeavouring to overcome difficulties inherent to the occupation and administration of a new country, and which in comparatively so short a period has resulted in the successful establishment of law, order, and good government.

It is only at your earnest request that with results so satisfactory as the above Her Majesty's Government have consented, out of friendly feeling towards your Honour and your Government, and from a desire to remove any obstacles which may still exist to retard the further development of Swaziland under the Joint Government, to authorise me to confer personally with you upon the subject, and to arrange a meeting with your Honour for that purpose.

I am instructed further to observe that while Her Majesty's Government will not decline the discussion of any questions that you may desire to bring forward in connexion with the above subject, or fail to give them full and careful consideration, your Honour will understand Her Majesty's Government cannot pledge themselves as to any decision at which they may ultimately arrive before they have your views fully before them, a result which they consider can best be attained by a personal conference between your Honour and myself.

Should your Honour consider such a course desirable, I shall be glad to learn your views as to the time and place where we should meet, and I would endeavour to make my arrangements agree with your convenience; at the same time I should inform your Honour that owing to the present pressure of business and the assembling of Parliament next month, I fear I could not arrange the meeting earlier than September next.

It may assist your Honour in the selection of a place where we could confer, that I should add I think I could meet you either at Charlestown, in Natal, or somewhere on the frontier of Bechuanaland, for instance, opposite Vanvreden Farm at Losasa.

His Honour the State President,  
South African Republic.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

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\* Enclosure in No. 69.

## No. 73.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received June 28, 1892.)

MY LORD,

Government House, Cape Town,  
June 7, 1892.

I HAVE the honour to enclose for your Lordship's information translation of despatch from the State Secretary, South African Republic, relative to our proposed meeting to discuss Swazieland questions.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

## Enclosure in No. 73.

STATE SECRETARY, South African Republic, to his Excellency the HIGH COMMISSIONER.

(Translation.) Government Office, Pretoria, South African Republic,  
YOUR EXCELLENCY, May 28, 1892.

I AM instructed to acknowledge the receipt of your Excellency's despatch of the 9th May last\*, respecting the future position of Swazieland, and to thank your Excellency for the expressions of appreciation uttered by your Excellency regarding the co-operation from this side, and for the spirit of willingness now manifested by Her Majesty's Government to come to a final settlement of Swazieland matters.

This Government proposes to again refer, as soon as possible, to your Excellency's proposal for holding a conference, when, if it be resolved upon, your Excellency will be further informed what time and place appear to this Government most suitable.

I have, &c.  
(Signed) Dr. W. J. LEYDS,  
State Secretary.

To his Excellency the High Commissioner,  
Cape Town.

## No. 74.

SIR H. B. LOCH to LORD KNUTSFORD.  
(Received July 18, 1892.)

(Answered by No. 75.)

MY LORD,

Government House, Cape Town,  
June 28, 1892.

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch from the State President of the Orange Free State, covering a resolution passed by the Volksraad of that Republic expressing its opinion as to "the improbability that co-operation between all the States and Colonies of South Africa, with reference to the establishment of a general South African Customs Union, and with reference to other matters of common interest can be brought about before the question of Swazieland shall have been arranged in a favourable manner to the interests of the South African Republic."

I have also the honour to enclose a copy of my reply to the State President.

I shall be glad to receive instructions with respect to any reply that your Lordship may deem it right to direct me to send to the State President of the Orange Free State.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

\* No. 72.

## Enclosure 1 in No. 74.

STATE PRESIDENT, Orange Free State, to GOVERNOR and HIGH COMMISSIONER.

Government Office, Bloemfontein,  
June 24, 1892.

SIR,

I HAVE the honour to enclose herewith, for your Excellency's information, and with the respectful request that you will be good enough to bring the same to the notice of Her Majesty's Government in England, a copy (with translation) of a resolution adopted yesterday by the Volksraad of this State, relating to a contemplated general South African Customs Union, and the question of Swazieland as bearing thereon. I beg to add that the said resolution was adopted unanimously, excepting that one member of the Legislature did not vote.

His Excellency  
The Governor and High Commissioner,  
Cape Town.

I have, &c.  
(Signed) F. W. REITZ,  
State President.

## TRANSLATION.

EXTRACT from the Minutes of the Volksraad of the 23rd of June 1892.

Under discussion.

Motion of Mr. A. Fischer. Proposed by Mr. A. Fischer, seconded by Mr. A. J. Burger, 504 :—That the Executive be authorised, when opportunity offers, to acquaint the British Government, in a friendly manner, that the Volksraad is convinced of the improbability that co-operation between all the States and Colonies of South Africa, with reference to the establishment of a general South African Customs Union, and with reference to other matters of common interest, can be brought about before the question of Swazieland shall have been arranged in a favourable manner to the interests of the South African Republic.

Carried.

A true extract.

(Signed) VAN HOYTEMA.  
Secretary, Volksraad.

## Enclosure 2 in No. 74.

His Excellency the GOVERNOR and HIGH COMMISSIONER, Cape Town, to His Honour the STATE PRESIDENT of the ORANGE FREE STATE.

Government House, Cape Town,  
June 27, 1892.

SIR,

I HAVE the honour to acknowledge the receipt of your Honour's Despatch of the 24th instant, forwarding for transmission to Her Majesty's Government, a resolution of the Volksraad expressing its opinion of "the improbability that co-operation between all the States and Colonies of South Africa with reference to the establishment of a general South African Customs Union, and with reference to other matters of common interest can be brought about before the question of Swazieland shall have been arranged in a favourable manner to the interests of the South African Republic."

His Honour the State President,  
Bloemfontein.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

## No. 75.

LORD KNUTSFORD to SIR H. B. LOCH.

SIR,

Downing Street, July 28, 1892.

I HAVE the honour to acknowledge the receipt of your Despatch of the 28th ultimo,\* forwarding a Despatch from the President of the Orange Free State,

\* No. 74.

covering a resolution of the Volksraad on the question of a South African Customs Union.

I have to request that you will inform President Reitz that Her Majesty's Government have received this resolution and duly note its contents.

Sir H. B. Loch.

I have, &c.  
(Signed) KNUTSFORD.

No. 76.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received August 15, 1892.)

(Further Despatch No. 77.)

(EXTRACT.)

Government House, Cape Town,  
July 27, 1892.

I HAVE the honour to enclose, for your Lordship's information, a translation of a Despatch from the State Secretary of the South African Republic intimating that the Government of the Republic had not yet come to a decision as to proposed conference on Swaziland affairs.

I also enclose a copy of the despatch which I addressed to President Kruger in reply.

Enclosure 1 in No. 76.

FROM STATE SECRETARY, Pretoria, to HIGH COMMISSIONER, Cape Town.

(Translation.)

Government Office, Pretoria, South African Republic.

(EXTRACT.)

July 15, 1892.

I HAVE received instructions to acknowledge the receipt of your Excellency's despatch of the 9th June last.

As regards the last part of your Excellency's despatch, I may add that the pressing business caused by the sittings of both Volksraads has not yet given the Government an opportunity of deciding anything further about your Excellency's proposed to hold a conference.

Enclosure 2 in No. 76.

FROM HIGH COMMISSIONER, Cape Town, to His Honour the STATE PRESIDENT, Pretoria.

(EXTRACT.)

Government House, July 21, 1892.

I BEG to acknowledge the receipt of your Honour's letter of the 15th instant, transmitted through Her Majesty's Agent, Sir Jacobus de Wet.

With respect to your Honour's observation, that, owing to the sitting of both Volksraads, there has been no opportunity for your Government deciding anything further about my "proposal to hold a Conference," I have the honour to remind your Honour that the suggestion to discuss questions relating to the administration of Swaziland was the outcome of your Honour's request to Her Majesty's Government that they should consent to discuss fully with your Honour all matters relating to that country.

Your Honour's remark leaves me also in some uncertainty whether you merely desire me to understand that up to the present time, due to the cause you name, your Honour has been unable to suggest a place or date for us to meet, or whether it embraces the larger question, and is intended to convey some doubt with regard to any Conference being held. Should it be the former, it would be my endeavour to make my convenience suit your Honour's, but should any circumstances have arisen which, in your Honour's opinion, render the discussion of the administrative position of Swaziland now unnecessary, I should be glad to be informed to that effect, so that Her Majesty's Government may be able to remove any misapprehension that might otherwise exist as to their willingness to discuss in accordance with your request, questions relating to that country.

No. 77.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received August 23, 1892.)

*(Further Despatch No. 80.)*

MY LORD, Government House, Cape Town,  
August 3, 1892.

With reference to my despatch of the 27th ultimo,\* I have the honour to enclose a translation of a despatch from the State Secretary of the South African Republic, respecting the proposed meeting between President Kruger and myself.

I have, &amp;c.

(Signed)

HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.  
&c. &c. &c.

Enclosure in No. 77.

STATE SECRETARY, South African Republic, to HIGH COMMISSIONER, South Africa.

(Translation.)

YOUR EXCELLENCY,

Government Office, Pretoria,

July 29, 1892.

I AM instructed to acknowledge the receipt of your Excellency's Despatch of the 21st instant delivered by his Honour the British Agent to his Honour the State President, and to inform your Excellency, in reply thereto, that it was not the intention of this Government to cause a doubt, by its letter of the 15th instant, respecting the holding of a Conference, for although it had not yet come, and now also has not come, to any fixed resolution in this matter, yet in view of your Excellency's Despatch of the 9th May last, it cherishes too much hope that a Conference to be held may finally lead to an early settlement favourable to itself of the affairs of Swaziland that it would not gladly be prepared to take into earnest consideration, as soon as any way feasible, the invitation made.

If, indeed, this Government correctly interprets the tendency of your Excellency's Despatch of the 9th May—and it would be glad to be further informed by your Excellency if this interpretation were not correct—then it is the intention to submit to Her Majesty's Government the matters discussed at such a Conference in order that, in terms of its promise at the time, in consequence of representations made upon the subject, it may take them into consideration with a desire to meet the wishes of the South African Republic as far as possible.

I have, &amp;c.

(Signed)

DR. W. J. LEYDS,

State Secretary.

To His Excellency  
The High Commissioner, Cape Town,  
&c. &c. &c.

No. 78.

SIR H. B. LOCH to the MARQUESS OF RIPON.

(Received August 23, 1892.)

TELEGRAPHIC.

INCORRECT rumours as to my proposed conference with President of the South African Republic on Swaziland questions being published at Pretoria, I have considered it desirable to give publicity to correct facts. Of course conference, if it takes place, involves no decision of question; merely statement of views of President of South African Republic for submission to consideration of Her Majesty's Government.

\* No. 76.

No. 79.

SIR H. B. LOCH to the MARQUESS OF RIPON.

(Received August 25, 1892.)

*(Further Telegram No. 81.)*

TELEGRAPHIC.

PRESIDENT of South African Republic has accepted conference, and suggests meeting at Charlestown last part of October. Of great importance before meeting, I should lay before you *viva voce* explanation of present position of affairs as to South African Republic and Swaziland in order to enable full consideration of questions to be discussed and instructions for my guidance. There are also many questions relative to Bechuanaland, Bechuanaland Protectorate, and disputed territory, which it is desirable that I should discuss with your Lordship in person. Therefore suggest for your consideration whether I should proceed to London for three weeks for such purpose under similar arrangements as 18 months ago. If you approve, I suggest that I inform President, South African Republic, that as I am proceeding to England for purpose of conferring with Her Majesty's Government, I must ask him to postpone conference till January. Please telegraph reply, as President South African Republic asks for telegraph reply.

No. 80.

SIR H. B. LOCH to LORD KNUTSFORD.

(Received August 29, 1892.)

*(Further Despatch No. 83.)*

Government House, Cape Town,

August 8, 1892.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, with reference to my despatch of the 3rd instant,\* copy of a despatch to the State President, South African Republic, respecting the proposed Conference between the State President and myself.

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Right Hon. Lord Knutsford, G.C.M.G., Governor and High Commissioner.

&amp;c.

&amp;c.

&amp;c.

Enclosure in No. 80.

His Excellency the GOVERNOR and HIGH COMMISSIONER, Cape Town, to his Honour the STATE PRESIDENT, South African Republic.

Government House, Cape Town,

August 5, 1892.

SIR,

I BEG to acknowledge the receipt of your Honour's letter of 29th ultimo, from which I gather that you still entertain some doubt with regard to our meeting to confer together upon Swaziland questions.

Your Honour requests that you may be further informed with respect to the interpretation to be placed on my Despatch of the 9th May.

Upon reference to that Despatch you will find that I was instructed to inform your Honour that "while Her Majesty's Government will not decline the discussion of any questions that you may desire to bring forward, Her Majesty's Government cannot pledge themselves as to any decision at which they may ultimately arrive before they have your views fully before them."

I am unaware in what manner I can further interpret the meaning of that Despatch.

Should a meeting take place, all questions discussed would be communicated to Her Majesty's Government, in order that they may take the same into their consideration.

I presume when two Governments agree to confer upon subjects of common interest, it may at least be assumed that their doing so indicates a desire on both sides to arrive

\* No 77.

at some understanding upon the questions which have to be discussed, and a consequent presumption that both parties to the Conference consider them to be capable of settlement.

I shall be glad if your Honour will favour me with an early reply.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

His Honour the State President,  
South African Republic.

No. 81.

SIR H. B. LOCH to the MARQUESS OF RIPON.

(Received September 5, 1892.)

(Answered by No. 82.)

TELEGRAPHIC.

ANXIOUS for reply referred to in my telegram of 25th August,\* as I wish to reply to President of the South African Republic.

No. 82.

The MARQUESS OF RIPON to SIR H. B. LOCH.

(Answered by No. 84.)

TELEGRAPHIC.

September 7.—In answer to your telegram of 5th September,† have obtained sanction of Treasury for your paying visit to this country on same terms as last year. You should arrive at home on or about the 31st October. In the meantime, send cordial message to President of the South African Republic, stating that Her Majesty's Government attach great importance maintenance of friendly relations with South African Republic, and give full explanation of why it will be necessary to postpone Conference on Swaziland.

No. 83.

SIR H. B. LOCH to the MARQUESS OF RIPON.

(Received September 19, 1892.)

Government House, Cape Town,  
August 27, 1892.

MY LORD MARQUESS,

WITH reference to my Despatch of the 8th instant,‡ I have the honour to enclose a translation of a Despatch from the State Secretary of the South African Republic, accepting the proposal for a personal conference between the State President and myself on the affairs of Swaziland.

I have, &c.

(Signed) HENRY B. LOCH,

The Most Hon. the Marquess of Ripon, K.G., Governor and High Commissioner.  
&c. &c. &c.

Enclosure in No. 83.

FROM STATE SECRETARY to His Excellency the HIGH COMMISSIONER, Cape Town.  
(Translation.)

Government Office, Pretoria,  
August 20, 1892.

YOUR EXCELLENCY,

WITH reference to your Excellency's Despatch of 5th instant, I have received instructions to inform you that the Executive Council, to whose consideration his Honour the State President has now submitted the correspondence on the subject, has advised his Honour to take part in the Conference.

\* No. 79.

† No. 81.

‡ No. 80.

Having in view the importance of the matter the Executive Council has, however, made known its desire that if the Conference should lead to a provisional mutual understanding respecting the affairs of Swaziland as it hopes and trusts may be the case, the results obtained shall then be submitted to its further consideration before they shall be submitted for the final consideration of Her Majesty's Government.

The Executive Council has further to suggest that as the session of the Honourable First Volksraad will probably still last for some time, and that after the closing some important matters will have to be settled, the Conference shall take place during the latter half of the month of October.

The Government will be glad to furnish your Excellency as soon as possible with its further suggestions respecting the exact time of the meeting in order to learn whether it will suit your Excellency as well.

For the rest, Charlestown, one of the places suggested by your Excellency, will be most convenient to his Honour the State President for holding the Conference.

The Government will be glad to learn your Excellency's reply to this soon, telegraphically by preference, in order that the Volksraad may then be immediately asked to authorise his Honour the State President to go over the borders of the Republic.

I have, &c.

(Signed) Dr. W. J. LEYDS,  
State Secretary.

No. 84.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received October 3, 1892.)

(Continued by No. 85.)

MY LORD MARQUESS,

Kimberley, September 9, 1892.

WITH reference to your Lordship's telegram of the 7th instant,\* I have the honour to enclose a copy of a Despatch which I have addressed to the State President of the South African Republic, relative to our proposed conference.

I have, &c.

(Signed) HENRY B. LOCH,

The Most Hon. the Marquess of Ripon, K.G., Governor and High Commissioner.  
&c. &c. &c.

Enclosure in No. 84.

FROM HIGH COMMISSIONER TO STATE PRESIDENT, South African Republic.

SIR,

Kimberley, September 9, 1892.

I REGRET that I have been unable sooner to reply to your Despatch of 20th August last owing to my being in communication with the Secretary of State upon several questions connected with South Africa which might render necessary a personal conference with Her Majesty's Government.

It is now proposed that I should pay a visit to England, leaving early in October, and I therefore regret that the conference which you suggested should take place at the end of that month must necessarily be postponed.

I am directed by Her Majesty's Government to assure you of the great regard they attach to the maintenance of friendly relations with the South African Republic, and as I hope to be back by December next, I propose that we should meet towards the end of January or early in February as may be most convenient to your Honour. Should, however, your Honour prefer a later date, I shall be glad to meet your convenience.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

His Honour the State President,  
South African Republic.

\* No. 82.

No. 85.

SIR H. B. LOCH to the MARQUESS OF RIPON.

(Received October 24, 1892.)

Government House, Cape Town,  
October 4, 1892.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, a translation of a Despatch from the State Secretary of the South African Republic intimating that the President is unable to fix a date for holding a conference with the High Commissioner.

I have, &amp;c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.The Most Hon. the Marquess of Ripon, K.G.,  
&c. &c. &c.

Enclosure in No. 85.

FROM STATE SECRETARY, Pretoria, to HIGH COMMISSIONER, Cape Town.

(Translation.)

YOUR EXCELLENCY,

Government Office, Pretoria,  
September 27, 1892.

I AM instructed to acknowledge the receipt of your Excellency's Despatch of the 9th instant, intimating that on account of your approaching departure for England in October next it will not be possible for your Excellency to hold the conference at the end of that month, and in reply thereto to inform your Excellency that though fully appreciating the importance and the urgency of the circumstances his Honour the State President and the members of the Executive Council with him regret that the time proposed by them for the conference, which would have been so especially convenient to his Honour, is not now suitable, the more so because, on account of circumstances which cannot be foreseen, it is at present difficult to determine anything further respecting a conference to be held at a later date.

The Government, however, expresses the earnest hope that Her Majesty's Government, in spite of the conference in October not being effected, may meanwhile give its earnest consideration to the final settlement of affairs relating to the future position of Swaziland with the object of meeting the wishes of this Government in order that the settlement thereof may not be further postponed.

I have in conclusion to thank your Excellency for the expression, which is highly valued on this side, of the feelings of Her Majesty's Government with regard to the preservation of friendly relations with the South African Republic, and to request your Excellency to be good enough to inform Her Majesty's Government that this Government reciprocally continues to be animated with the desire to maintain those friendly relations undisturbed.

I have, &amp;c.

(Signed) Dr. W. J. LEYDS,  
State Secretary.To His Excellency the High Commissioner,  
Cape Town.

No. 86.

The MARQUESS OF RIPON to SIR H. B. LOCH.

[Answered by No. 87.]

SIR,

Downing Street, December 1, 1892.

THE proposed Conference between yourself and the President of the South African Republic on the affairs of Swaziland (and other related matters) to which Her Majesty's late Government gave their consent, has, you are aware, been from time to time postponed, for reasons on which it is not necessary to enter. In view, however, of the probability that such a Conference will take place at no very distant period, it is desirable that you should, without delay, be placed in possession of the views of Her Majesty's Government on the subject.

2. The question of the future of Swaziland, on which depend issues of great importance to South Africa, is one which has engaged the most serious attention of Her Majesty's present Government. And having given it full consideration, and having availed themselves, during your recent visit to this country, of the assistance which only a personal conference with you could afford, they are now in a position to communicate to you the conclusions at which they have arrived.

3. Sir Francis de Winton, who represented Her Majesty's Government on the Joint Anglo-Transvaal Commission which inquired into the affairs of Swaziland in 1889, advised that, whilst Article XII. of the London Convention, securing the independence of the Swazis, ought to be maintained, the Government of the South African Republic should be allowed to make treaties (subject to the approval of Her Majesty's Government) with that nation, so as to enable the Republic to extend its jurisdiction over the white population in Swaziland. To this proposal Her Majesty's Government felt themselves unable to assent, and, as an alternative, the present form of government for the whites, which had been adopted in 1889 as a temporary measure, was renewed for a period of three years. It consists of three Commissioners, one appointed by Her Majesty's Government, one by the South African Republic, and one by the Swazi nation. This arrangement was embodied in the Convention executed by yourself and President Krüger in July and August 1890.

4. It is at least an open question whether the arrangement which was thus established, and which has been in force for rather over two years, can be regarded in any way as a satisfactory one in the interests of Swaziland, and one which ought on its merits to be continued indefinitely. But whilst Her Majesty's Government would not themselves have re-opened the question, it appears to them that the time has arrived when good faith demands that, if the South African Republic so desire, the arrangement of 1890 should be reconsidered with a view, if possible, of meeting its wishes.

5. On the 10th of July 1890, whilst the draft of what is now known as the Swaziland Convention was still under discussion, and the result of that discussion was still uncertain, you proposed to my predecessor by telegraph that you should be authorised to inform President Kruger that "when the Joint Government was firmly established and concession claims settled, Her Majesty's Government would be prepared to consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible, with due regard to European and native rights." On the 11th of July, Lord Knutsford telegraphed to you that Mr. Hofmeyr, who was acting for Her Majesty's Government at Pretoria, might be informed as you proposed. On the 15th of July, his Lordship sent another telegram containing what was presumably intended as a rider to the previous proposal. It was in these words: "Joint Commissioners must be firmly established according to agreement, but at end of three years position shall be reconsidered. This proposal may be added to the instructions to Hofmeyr referred to in your telegram of the 10th of July and approved in my telegram of the 11th of July." This direction or suggestion that at the end of three years the situation should be reconsidered was not understood by you as of binding force, and, Mr. Hofmeyr having objected that its insertion would be inconsistent with the communications which he had already been instructed to make, you, by a telegram of the 17th of July, authorised him to exercise his discretion as to omitting the mention of three years, unless the South African Republic should desire that limit to be named. This the South African Republic does not appear to have desired, and Mr. Hofmeyr, in the exercise of the discretion given him by you, did omit the allusion to three years, so that, in his letter to the President of July 17th, he expressed himself in the following words: "*Thirdly*, Her Majesty's Government will be prepared, when the Joint Government is established and concession claims are settled, to consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible."

On the 22nd of July, the Government of the South African Republic in communicating to Mr. Hofmeyr a fresh draft of the Convention, took occasion to insert a new article, numbered 9, embodying the promise above quoted from Mr. Hofmeyr's letter. This draft 9th Article followed the quoted words very closely, as the following translation will show:—"Her Majesty's Government declares that it will be prepared, when the Joint Government in Swaziland shall be established, and the concession claims settled, to take into consideration such questions as the Government of the South African Republic shall bring before Her Majesty's Government, with an endeavour to meet the wishes of the South African Republic as far as possible"

[page 27 of South African Republic Green Book No. 1 of 1890].

In a letter dated the 26th of July, Mr. Hofmeyr commented at length upon this Draft Convention [pages 29–32 of “Green Book”], and with regard to this 9th Article, he wrote as follows:—“XI. The Article No. 9 of the Draft Convention submitted by the State Secretary cannot be incorporated in the Amended Convention. Your Honour’s (President Kruger’s) Government already possesses in the ‘Thirdly’ of my letter of the 17th of July, the written promise of Her Majesty’s Government, and that should be accepted as sufficient guarantee that the obligations will be acknowledged.”

6. The proposed Article No. 9 was thereupon withdrawn. But the Volksraad appear to have attached importance to the actual wording of Mr. Hofmeyr’s letters, as will be seen from the text of the resolution in which they gave a conditional ratification to the Convention, and of which the following is the material part.

“The Volksraad having had under its notice the Convention concluded on the 2nd of August at Pretoria, between the South African Republic and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, observing with regret that Her Majesty’s Government is still unwilling to agree to provisions by which the just claims and rights of this Republic are acknowledged, nevertheless wishing to maintain and strengthen friendly relations with Her Majesty’s Government, also considering and trusting in the promise of Her Majesty’s Government, namely, that when the Joint Government in Swaziland shall have been established and the Concession Claims shall have been settled, such questions shall be taken into consideration as the Government of the South African Republic may lay before Her Majesty’s Government with the desire to meet as far as possible the wishes of the South African Republic, regarding the said Convention for that reason as a transition measure, considering that it is desirable to make it apparent that the approval of the said Convention shall not be regarded as the relinquishing of rights and claims which the Republic has on territory situate to the east of that Republic, and expressly reserving to itself those rights and claims, further considering that it is necessary for the Republic not to make itself a party in questions which may exist or may arise between Her Majesty’s Government and other Governments with respect to territory situate to the north and north-west of the Republic and expressly declaring that the ratification of the said Convention is not making itself a party in any sense whatsoever; lastly, considering that it is impossible to cause Article 22 of the said Convention to be of force and effect, so long as the South African Republic does not enter into the Customs Union Convention, resolves, on condition that Article 22 of the Convention shall be of force and effect only during the time when the South African Republic shall be a party to the Customs Union Convention, to express its approval of the said Convention.”

7. The question whether, according to the true intention of the negotiators, the arrangement of 1890 was to last for three years certain, or was to terminate upon a contingency which the South African Republic regards as having occurred nearly two years ago, is now comparatively immaterial, because when you meet the President in conference, the Joint Government will have lasted for nearly three years, which was the limit contemplated by the late administration as that after which the position was to be reconsidered.

8. Before I quit this topic, I would note the conditional character of the Volksraad’s ratification, of which the text is given above. A conditional ratification of a convention is somewhat rare, and is regarded as more or less of an anomaly in diplomatic practice. It seems to impose upon the other contracting party the task of choosing between three alternatives, viz., to treat the Convention as not ratified, to demand a ratification not hampered by conditions, or to remain passive with the consequence of being probably held to acquiesce in the conditions stated. It is unnecessary to say more than that the late Government did not take either of the two first mentioned courses; and Lord Knutsford, having the text of the ratification by the South African Republic before him, conveyed to you by his Despatch of the 25th of September 1890, the final approval, ratification, and adoption by Her Majesty’s Government of the Convention, and their confirmation of your action in having signed it, but he added no comment on the action of the Volksraad, which body, and not the President, is virtually the treaty-making authority of the South African Republic.

9. As bearing further on the question of how far ground was given to the Republic for hoping that its wishes would be favourably considered in the matter of Swaziland—Her Majesty’s Government being aware of the nature of these wishes—I would advert to what happened in the early part of 1891.

The so-called Adendorff Trek of that year was to all appearance a formidable movement, and one which, had it obtained the countenance of the South African Republic, might have imperilled the fortunes of the British South Africa Company and the infant settlement then just founded in Mashonaland. The danger might no doubt have been successfully resisted by force of arms, but this would have been a very serious matter, and possibly fraught with far reaching consequences to the peace of South Africa; and Her Majesty's Government preferred to appeal in the first instance to President Kruger to restrain the unruly spirits within the Republic, whose mischievous endeavours threatened to undo the peace-making work of the preceding decade. The Convention of 1890 had at the time, according to its text, more than two years to run; but, as an inducement to the Government of the Republic to co-operate in crushing out the Trek, Her Majesty's Government promised, or rather renewed Mr. Hofmeyr's promise, that the Swaziland question should be discussed at an earlier date than the period originally understood by them, viz., August 1893. Upon receiving this assurance, the influence of the President was promptly and effectively used in putting down the Trek, and the Volksraad not only confirmed the President's proclamation against it, but added severe penalties which it was beyond the competence of the President to impose, against the infraction of the Proclamation.

10. All the circumstances above enumerated seem to Her Majesty's Government to involve an obligation on them to make good the undertakings given by their predecessors, substantially, and in the spirit in which they were made, and with a due acknowledgment of the friendly services rendered at a critical time by the South African Republic.

11. But, apart from the considerations of good faith dwelt on in the preceding part of this Despatch, there are other circumstances which appear to Her Majesty's Government to render it impossible to insist on an indefinite prolongation of the existing arrangement in Swaziland.

12. In Article 21 of the Convention of 1890 it is provided that, if within three years from the 8th of August 1890 the Government of the South African Republic should not have concluded treaties with the Chiefs to the east of Swaziland in regard to a harbour and railway and obtained approval of them from Her Majesty's Government, or if the Republic should not have joined the South African Customs Union, then either party to the Convention may, by giving notice before the 8th of May 1893 terminate, as from the 8th of August 1893, all its provisions except Articles 10 and 24 (which have reference to the treaty-making power of the South African Republic, and to a boundary question respectively). Her Majesty's Government have reason to believe that such notice will probably be given by the South African Republic; and thereupon, in the absence of any previous settlement of the question, the authority of the Joint Government would consequently cease three months later. In that state of facts the South African Republic would be precluded, by the revived operation of the London Convention, from intervening in Swaziland, and Her Majesty's Government would have only one of two courses open to them, (i.) to allow Swaziland to relapse into its former state of anarchy, or (ii.) to assume the sole responsibility of maintaining order in the country.

13. The first of these alternatives may be at once dismissed as one which, for cogent reasons, Her Majesty's Government cannot entertain.

As to the second alternative, I would premise that Swaziland has never formed part of Her Majesty's dominions nor been declared to be under a protectorate. The rights of the British Government, apart from those conferred by the terminable Convention of 1890, are limited to what is provided as to Swaziland in the London Convention of 1884. If and when the second article of that Convention is revived, as it would be by the lapse of the Convention of 1890, Her Majesty's Government would have only the bare right to despatch a Commissioner or Commissioners, accompanied by police, in pursuance of Article No. 2 of the London Convention of 1884 "to maintain order and prevent encroachments." The words here quoted indicate that the powers of the Commissioners would extend to but a small part of the indispensable duties of a civilised Government. Possibly, but by no means certainly, the authority of the Commissioners might be extended by what is called an "Organic Proclamation of the Swazi nation," and thus a makeshift Government might be established; but in no view of the matter can it be hoped that it would be an effective or progressive administration. The only mode of establishing such an administration would be by annexing the country in conformity with a cession to be obtained from the Swazi Sovereign; but, as my predecessor informed the House of Lords on the 4th of August 1890, "Without breach of Article 12 of the Convention (of London) Her

“ Majesty could not accept a surrender of his (the young Swazi King’s) dominions “ and declare them to be British Territory.” (Hansard, Volume 347, Third Series, page 1715.) Indeed, according to a declaration made by the late Mr. W. H. Smith in the House of Commons on the 18th of March 1890, a declaration which Her Majesty’s Government see no reason to question, it would be a breach of the London Convention even to take the minor and less effectual measure of declaring a protectorate, without the consent of the South African Republic. (Hansard, Third Series, Volume 342, page 1138.)

14. As bearing directly upon the position of this country in the contingency contemplated, I may note that under the form of government which appears the only one possible, there would exist practically no means of raising a revenue to meet the cost of administration. The late Swazi King, Umbandene, by a reckless prodigality in granting concessions, unparalleled even in the history of South Africa, gave away to concessionaires, in addition to extravagant grants of land, almost every conceivable source of revenue. These concessions have been validated by the Court established for their examination under the Convention of 1890, and Great Britain, which was party to that Convention, remains, under all contingencies, bound to respect them. It is a peculiar feature of the possibly approaching situation, that very important revenue and administrative concessions have been acquired by the Government of the South African Republic, namely, those for the postal and telegraph service, for railways, for inland navigation, for surveying, and for the collection (or as it might more properly be called “ the farming ”) of the King’s private revenue. Thus, assuming that the Convention had come to an end, this anomalous situation would arise:—The South African Republic would have extensive powers of taxation, but no rights of government. Great Britain would have rights of government, but no powers of taxation. At present the charge of administration is a joint charge on the Exchequers of Great Britain and of the Republic. In future the whole charge, which amounts, even at present, to about 14,000*l.* a year, would fall upon the British taxpayer; and I need hardly point out that an administration carried on in face of intrigue and latent hostility, would be of a peculiarly expensive character, and would no doubt involve the further necessity of providing military support, either on the spot, or in Zululand or Natal.

Thus, it is certain, that the direct civil charge upon the votes of Parliament would amount to a very considerable sum annually.

15. Beyond these financial considerations, it is material to remember that, in undertaking the sole responsibility of administering Swaziland, Her Majesty’s Government would be assuming a position, the maintenance of which would involve the gravest military difficulties,—in the not impossible event of the British administration being threatened by an encroachment of freebooters. Swaziland is surrounded on three sides by the South African Republic, and on the fourth side the approaches, so far as they do not pass through Portuguese Territory, lie through an unhealthy country and difficult mountain passes. To maintain, therefore, a force in Swaziland, to keep it supplied, and to furnish the necessary reinforcements, even at the most favourable season of the year, would, I am advised, be a difficult and hazardous military operation. The only way in which such a force could be conveniently despatched into the country is by a route passing across the territory of the South African Republic, and it is not easy to believe that permission for such passage would be accorded by the Government of the Republic, had they no longer any share in the administration of Swaziland, over which they consider they have a paramount claim; while to force any such passage without the consent of the Republican Government would amount to an act of war.

16. Before concluding the discussion of the reasons which have guided Her Majesty’s Government in the decision to which they have come, I desire to refer briefly to the drift of public opinion on this question in South Africa, outside the South African Republic. Public opinion throughout the Cape Colony appears to desire an amicable settlement of the Swaziland question; whilst there can be little doubt that the eminent business men and industrial communities who have raised South Africa to its present prominence, are anxious to see the Imperial and Republican Governments in accord upon the Swazi as on other questions. As an indication of the feeling which prevails in another and a friendly quarter, I may also refer to the resolution passed by the Volksraad of the Orange Free State on the 23rd of June last, in which that body expressed the opinion that “ co-operation between the Colonies “ and States of South Africa in regard to matters of common interest cannot be brought

“ about before the question of Swaziland shall have been arranged in a manner favourable to the interests of the South African Republic.”

17. Her Majesty's Government would be quite ready to continue for a further period the existing system of government in Swaziland, if the South African Republic would join with them in so doing. Indeed, there are reasons of weight which would incline the Government to desire such a temporary prolongation of the present system, notwithstanding its manifest imperfections; and I should wish you at the opening of your communications with the President to ascertain whether he would be willing to consent to such an arrangement. I fear, however, from all the information in my possession, that there is little likelihood of his entertaining this proposition, and if he should decline to do so and should put forward a request for a material modification of the present arrangement existing in Swaziland, Her Majesty's Government are bound not to refuse to consider any proposals which he may have to make.

18. The interests of this country in Swaziland are of two kinds; the welfare of the Swazi people, and that of such British subjects as may have settled in the country or may be associated with it. With regard to the natives, I may observe that Her Majesty's Government, while they do not doubt the good intentions of the Government of the South African Republic, consider it incumbent on them, before sanctioning any future arrangement which would give greater administrative powers over the country to that State, to obtain satisfactory guarantees that the Swazi people will be left to manage their internal affairs according to their tribal customs, and that they will not be deprived of their existing rights in the land. As regards their interest in the land—a matter to which Her Majesty's Government attach great importance—I would observe that the way of dealing with the point which seems most obvious—that is, by the formation of a mixed Commission to mark off locations or districts as Native reserves—might, I fear, be neither acceptable to the Natives, nor consistent with rights which they themselves have conferred on others. Possibly a more practical solution might be found in arranging with the South African Republic that it should buy up such concessions as are detrimental to Native land rights, and should not allow more than a certain specified proportion of the habitable land of the country to be reduced into occupation by whites.

19. With regard to British Interests in Swaziland, I would observe that those settlers who claim British nationality, and who were said some time ago to number about 450 out of about 750 permanent white residents, must, under any new arrangement, be ensured an amount of freedom and protection in all their rights, personal and proprietary, not less than that which they now enjoy. It has been represented that some millions of British capital have been invested in Swaziland, but so far as I have yet been able to ascertain, this statement can only be accepted with material reservation, inasmuch as the figures usually quoted do not represent actual money subscribed or invested, but only the nominal capital of the different companies interested in the country.

20. You will inform the President, if he claims that the question of the existing arrangements in Swaziland should be re-opened, that Her Majesty's Government are prepared to assent to his Government entering into negotiations with the Swazi Nation with a view of obtaining, in the form of a Treaty or of an “Organic Proclamation,” adequate jurisdiction in Swaziland. Her Majesty's Government will require that any such Treaty or Proclamation should, before coming into operation, be submitted for the Queen's approval. Her Majesty's Government will further require to be satisfied that the consent of the Swazi nation has been effectively and intelligently given; and that the terms of the arrangement make adequate provision for safeguarding Native and British interests in some such manner as I have indicated above. You may then intimate that, under such conditions the British Representative in the Joint Government of the Whites would be withdrawn, the duty of watching the working of the new arrangements being left to Her Majesty's Agent in the South African Republic, acting directly, or through some vice-consular or other officer subordinate to him.

21. It is important in the interests of all the parties concerned that the negotiations should be deliberate, and if, for that end, it seems necessary that there should be some short prolongation of the present Joint Government—say for six months—I trust that the President will see the expediency of agreeing to the suggestion.

Sir H. B. Loch.

I have, &c.  
(Signed) RIPON.

No. 87.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received January 23, 1893.)

Government House, Cape Town,  
January 2, 1893.

MY LORD MARQUESS,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 1st ultimo,\* with respect to the views entertained by Her Majesty's Government as to the policy that should govern any conference that may take place between the State President of the South African Republic and myself relating to the future government of Swaziland.

I have perused, with much care and attention, your Lordship's instructions, which, after laying down one or two general principles for my guidance, leave me, I gather, considerable latitude as to the manner in which, within certain indicated lines, I may endeavour to arrive at a satisfactory solution of the questions likely to be submitted for discussion by the Government of the South African Republic.

For the reasons stated by your Lordship, and which I have from time to time brought under the notice of Her Majesty's Government, I do not consider it would have been either right or politic to have declined to discuss with the Government of the Republic such questions as they might desire to submit for the consideration of Her Majesty's Government in connection with a more permanent settlement than that provided by the Convention of 1890, and in accordance with the promise then made to President Kruger by me through Mr. Hofmeyr with the consent of Her Majesty's Government.

While I consider an undoubted obligation rests upon Her Majesty's Government to protect the interests of British subjects who may reside in, or have invested money in, Swaziland, as well as to secure efficient safeguards, acceptable to the Swazi nation, by which their claims for consideration are protected, I feel it would be impossible, unless Her Majesty's Government are prepared to accept very serious responsibilities, to continue for any lengthened period the present system of joint Government in that country.

The geographical position of the country cannot be lost sight of in the consideration of the question.

Swaziland is practically severed from British territory, as only for a few months in the year is access to it through Zululand available, and then only by bridle-paths and difficult mountain passes. All communication through British territory is cut off for the remainder of the year, owing to the unhealthy character of the climate and the flooded state of the rivers, during which period Swaziland can only be reached through the territory of the South African Republic.

Besides the geographical difficulties of the question, nearly all the sources of taxation from which public revenues are usually derived are the property of the Government of the South African Republic by concessions obtained, either directly or indirectly, through concessionaires from the late King Umbandeen.

I may also add that England does not possess a foot of land in Swaziland, and that she is debarred by her treaty obligations from annexing the country.

I have endeavoured to give an impartial consideration to the position, and have come to the conclusion that while I cannot admit that the South African Republic has any ground to claim Swaziland as a matter of right, still I am of opinion that, subject to the acceptance by the South African Republic of certain conditions, it is desirable, upon the ground of good faith and political expediency, that Her Majesty's Government should "consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible."

I trust the views of Her Majesty's Government, as expressed in your Lordship's Despatch, may form the basis of negotiations that will lead to an amicable settlement being arrived at with the Government of the South African Republic as to the future administration of Swaziland, on terms consistent with obligations to British subjects, to the Swazi nation, and with results generally beneficial to South African interests, and honourable to Her Majesty's Government.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

\* No. 86.

No. 88.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received March 20, 1893.)

[*Answered by No. 89.*]

TELEGRAPHIC.

20th March.—Propose to meet President South African Republic 24th April at Charlestown; very desirable that I should offer make him and party guests Her Majesty's Government. It would not cost much; it is always done in case of British Representatives visiting South African Republic. Please telegraph reply.

No. 89.

The MARQUESS OF RIPON to SIR H. B. LOCH.

TELEGRAPHIC.

March 22, 1893.—Referring to your telegram of March 20,\* entertainment approved. Report fully by post probable expenditure as soon as meeting place fixed upon.

No. 90.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received March 27, 1893.)

TELEGRAPHIC.

27th March.—At request of Krüger, I have agreed to meet him at Colesberg, instead of Charlestown, 18th April. I have invited Shepstone to be present, although not to take part in conference.

No. 91.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received April 27, 1893.)

TELEGRAPHIC.

Dated 27th April.—Following telegram received from President of South African Republic: the Executive think that they have not power to approve extension of time of permissible denunciation of Convention without reference to Volksraad, which meets on 1st May. He promises to do this one of the first days.

No. 92.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received 5th May, 1893.)

TELEGRAPHIC.

The Executive of the South African Republic has been instructed by the Volksraad to give notice of denunciation of the Swaziland Convention of 1890, and has given notice accordingly. Volksraad, however, gives the Executive power to extend the Convention in the event of the pending negotiations resulting in an arrangement acceptable to the Republic, and of more time than is now available being required. The Executive Council promise to communicate on the other matters discussed at Colesberg so soon as they have been considered by the Volksraad. I will write by post communicating my views.

\* No. 88.

No. 93.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received May 11, 1893.)

TELEGRAPHIC.

[*Answered by No. 94.*]

In view of correspondence I have had with President of the South African Republic and in furtherance of negotiations it may be desirable that I should visit Pretoria in a few days, in answer to invitation. Please authorise me to exercise discretion as to accepting if I should consider it desirable; please telegraph at once. Amount already authorised will not be exceeded.

No. 94.

The MARQUESS OF RIPON to SIR H. B. LOCH.

TELEGRAPHIC.

May 11.—Visit authorised.

No. 95.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received May 15, 1893.)

Government House,  
Cape Town, April 22, 1893.

EXTRACT.

I HAVE the honour to report to your Lordship that on the 18th instant I met the President of the South African Republic at Colesberg for the purpose of conferring with him on the affairs of Swaziland.

The Conference, which lasted three days, was of a friendly character.

The whole of the discussion from first to last was understood on both sides to be "ad referendum," and I am therefore unable to state positively what view the Executive and the Volksraad may take of the questions discussed.

I may, however, point out that I think it is of great importance to separate the Swaziland question proper from other debatable subjects, so that in this way an earlier and satisfactory settlement of the Swaziland question may be more easily effected than by attaching to it conditions which could not be so immediately fulfilled as those which apply solely to the protection of the Swazis in the event of the administration of the country being transferred to the Executive of the South African Republic.

For this reason I think the stipulations relating to Swaziland should be embodied in a separate Convention (repealing and in substitution of the present Convention) which may be called the first Convention. The only exceptions I have made to this rule being the question of the extension of the railway from Charlestown to Pretoria and Johannesburg, and prohibiting the extension of railways eastward of Swaziland to the sea coast until the conditions that will apply to their construction are provided for in what may be called the Second Convention.

I consider the stipulations affecting the welfare of the Swazi nation, their rights and the securities for their future good treatment, as well as the safeguards for the protection of the rights and privileges of British or European residents in Swaziland, fall naturally within the limits which should define the discussion on Swaziland questions.

Questions of railway extension eastward of Swaziland, and the free exchange of South African produce, are not properly a part of the Swaziland question, and can be more conveniently discussed and dealt with in a separate Convention which shall define the conditions on which the South African Republic be allowed to negotiate with Umbegeza, the Widow Mdhlaheni, and Queen Zambili, with the view to the extension of railways to the River Pongola and the sea coast.

I do not think that it is possible to do more at present than await further communications from the South African Republic.

The question of the extension of the time of permissive denunciation will be the first point on which I expect to receive the views of the Government of the South African Republic, and I shall inform you upon this subject by cable.

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No. 96.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received May 29, 1893.)

[*Further Despatch No. 97.*]

MY LORD MARQUESS,

Government House, Cape Town,  
May 10, 1893.

I HAVE the honour to enclose, for your Lordship's information, with reference to my telegram of the 5th instant,\* a copy of correspondence on the subject of the notice of termination of the Convention of 1890 and the conduct of further negotiations.

I have, &c.

The Most Hon.  
The Marquess of Ripon, K.G.  
&c. &c. &c.

(Signed) HENRY B. LOCH  
Governor and High Commissioner.

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Enclosure 1 in No. 96.

The STATE SECRETARY, Pretoria, to His Excellency the GOVERNOR and HIGH COMMISSIONER.

SIR,

Pretoria, May 4, 1893.

I HAVE been instructed to inform your Excellency that the Executive Council has laid before the first Volksraad, in secret session, your Excellency's proposal to extend the time of the Convention of August 1890.

The Volksraad has instructed the Executive Council to give your Excellency notice, in terms of Art. 21 of the said Convention, that the said Convention should terminate on the 8th of August 1893. I have therefore the honour in terms of Art. 21 of the Convention entered into between your Excellency and his Honour the State President of this Republic, and signed at Pretoria on the 2nd August 1890, and at Cape Town on the 14th of August 1890, herewith to give your Excellency notice that it is the desire of the Government of the South African Republic, that after the expiration of the period of three years, viz. : on the 8th day of August 1893, the force and effect of the said Convention shall terminate. The Volksraad has further intimated to the Executive Council that should the pending negotiations lead to an arrangement of the Swaziland question and other matters relating thereto acceptable to this Republic, and it should appear that more time be required than is now available for completing such arrangement, it will be prepared then to consider an extension of the time of the said Convention.

The Executive Council purposes to communicate to your Excellency the views of the Volksraad on the other matters discussed at the Colesberg conference so soon as the Volksraad shall have had the opportunity to consider the same and to decide thereon.

I have, &c.

His Excellency  
The High Commissioner, Cape Town.

(Signed) Dr. W. J. LEYDS,  
State Secretary.

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Enclosure 2 in No. 96.

TELEGRAM.

STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER, Cape Town.

5th May 1893.—By last post yesterday there was sent to your Excellency a registered letter of which the following was the purport. *Begins.* (*Vide* Enclosure 1.) *Ends.*

## Enclosure 3 in No. 96.

His Excellency the HIGH COMMISSIONER to His Honour the STATE PRESIDENT, Pretoria.

## TELEGRAM.

6th May.—I beg to acknowledge the receipt of your telegram of yesterday's date, giving notice that the Government of the South African Republic and the Volksraad desire the Convention of 1890 should terminate on the 8th August next. I shall be glad to learn your views as to the manner, time, and place in which the negotiations commenced at Colesberg are to be further carried on, bearing in mind the following circumstances,—that it is essential they are conducted personally between your Honour and myself, that the time at my disposal for meeting your Honour is very limited, as the Cape Parliament meets on the 2nd June, after which date it would be difficult if not impossible for me to be absent from Capetown, and further, although the time within which negotiations can be carried on extends to the 8th of August next, in practice, a decision on all questions must be arrived at by the 8th of July at latest, as in the event of the terms proposed by the Government of the South African Republic being unacceptable to Her Majesty's Government, a month will be necessary before the final termination of the Convention for Her Majesty's Government to make the requisite arrangements for carrying out its obligations under Article 2 of the Convention of 1884. It appears to me, therefore, the only time available in which we can carry on personal negotiations is between, say, the 13th and 23rd instant. Your Honour will appreciate the difficulties of the situation, and I shall be glad if you will communicate to me your proposals in regard to a meeting, and if I can fall in with them, I shall be glad to do so.

## Enclosure 4 in No. 96.

STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

9th May.—In reply to your Excellency's telegram of 6th instant, I am directed to say that the Executive Council, taking your Excellency's wishes and the circumstances into account, agrees that the negotiations respecting Swaziland should be concluded between your Excellency and His Honour the State President. As, however, on account of the sitting of the Volksraad, it is impossible for His Honour the State President to leave Pretoria, this Government has the honour to express its expectation that it may be convenient to your Excellency to further conduct the negotiations at Pretoria, and the Government and the Executive Council will be glad to learn whether your Excellency could be at Pretoria about the 16th instant, to meet them for the above-mentioned object.

## No. 97.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received June 7, 1893.)

Government House, Cape Town,  
May 15, 1893.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, with reference to my Despatch of the 10th instant,\* a copy of a telegram to the State President, and of a telegram from the State Secretary, South African Republic, on the subject of the conduct of further negotiations upon Swaziland affairs.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.  
Colonial Office.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

\* No. 96.

## Enclosure 1 in No. 97.

## TELEGRAM.

His Excellency the HIGH COMMISSIONER, Cape Town, to His Honour the STATE PRESIDENT, Pretoria.

May 11.—I thank your Honour for your telegram of the 9th instant, and beg to inform you that I would be prepared to arrange, in view of the importance of the questions at issue, to absent myself for a short time, should it be necessary, from the Colony during the sitting of Parliament. I apprise your Honour of this fact as I observe in your letter of the 4th instant, you express your intention to communicate the views of the Volksraad on the matters discussed at Colesberg as soon as the members have had an opportunity of considering them, and it may therefore meet your views, as my movements are no longer restricted within any prescribed limits, that I should await the receipt of this communication, but if your Honour is of opinion that personal discussion with your Honour and the Executive in anticipation of the receipt of this communication would facilitate the settlement of the matters discussed between us, I shall be ready, subject to approval of Her Majesty's Government, to meet your wish and to visit Pretoria as soon after the 16th instant as I may be able to arrange.

## Enclosure 2 in No. 97.

## TELEGRAM.

STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER, Cape Town.

May 13th.—Your Excellency's telegram to His Honour the State President *re* your coming to Pretoria. This Government agrees with your Excellency's opinion temporarily to postpone the personal discussion and will as soon as possible obtain the views of the Honourable Volksraad.

## No. 98.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received July 3, 1893.)

Johannesburg, South African Republic,  
June 10, 1893.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, a translation of a letter which I have received from the Government of the South African Republic covering the draft of a Convention relating to Swaziland which the Government and Volksraad of the South African Republic are prepared to accept.

I enclose also a translation of a resolution adopted by the Volksraad of the South African Republic in respect of the negotiations on the subject of Swaziland.

The draft Convention represents the result of four days' discussion between the State President and myself, and is also the outcome of several discussions in the Volksraad which have taken place in secret session.

The Convention is, as your Lordship will observe, confined to Swaziland; and the various questions relating to the territories of Umbegeza, of Zambaan, the Widow Mhhlaleni and Tongaland, as well as the questions relating to Railways, Railway tariffs, and the free importation of South African produce are not touched.

It would have been more satisfactory to me if I had been able to attach to the draft Swaziland Convention stipulations respecting the Charlestown railway, and a general agreement on the subject of South African railway tariffs, but these questions, however important they may be in the general interest of South Africa, are not logically connected with the Swaziland question. The primary considerations to be borne in mind in dealing with the Swaziland question are the interests of the Swazi natives and of the Europeans who are either residents in Swaziland or have acquired property in that country.

Those interests have, I think, been very fully safeguarded in the draft Convention, and I beg to recommend that the draft may receive the approval of Her Majesty's Government.

I may add that I have arranged for an extension of the existing Convention for three months, such extension to be terminable at any time with the mutual consent of the High Commissioner and the State President, and I enclose a copy of the memorandum of agreement on this point.

In reviewing the whole course of the negotiations I think I am in a position to congratulate your Lordship on the satisfactory settlement of a difficult question. The pledges made by me with the authority of your Lordship's predecessor have been fulfilled. The rights and interests of the Swazi natives have been as fully safeguarded as if the Joint Government had continued. A dispute which was a constant source of anxiety and danger to British interests in South Africa has been satisfactorily adjusted. Her Majesty's Government have been relieved of a burdensome and unprofitable expenditure, and British interests in Swaziland have been fully safeguarded and protected.

There are, moreover, stipulations in the Convention which though apparently unimportant in themselves are likely to exercise an important influence on the future of British policy in South Africa to the great benefit of Imperial and native interests.

It is with pleasure therefore I have to inform your Lordship that all these ends have been attained without any sacrifice of any interest or principle, and that even the Charlestown railway extension, though not expressly stipulated for in the Convention, has been apparently secured by the closing sentences of the resolution of the Volksraad of the South African Republic.

I have, &c.

(Signed) HENRY B. LOCH,  
High Commissioner for South Africa.

The Most Hon. the Marquess of Ripon, K.G.,  
&c. &c. &c.

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Enclosure 1 in No. 98.

(Translation.)

YOUR EXCELLENCY,

Government Office, Pretoria, June 8, 1893.

IN consequence of the negotiations which have taken place between your Excellency and this Government, I have the honour, in the name of this Government, to inform your Excellency that this Government is prepared and authorised to enter into a Convention in accordance with the draft which accompanies this as an enclosure.

This Government will be glad to learn from your Excellency, as soon as possible, that Her Majesty's Government is prepared to agree thereto.

I have, &c.

To His Excellency, the High Commissioner, (Signed) DR. W. J. LEYDS,  
Pretoria. State Secretary.

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CONVENTION.

ARTICLE I.—The Convention of 1890 between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic, with the exception of Articles 10 and 24 thereof shall, on the 8th day of August 1893 cease and determine, and the Articles of this Convention shall have force and effect, but the provisions of all or any of the Articles of the said Convention of 1890 may, with the consent of Her Majesty's High Commissioner and the State President of the South African Republic be continued in force for a further period, to be mutually arranged, pending the completion of the Convention or organic proclamation provided for in Article 2 of this Convention.

ARTICLE II.—Her Majesty's Government agrees, notwithstanding anything to the contrary contained in Articles 2 or 12 of the Convention of London of 1884, or in the Convention of 1890, that the Government of the South African Republic may enter into negotiations with the Swazie Queen Regent and Council, with a view to obtaining a Convention or an Organic Proclamation by which rights and powers of jurisdiction, protection and administration over Swazieland, without incorporation thereof into the said republic, may be conferred upon and secured to the last-mentioned Government, but no such Convention or Organic Proclamation would be entitled to recognition from Her Majesty's Government unless the said Government were satisfied

(a.) that the Swazie Queen Regent and Council understood the nature, terms, articles, and conditions thereof.

- (b.) that just provision had been made for the protection of the Swazie natives with regard to the management of their own internal affairs according to their own laws and customs, including the laws and customs of inheritance and succession, in so far as the said laws and customs are not inconsistent with civilised laws and customs, or with any law in force in Swaziland made pursuant to such Convention or Organic Proclamation, and with regard to their continued use and occupation of land now in their possession, and of all grazing or agricultural rights to which they are at present entitled.

ARTICLE III.—In the event of any such Convention or Organic Proclamation as aforesaid being approved of by Her Majesty's Government, the following articles of this Convention shall be binding upon the Government of the South African Republic:—

ARTICLE IV.—All British subjects residing in Swaziland, or having in Swaziland any property, grant, privilege, or concession, or any right, title to, or interest in, any property, grant, privilege, or concession, shall be secured in the future enjoyment of all their rights and privileges of whatsoever nature or kind in like manner as burghers of the South African Republic, but shall obey the Government and conform to the laws established for Swaziland.

ARTICLE V.—Every white male who shall have been a *bonâ fide* resident in Swaziland (even if temporarily absent from Swaziland) on the 20th April 1893, shall become and be entitled to all the political privileges of a full burgher of the South African Republic as though he had been born in that Republic.

Provided, however:—

- (a) that every white male shall make application, in writing, to an officer to be appointed at Bremersdorp, in Swaziland, by the Government of the said Republic to have his name enrolled upon a list of persons so entitled, and upon satisfactory proof, by a true and solemn declaration of his *bonâ fide* residence in Swaziland on the aforesaid day, such declaration to be made within six months from the date of public notification of the appointment of such officer as aforesaid, such officer shall be bound to enrol his name on such list, and such list shall be the list of burghers of the South African Republic so admitted under this head of this Article to the privileges aforesaid;
- (b) that every white son of any person admitted to the privileges of a burgher under the preceding paragraph of this Article, which son shall have been a minor on the aforesaid date, shall be entitled to the like political privileges which he would have had if his father had been a natural-born burgher of that Republic and he himself had been born therein, provided that the right under this section shall be claimed by such minor from the Government of the South African Republic by notice in writing within twelve months from his attaining his majority;
- (c) that every person admitted as a burgher shall, while resident in Swaziland, be entitled to register his vote at any election when and where a burgher resident in some convenient district of the South African Republic adjoining Swaziland would be entitled to vote, such district to be determined by the Government of the South African Republic, and if thereafter he shall come to reside in any district of the South African Republic such person shall there be entitled to register his vote.

ARTICLE VI.—The equal rights of the Dutch and English languages in all courts of Swaziland shall be maintained. This provision shall be in force so long as the administration of Swaziland by the Government of the South African Republic continues under the provisions of the Convention or Organic Proclamation referred to in Article 2.

ARTICLE VII.—The Customs duties shall not be higher in respect of any article imported into Swaziland than the duty thereon according to the tariff at present in force in the South African Republic or the tariff at present in force in the South African Customs Union, whichever is now the higher. This provision shall be in force so long as the administration of Swaziland by the Government of the South African Republic continues under the provisions of the Convention or Organic Proclamation referred to in Article 2.

No individual or individuals, corporation, or company shall have exclusive rights or privileges with regard to the imposition of, or exemption from, Customs duties on goods.

ARTICLE VIII.—The Government of the South African Republic agrees to prohibit the sale or supply of intoxicating liquor to Swazie natives in Swazieland.

ARTICLE IX.—No railway beyond the eastern boundary of Swazieland shall be constructed by the Government of the South African Republic save under the provisions of a further contemplated Convention between Her Majesty the Queen and the South African Republic, or with the consent of Her Majesty's Government.

ARTICLE X.—Articles 10 and 24 of the Convention of 1890 are here again set forth for convenience of reference :—

“Article 10. The Government of the South African Republic withdraws all claim to extend the territory of the Republic, or to enter into treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support, by its favouring influence, the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company.

“Article 24. Her Majesty's Government consent to an alteration of the boundary of the South African Republic on the east, so as to include the territory known as the Little Free State within the territory of the South African Republic.”

ARTICLE XI.—Her Majesty's Government reserves the power of exercising diplomatic representation in favour of Swazie natives or British subjects in case any provision of the Convention or Organic Proclamation referred to in Article 2 shall not be fairly and faithfully observed.

ARTICLE XII.—This Convention will be ratified by the Volksraad of the South African Republic on or before the \_\_\_\_\_ day of \_\_\_\_\_ 1893, and in default of such ratification this Convention shall be null and void.

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Enclosure 2 in No. 98.

TRANSLATION.

YOUR EXCELLENCY,

Government Office, Pretoria, June 8, 1893.

I HAVE the honour to forward, herewith, to your Excellency as enclosures respectively marked A and B.

First, copy of secret Volksraad Resolution, dated 7th June 1893.

Second, English translation thereof.

I have, &c.

To his Excellency the High Commissioner,  
Pretoria.

(Signed) DR. W. J. LEYDS,  
State Secretary.

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The First Volksraad having considered the communications made by the Government and the Executive Council with reference to the course of negotiations which took place before, and which now are taking place with his Excellency the High Commissioner, taking into consideration that those negotiations did not confine themselves to Swazieland exclusively, but that from the side of the High Commissioner other matters have been included in the Swazieland affair, which have no reference to the Swazieland question, as, for instance :—

The not claiming of certain rights on or in Zambaan land, or the acquiring thereof.

The entering into of a railway tariff agreement.

The extension of the Natal line of railway from Charlestown to Johannesburg and Pretoria.

The free importation of the mutual produce of all the States and Colonies and territories of South Africa up to the Zambesi.

Considering that his Excellency the High Commissioner is willing to agree that, with reference to Swazieland, a separate Convention be concluded, but that, on the other hand, the High Commissioner claims that in that same Convention a condition or promise be attached which has no relation to Swazieland, and, secondly, that he wishes, simultaneously with the concluding of the Convention with reference to Swazieland, a second Convention to be entered into relative to the other above-mentioned subjects or, at any

rate, to arrive at a certain understanding with the Government of the South African Republic with reference thereto.

Considering that the Swaziland question is and ought to stand as a separate one.

Considering the just right of the Republic to Swaziland.

Considering the promise of Her Majesty's Government in regard to their endeavour to, as far as possible, meet the wishes of the South African Republic.

Considering that on the other side repeated proofs have been given from the side of the South African Republic of its willingness to meet the wishes and interests of Her Majesty's Government, and that the Republic has more than fully performed its obligations.

Considering the Volksraads Resolution, Article 1204, dated August 7th, 1890, by which the Convention of August 1890, was explicitly declared to be regarded as a transitory measure.

Resolves:—

1stly. To express its deep disappointment and regret on account of the fact that Her Majesty's Government again attaches conditions to the settlement of the Swaziland question which have no relation to that question.

2ndly. That it is impossible in any Convention intended for the settlement of the Swaziland question to treat of other subjects, or to include other conditions, or to add any promises which are outside the settlement of the Swaziland question, such as the extension of the Natal railway line or the mutual free importation of South African products.

3rdly. That the Volksraad, as yet, wishes to confine itself to the treatment of the Swaziland question only.

4thly. That the Volksraad agrees that, in the Convention intended to settle the Swaziland questions, stipulations and conditions be inserted referring to matters touching Swaziland, such as the protection of British interests, protection of the Swazies, the right to voting, the import duties for Swaziland, and the language question there, and that the Government be empowered, as far as possible, to meet the wishes of Her Majesty's Government on these points.

5thly. That the Volksraad hopes that it will be possible for the Government, in terms of this resolution, to be able to come to an agreement.

6thly. That the Volksraad regrets that its duty to the people of the South African Republic makes it impossible for the Raad, having regard to the interests of the South African Republic and the expressed will of the people, to act otherwise than as is expressed herein.

That the Volksraad expresses the hope, and gives the assurance from its side, that, although it may be impossible to come to a settlement at this moment, such will not interfere with the friendly relations between this Government and Her Majesty's Government, which friendly relations it will ever be the wish of the Volksraad to strengthen.

The Volksraad further resolves, with reference to the Natal Railway Extension (having in view its instructions of 1892 respecting the survey thereof) still to deal with the subject in this Session with observance of the interests of the South African Republic and of Natal.

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Enclosure 3 in No. 98.

Pretoria, June 8, 1893.

It is mutually agreed that the effect of the Convention of 1890 shall be continued for three months from and after the 8th August 1893, provided that this period of three months may, at any time, be terminated by mutual consent of his Excellency the High Commissioner, and his Honour the State President of the South African Republic.

(Signed)

GRAHAM BOWER,  
Imperial Secretary.

Dr. W. J. LEYDS,  
Staats Sec., Z. A. R.

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No. 99.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received July 3, 1893.)

Johannesburg, South African Republic,  
June 10, 1893.

MY LORD MARQUESS,

I DESIRE to make a few observations with respect to the resolution passed by the Volksraad in secret session, a copy of which I transmit in my Despatch of this day's date\* as the wording may be regarded as being rather involved and the meaning somewhat obscure.

Your Lordship will understand it better if I briefly refer to the circumstances under which it was passed.

President Krüger submitted a request that the operation of the draft Convention should apply not only to Swaziland, but also to Umbegesa's and the Widow Mdhlaheni's territories, and at the same time declined to accept any of the safe-guarding clauses which were conditional upon his having a right of railway through their country.

I declined to accede to this request, and informed President Krüger that I could only consider his application as open for discussion if the whole of the clauses applying to these territories were included in a second Convention which I would be prepared to submit for the consideration of Her Majesty's Government at the same time I presented the first Convention for their consideration.

I was aware that some of the conditions I required for insertion would not be accepted by the Volksraad. The result of a secret session confirmed me in this belief, and President Krüger withdrew his request, but at the same time objected to two articles which I had inserted in the first Convention, one relating to Charlestown Railway Extension, the other to free trade in the produce and manufactures of the several States and Colonies, and as I had objected to the Convention being loaded with matters extraneous to Swaziland, I could not in reason refuse, especially as the President informed me the Volksraad were willing, if I assented, to pass a resolution undertaking to give consideration to the Charlestown Railway Extension during the present session.

I regard the Volksraad's resolution merely as an endeavour to make it appear that on President Krüger's pressure I had yielded on matters which I had unduly desired to press.

The Most Hon.  
The Marquess of Ripon, K.G.,  
&c. &c. &c.

I have, &c.  
(Signed) HENRY B. LOCH,  
High Commissioner for South Africa.

No. 100.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received July 6, 1893.)

Government House, Cape Town,  
June 16, 1893.

EXTRACT.

I HAVE the honour to report my return to Cape Town after an absence of 16 days, and it may be of interest to your Lordship if I briefly state the impression that I have derived from my visit to the South African Republic.

I will not refer to the special questions which, under your Lordship's instructions, formed the subject of discussion between myself and President Krüger, as I have already reported the general purport of what passed between us in conference, and the results that have been attained, but I shall confine myself to matters of a more general character.

Lady Loch had been invited to accompany me, and, after some hesitation, I accepted on her behalf, under the belief that her going to Pretoria would impart a more friendly character to my visit, and tend to remove a feeling which I believe has always prevailed with President Krüger since our conference at Blignaut's Pont in 1890, that I was on personal grounds opposed to him and to the South African Republic, and although this

\* No. 98.

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impression was partly removed by our meeting at Colesburg, still it had not been altogether eradicated, but in this respect the result of Lady Loch's visit has more than fulfilled my expectations, and has assisted in establishing the friendly relations which now subsist between President Krüger and myself.

I arrived at Pretoria at 1 o'clock on the afternoon of Saturday the 3rd instant ; the State Secretary, Dr. Leyds, met me at Vereeniging, the frontier railway station of the Transvaal. At Pretoria, the State President, accompanied by the Executive Council and Members of the Volksraad, together with a very large concourse of ladies and gentlemen, received me and my party. The station was beautifully decorated, whilst across the road leading to the house prepared for the accommodation of ourselves and my staff was erected a large triumphal arch.

The Union Jack was profusely mingled with the flags of the Republic. At my residence the Union Jack was hoisted.

Pretoria has grown very rapidly of late years. It possesses an inexhaustible supply of water, while gold reefs having recently been discovered within a few miles, it may in a short time rival Johannesburg in becoming a great gold centre, but as yet the gold fields have not been sufficiently tested as regards either their richness or extent to speak with any degree of certainty as to their future prospects.

The Government of the Republic gave an evening reception in their public buildings, which have been recently completed. The buildings are large, and besides providing offices for all their public departments, include two very large and handsome chambers for each Volksraad, the one for the First Volksraad being larger than the English House of Commons.

Upwards of 1,000 attended the reception, and the Government and public manifested the most cordial and friendly feeling.

My visit is the first occasion since 1881 that any High Commissioner has been within the Transvaal ; and while those who never willingly abandoned their allegiance to England rejoiced to see the representative of the Queen again at Pretoria, the Dutch themselves regarded my visit with Lady Loch as a friendly manifestation on the part of Her Majesty's Government towards their country, and by their reception desired to show their respect for the personality of the Queen, who is regarded throughout South Africa with feelings of the greatest devotion and admiration.

I had partly accepted a cordial invitation to visit Johannesburg on my return journey, when I was informed the Government of the South African Republic would be hurt if I declined to consider myself a guest of the State during the whole period of my stay in the Republic.

I arrived at Johannesburg at 3 o'clock on the afternoon of Friday the 9th instant. The railway station is in the middle of the town. We were met by the Government officials, the reception committee, the leading merchants, and the directors of all the principal mines, and by about 15,000 to 20,000 working men, 90 per cent. of whom were English. These lined the streets from the station to the hotel where rooms had been taken for us, about a mile distant ; and they never ceased the whole way cheering and singing " God save the Queen " and Rule Britannia." English flags were flying on all the principal buildings, even over some of the Government offices.

The appearance of Johannesburg is very marvellous, considering that six years ago there was not a house on the ground. The houses in the streets are contiguous to each other, and amongst them are many stone and brick buildings that would do credit to towns in Europe.

The gold reefs extend over 20 miles of country, and others are almost daily being discovered. The extent of reefs already opened and working will take, it is estimated, 50 years to exhaust, and some boring tests which were completed while we were there have discovered that the principal reefs extend to a distance that, in the opinion of experts, gives an additional 100 years at least of life to the gold industry.

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No. 101.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received July 6, 1893.)

Government House, Cape Town,  
June 21, 1893.

MY LORD MARQUESS,

I HAVE the honour to inform your Lordship that on the occasion of my visit to the South African Republic several addresses were presented to me.

On my arrival at Pretoria an address of welcome, signed by the State President, Executive Council, Judges, members of the two Volksraads, and Government officials, was read to me in presence of President Kruger.

The next address I received was from the Bishop, clergy, officers, communicants, and members of the English Church at Pretoria, who desired me to convey to the Queen the assurance of the perpetuity of their love and loyalty to Her Majesty.

The British Indian subjects and Malays resident in the South African Republic also presented addresses, and desired that their expressions of loyalty and sense of gratitude for the benefits devolving upon them as British subjects, might be made known to Her Majesty.

On my arrival at Johannesburg I received an address of welcome from the Committee representing the Government officials and public bodies. On the following day I received an address signed by upwards of 5,000 British subjects resident in Johannesburg and the Witwatersrand Gold Fields. In this address the signatories desired me to lay before Her Majesty the expression of their most loyal and devoted attachment to Her Majesty's august and beloved person and throne. I replied that I should have great pleasure in forwarding, for submission to Her Majesty, the expressions of loyalty and devotion from such an important section of Her Majesty's subjects, who, resident in a foreign State, far distant from the land of their birth, still cherish feelings of deep devotion and attachment to their sovereign and their country.

Addresses were also presented by the Witwatersrand Chamber of Mines, the Johannesburg Chamber of Commerce, the Germans resident in the South African Republic, the Netherlands Association, and the Caledonian Society, tendering me a hearty welcome into their midst, and expressive of the benefits of co-operation and friendly relations between Her Majesty's Government and the Governments of the various States and Colonies in South Africa.

On my return journey I stayed at Bloemfontein for a few hours, where I was cordially received by President Reitz, and was presented with an address by the Town Council in similar terms.

I made replies to all these several addresses.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

The Most Hon. the Marquess of Ripon, K.G.,  
&c. &c. &c.

No. 102.

The MARQUESS OF RIPON to SIR H. B. LOCH.

SIR,

Downing Street, July 21, 1893.

I HAVE the honour to acknowledge the receipt of your despatch of the 21st ultimo,\* reporting that on the occasion of your visit to the South African Republic various addresses, welcoming yourself and expressing loyalty towards the Queen and good feeling towards Her Majesty's Government, had been presented to you.

I have laid your despatch before Her Majesty, and she commands me to express the gratification with which she has learnt of these demonstrations of affection and loyalty towards Her throne and person, and of appreciation of the administration of Her Government in South Africa. I am to request you to cause suitable acknowledgments in this sense to be conveyed to the Corporations and Associations that presented the addresses referred to.

Sir H. B. Loch.

I have, &c.  
(Signed) RIPON.

\* No. 101.

No. 103.

SIR H. B. LOCH to the MARQUESS OF RIPON.

(Received August 26, 1893.)

MY LORD MARQUESS,

Government House, Cape Town,

August 5, 1893.

I HAVE the honour to enclose, for your Lordship's information, a copy of telegraphic correspondence on the subject of the jurisdiction of the Swaziland High Court after 8th August, and extension of Swaziland Convention for three months.

I have, &amp;c.

(Signed) HENRY B. LOCH,

The Most Hon. the Marquess of Ripon, K.G.,

Governor and High Commissioner.

&amp;c. &amp;c. &amp;c.

Colonial Office.

Enclosure 1 in No 103.

From Colonel MARTIN, Bremersdorp, to HIGH COMMISSIONER, Cape Town.

TELEGRAM.

20th July.—Judge of High Court informs me he had been asked question as to whether or not Court is likely to continue after 8th August, and is anxious to know what answer should be returned. The present term is fixed to end last day of August, and I am informed there are several cases down for hearing.

Enclosure 2 in No. 103.

From HIGH COMMISSIONER, Cape Town, to His Honour, the STATE PRESIDENT,  
Pretoria.

TELEGRAM.

21st July.—I understand Judge of High Court, Swaziland, is anxious for instructions with regard to hearing cases after 8th of August next. I would suggest that he be informed he should not fix cases for hearing beyond the end of October, and if later on we should jointly think that time should be extended, he would be instructed accordingly. I shall be glad, however, to learn your views on subject.

Enclosure 3 in No. 103.

From STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

(Translation).

26th July 1893.—Your telegram of 21st instant. I am instructed to inform you that the Government shares your Excellency's opinion. It has made this known to the Government Secretary, Swaziland, with the request to inform the Judge there in accordance therewith.

Enclosure 4 in No 103.

From Colonel MARTIN, Bremersdorp, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

1st August.—With reference to your Excellency's telegram of the 26th July, during a recent conversation with Mr. Shepstone I gathered he considered that as notification of the withdrawal of Government South African Republic from existing arrangements

had been made that, representing Swaziland, if the Government intended to continue the present Government they should inform him. He also called attention to possibility of jurisdiction of this court might be questionable. I would suggest for your Excellency's consideration, that as during absence of Transvaal Commissioner we cannot make joint representation, Government Secretary should receive instructions to inform him of what you intend doing, and that an official notice issued by the Committee with the approval of the Governments might meet difficulties that might arise. Since writing the above, telegram from State Secretary to Government Secretary to the effect that cases can be heard till end of October has been received. Mr. Shepstone, in Minute passing it to me, says, I have my doubts as to the legality of the action advised.

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Enclosure 5 in No. 103.

From HIGH COMMISSIONER, Cape Town, to the STATE PRESIDENT, Pretoria.

TELEGRAM.

2nd August.—I have received a telegram from Colonel Martin, of which the following is an extract: Begins.—During a recent conversation with Mr. Shepstone, I gathered he considered that as notification of the withdrawal of the Government of the South African Republic from existing arrangements had been made that as representing Swaziland if the Governments intended to continue the present Government they should inform him. He also called attention to possibility that jurisdiction of this Court might be questionable.—Ends.

In view of the doubt expressed by Mr. Shepstone, I would suggest for your Honour's consideration, that the Government Secretary should be directed by the Joint Governments by telegraph to officially notify to Mr. Shepstone, as representative of the Swazi Nation, that on the 8th June the Joint Governments entered into the agreement of that date, signed by Dr. Leyds as State Secretary, and Sir Graham Bower, as Imperial Secretary, for the extension of the effect of the Convention of 1890 for three months; and I would suggest that a verbatim copy of this agreement should be sent by each Government to the Government Secretary, to be handed to Mr. Shepstone. I shall be glad to have your Honour's views by telegraph, and I shall likewise be glad if your Honour will kindly inform me when I may expect an answer to my despatch of the 21st ultimo.

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Enclosure 6 in No. 103.

From STATE SECRETARY, Pretoria, to HIGH COMMISSIONER, Cape Town.

(Translation.)

TELEGRAM.

2nd August 1893.—Your telegram of to-day. I am instructed to acquaint you that the Government agrees with your Excellency's suggestion that instruction shall be given by telegram to the Government Secretary at Breimersdorp by the Joint Governments to officially notify to Mr. Shepstone the extension of the Convention as agreed upon on the 8th June 1893. This Government has already telegraphed to the Government Secretary to this effect. The Government has your Excellency's letter of the 21st July still under consideration, and I hope soon to be in a position to communicate to your Excellency its views respecting the contents thereof.

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Enclosure 7 in No. 103.

From IMPERIAL SECRETARY, Cape Town, to GOVERNMENT SECRETARY, Breimersdorp.

TELEGRAM.

3rd August.—The High Commissioner directs me to request you to officially inform Mr. Shepstone, as representative of the Swazi nation, that on the 8th June last the joint Governments entered into an agreement for the extension of the effect of the Convention of 1890 for three months, and at the same time to furnish him with a verbatim copy of the said agreement, which reads as follows:—Begins \* \* \* \* \* Ends.

## Enclosure 8 in No. 103.

From His Excellency the HIGH COMMISSIONER, Cape Town, to His Honour  
Colonel MARTIN, Bremersdorp.

TELEGRAM.

3rd August.—In reply to your telegram of 1st August, have been in communication with State President, and have arranged to telegraph to the Government Secretary for the information of Mr. Shepstone, informing him of the arrangements entered into between the two Governments, of which a copy has been telegraphed.

## Enclosure 9 in No. 103.

TELEGRAM.

From GOVERNMENT SECRETARY, Bremersdorp, to IMPERIAL SECRETARY, Cape Town.

5th August.—Your telegram 3rd instant received, and, as therein instructed, I informed his Honour Mr. Shepstone, of the agreement come to on the 8th June last between the two protecting Governments, and have received from Mr. Shepstone the following reply, viz. :—In reply, I have to inform you, that on behalf of the Swazie Nation, I acquiesce in the agreement arrived at between the two Governments, and have informed the Queen Regent of the facts.

## No. 104.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received September 11, 1893.)

MY LORD MARQUESS,

Government House, Cape Town,  
August 23, 1893.

WITH reference to previous correspondence, I have the honour to enclose, for your Lordship's information, a copy of a correspondence with the State President of the South African Republic, relative to the interpretation of certain clauses in the draft Swaziland Convention negotiated between his Honour and myself.

I have, &amp;c.

(Signed HENRY B. LOCH,

The Most Hon. the Marquess of Ripon, K. G.,  
&c. &c. &c.

Governor and High Commissioner.

## Enclosure 1 in No. 104.

His Excellency the GOVERNOR AND HIGH COMMISSIONER, Cape Town, to His Honour  
the STATE PRESIDENT, South African Republic.

Government House, Cape Town,  
July 21, 1893.

SIR,

I AM authorised by Her Majesty's Government to sign the Convention proposed to be entered into between your Honour and myself, but, in making this communication to your Honour, to prevent any future misconception, I am directed to state that Her Majesty's Government understand the Convention to embody the unrestricted right of Her Majesty's Government to approve or dissent from any Convention or Organic Proclamation to be entered into between your Honour's Government and the Swazi Queen and Nation.

That the free assent of the Swazi Queen and Nation will constitute an essential preliminary to acceptance by Her Majesty's Government of the proposed Convention or Organic Proclamation with the Swazis.

That nothing contained in Article two is to be construed as giving validity to any law hereafter to be made which would be inconsistent with the terms and conditions of the present Convention or of the Convention or Organic Proclamation to be approved by Her

Majesty's Government, and that the Convention or Organic Proclamation to be entered into between the Government of the South African Republic and the Swazi Nation cannot be altered or abrogated without the consent and approval of Her Majesty's Government.

I should be glad to learn that your Honour accepts, on behalf of the South African Republic, this statement as correctly representing the effect of the terms of the Convention.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

His Honour the State President, Pretoria,  
South African Republic.

Enclosure 2 in No. 104.

TELEGRAM.

From His Excellency the HIGH COMMISSIONER, Cape Town, to His Honour the  
STATE PRESIDENT, Pretoria.

17th August 1893.—I trust I may be allowed to remind your Honour that nearly four weeks have elapsed since I addressed to you my despatch of the 21st ultimo, and as that despatch conveyed to your Honour the approval of Her Majesty's Government to the draft Convention which had been negotiated between your Honour and myself, and which had received the approval of the Executive and the Volksraad, I trust your Honour will not consider I am unduly pressing in expressing a wish to be informed when I may expect to receive a reply to that despatch, so that the further preliminaries in connection with signing the Convention may be proceeded with. I address to you this request in the same friendly spirit that I acknowledge with pleasure has characterised all our negotiations both at Colesburg and at Pretoria.

Enclosure 3 in No. 104.

TELEGRAM.

From STATE SECRETARY, Pretoria, to His Excellency HIGH COMMISSIONER,  
Cape Town.

Translation made in High Commissioner's Office.

17.8.93. Your Excellency's telegram of to-day. I am instructed to say that his Honour thanks you very much for the friendly spirit expressed therein. To-day a written reply with translation is being sent to your Excellency, the text of which for the sake of expedition of the matter I cause to follow. Begins:—

YOUR EXCELLENCY,

I AM directed and have the honour to acknowledge the receipt of your Excellency's despatch, dated 21st July last, and in reply thereto to say that the Government of the South African Republic has observed to its regret that the views of Her Majesty's Government respecting the terms of the proposed Convention so diverge from those terms themselves that it cannot agree with them, and that it can consequently also not submit to them.

The Government understands from the proposed Convention that the right of Her Majesty's Government to approve or disapprove the Convention or Organic Proclamation to be entered into with the Swazi Queen Regent and her Council, in contrast to what is said by your Excellency, is indeed limited by the provisions of Article 2, (a) and (b), of the proposed Convention in so far that, if in such Convention or Organic Proclamation the above-named conditions are complied with, the acknowledgment and approval thereof by Her Majesty's Government ought to follow.

From the contents of Article 2 of the proposed Convention the Government understands that the consent of the Swazi Queen Regent and Council to the Convention or Organic Proclamation is sufficient to obtain acknowledgment and approval of Her Majesty's Government. In the Convention moreover, "The Queen and Council" are specially mentioned, and not the "Nation."

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The Government can equally little share in the opinions of Her Majesty's Government respecting the validity of the laws to be made for Swaziland by the South African Republic, and the alteration or abrogation of the Organic Proclamation or Convention with the Swazie Queen Regent and Council, as those are additional matters which are not comprised in the Convention.

This Government trusts that Her Majesty's Government, after full consideration of the matter, will perceive the reasonableness and justness of the above representations.

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Enclosure 4 in No. 104.

STATE SECRETARY, South African Republic, to His Excellency HIGH COMMISSIONER,  
Cape Town.

(Translation furnished by State Secretary, South African Republic.)

Government Office, Pretoria,  
August 17, 1893.

SIR,

I HAVE been instructed and have the honour to acknowledge the receipt of your Excellency's letter, dated 21st July 1893, and in reply thereto to state that the Government of the South African Republic has noticed with regret that the views of Her Majesty's Government concerning the terms of the proposed Convention differ from those terms to such an extent that it cannot concur therein, and consequently also cannot abide thereby.

The Government understands from the proposed Convention that the right of Her Majesty's Government to approve or dissent from the Convention or Organic Proclamation to be entered into with the Swazi Queen Regent and Council is, contrary to what is said by your Excellency, restricted by the provisions of Article 2, (a) and (b), of the proposed Convention in so far that in case in such Convention or Organic Proclamation provision has been made for the above mentioned conditions the recognition and approval thereof by Her Majesty's Government ought to follow.

From the contents of Article 2 of the proposed Convention, the Government understands that the assent of the Swazie Queen Regent and Council to the Convention or Organic Proclamation is sufficient to obtain recognition and approval from Her Majesty's Government.

In the Convention the "Queen Regent and Council" are specially named, and not the "Nation."

The Government is also unable to concur in the views of Her Majesty's Government with regard to the validity of the laws to be made for Swaziland by the South African Republic, and the alteration or abrogation of the Organic Proclamation or Convention with the Swazie Queen Regent and Council, because these are additional matters which are not contained in the Convention.

This Government trusts that Her Majesty's Government will, after full consideration of the matter, recognise the above representations as reasonable and correct.

I have, &c.

To His Excellency the High Commissioner,  
Cape Town.

(Signed) DR. W. J. LEYDS,  
State Secretary.

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Enclosure 5 in No. 104.

HIGH COMMISSIONER to His Honour the STATE PRESIDENT, Pretoria,

Government House, Cape Town,  
August 22, 1893.

SIR,

I HAVE the honour to acknowledge the receipt of your Honour's despatch of the 17th instant.

I agree with your Honour that the expression "Swazi Queen Regent and Council" is more correct than the words "Swazi Queen and Nation," and I readily agree that the free assent referred to in my despatch of the 21st July, shall be that of the Queen Regent and Council.

I regret, however, to find that on some points you appear to put a different interpretation from my own upon certain of the provisions of the draft Convention between Her Majesty's Government and the South African Republic recently drawn up at Pretoria.

I am advised that the true legal interpretation of those provisions is not in accordance with the views expressed in your Honour's letter of the 17th instant, and I do not myself understand their meaning as you do.

But Her Majesty's Government are most anxious to avoid all possibility of future misunderstanding, and to deal in the most frank and friendly spirit with the Government of the South African Republic, and they have therefore instructed me to explain to you more in detail than I have previously done their views with respect to the points which it is desirable to make clearer than they at present appear to be.

The difficulty with regard to the Article No. 2 arises from the introduction of the words—"or with any law in force in Swaziland, made pursuant to such Convention or "Organic Proclamation." An interpretation might be put upon those words which would render it possible so to frame the Convention or Organic Proclamation as to authorise the making under it of laws inconsistent with stipulations of Article No. 2 itself. This would not be in accordance with the intentions of Her Majesty's Government, and they must therefore either reserve to themselves an unrestricted right to refuse recognition to the Convention or Organic Proclamation, if they are not satisfied with its provisions in this respect, or they must make their acceptance of the proposed Convention between themselves and the South African Republic contingent on a clear understanding that no law is to be made hereafter in Swaziland which is inconsistent with the guarantees given in that Convention to the Swazi natives. This can be effected either by the acceptance of this understanding by the South African Republic or by an amendment of the wording of Article No. 2.

With regard to the other point referred to in your Honour's letter under reply, I am directed to point out that when the proposed Convention or Organic Proclamation has received the recognition of Her Majesty's Government it will have the character of an agreement between that Government and the South African Republic and therefore cannot be altered without the consent of both Governments: if this were not so, the proposed Convention between Her Majesty's Government and the South African Republic would be illusory.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

His Honour the State President, Pretoria.

No. 105.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received October 2, 1893)

Government House, Cape Town,  
September 12, 1893.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, with reference to my despatch of the 23rd ultimo,\* translation of a telegram, dated 7th September, from the State Secretary, South African Republic, on the subject of the draft Convention with the South African Republic *re* Swaziland.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 1 in No. 105.

STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER, Cape Town.

(Translation.)

TELEGRAM.

7.9.93. I am instructed to inform you that the following reply to your letter of 22nd August last *re* Swaziland has been posted to-day. Begins:—

I am directed to acknowledge the receipt of your Excellency's despatch dated 22nd August last.

\* No. 104.

This Government learns from it, with satisfaction, that your Excellency now agrees with it on the point that the assent to the Convention or Organic Proclamation shall be that of the Swazi Queen Regent and Council.

The Government on its part also fully shares the anxiety to avoid all possible misunderstanding in future, and values in the highest degree the expressions of friendliness and frankness on the part of Her Majesty's Government. This Government is also ready on its part to act in the same spirit, and, without entering into a further agreement [argument?] respecting the judicial or correct meaning of the terms of the draft Convention, and especially of the part of Article 2 thereof quoted by your Excellency, to give the assurance that no law made afterwards in Swaziland shall be in conflict with the guarantees which shall be given to the Swazis in the Convention or Organic Proclamation.

This being done, this Government trusts to have the assurance of Her Majesty's Government that, the Organic Proclamation or Convention once being recognised and approved, the validity of the laws to be made for Swaziland shall be beyond any further doubt.

This Government cannot, however, agree with your Excellency's opinion that the Convention with or Organic Proclamation of the Swazis after approval, would acquire the character of an engagement between Her Majesty's Government and this Government.

If the contention of Her Majesty's Government should hold good indefinitely for the Organic Proclamation or of the Convention with the Swazis, then there would be danger of application of the same principle to Article 4 of the Convention of London.

The assent of Her Majesty's Government with regard to the existing treaties and engagements entered into by the South African Republic is reserved with a view to the conditions of those treaties and engagements, but not with a view to the time for which such treaties or engagements are concluded.

Let the commercial treaty of the Republic with Germany be quoted as an example.

Her Majesty's Government would have had the right to disapprove of that treaty if the stipulations thereof had been in conflict with the interests of Great Britain or of one of Her Majesty's possessions in South Africa.

Now that treaty approved by Her Majesty's Government is concluded between the Republic and Germany for a certain number of years, it does not bind Germany and the Republic to that treaty towards Her Majesty's Government for that said number of years. This Republic and Germany have the right with joint consent to entirely put a stop to the working of the treaty even before the effluxion of the first-named term. That is a matter not for Her Majesty's Government, but for this Republic and Germany.

The alteration of the stipulations of the treaty or the entering into of a new one would be another matter. Article 4 of the Convention of London would then again come in.

Now, as regards the Convention with or Organic Proclamation of the Swazi Queen and Council, this Government assents that no alterations in the conditions thereof shall be made without assent of Her Majesty's Government and this Government.

As regards, however, the duration thereof, it will depend upon what this Government shall agree upon with the Swazi Queen Regent and Council. Ends.

No. 106.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received October 9, 1893.)

Government House, Cape Town,  
September 20, 1893.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, a copy of a telegram to his Honour the State President, on the subject of the draft Convention relative to Swaziland.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

## Enclosure in No. 106.

From His Excellency the HIGH COMMISSIONER, Cape Town, to His Honour  
the STATE PRESIDENT, Pretoria.

## TELEGRAM.

15th September 1893.—With reference to your Honour's despatch of the 7th instant, I am instructed to inform you that Her Majesty's Government highly appreciate the friendly spirit in which the Government of the South African Republic has given the assurance that no laws to be made for Swaziland shall be in conflict with the guarantees given to the Swazi people. Her Majesty's Government also note with satisfaction that the Government of the South African Republic recognise that any alteration of the proposed Convention or Organic Proclamation of the Swazi Queen and Council, or any new Convention or Organic Proclamation, would be subject to the approval of Her Majesty's Government.

The only question requiring further elucidation is therefore whether the proposed Convention or Organic Proclamation may be abrogated without the consent of Her Majesty's Government.

Her Majesty's Government cannot admit that there is any analogy between the proposed Convention or Organic Proclamation and treaties such as that with Germany mentioned by the South African Republic.

Her Majesty's Government have no desire to maintain indefinitely a Convention or Organic Proclamation which may, in the ordinary course of events, hereafter prove unsuitable, even with such alterations as might be mutually agreed upon, but they cannot agree that the Convention or Organic Proclamation made one day with the assent of Her Majesty's Government is liable to abrogation the next without their assent. They feel it unavoidable that they should ask for some assurance of its reasonable duration.

Therefore, as a condition precedent to the signature of the Convention with Her Majesty's Government, they desire an assurance on the part of the South African Republic that one of the terms of the Convention with, or Organic Proclamation of, the Swazi Queen and Council shall be the provision for its duration for a period of not less than seven years, on the expiration of which term Her Majesty's Government will be ready to confer with the South African Republic as to any measures which may have then become desirable.

On receipt of the above assurance I am empowered at once to sign the Convention.

## No. 107.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received October 16, 1893.)

MY LORD MARQUESS,

Government House, Cape Town,  
September 27, 1893.

I HAVE the honour to enclose, for your Lordship's information, with reference to my despatch of the 20th instant,\* a copy of telegraphic correspondence on the subject of the draft Swaziland Convention with the South African Republic.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

## Enclosure 1 in No. 107.

From STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER, Cape Town.

## TRANSLATION.

20/9/93.—I am instructed to acknowledge the receipt of your telegram which was confirmed by your Excellency's letter of the same date. This Government regrets that it is impossible for it to accept the condition that one of the terms of the Convention with, or Organic Proclamation of, the Swazi Queen and Council shall be the provision for its duration for a period of not less than seven years.

\* No. 106.

The Swaziland question has already been so long pending that it is impossible for the Republic to bind itself to wait for seven years more after expiration of which time it would always still be uncertain what would happen to Swaziland. Moreover, the assent of the Swazis expressed according to the terms of the Convention taken into consideration must be final toward the Republic. It is impossible for the Republic to assent that there should be an opportunity afterwards to revert thereto.

The acceptance of the new condition imposed by Her Majesty's Government would, instead of making an end to the Swaziland question, create or prepare new difficulties for the future, and can therefore not be accepted by this Government, and this Government cannot do otherwise than abide by its last expressed opinion. The Government wishes again to repeat that they do not wish to act without assent of the Swazi Queen and Council. When they have agreed with them respecting a Convention or Organic Proclamation then it always still lies in the power of Her Majesty's Government to refuse its assent thereto, if it is not in accordance with the terms of the Convention with Her Majesty's Government.

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Enclosure 2 in No. 107.

From His Excellency the HIGH COMMISSIONER, Cape Town, to His Honour the STATE PRESIDENT, Pretoria.

TELEGRAM.

25th September 1893.—With reference to your Honour's telegram of 20th instant, I am directed to inform you that the South African Republic have quite misunderstood the object in my telegram of the proposal that the Convention or Organic Proclamation should stand for seven years certain. Her Majesty's Government gathered from your Honour's letter of 7th instant that you feared that Her Majesty's Government wished to make that Convention or Organic Proclamation permanent, however circumstances might alter, and it was to give a proof that Her Majesty's Government had not such an idea that Her Majesty's Government proposed the seven years' term. Far from wishing to have the question re-opened, it is the desire of Her Majesty's Government that any arrangement made now should have as durable a character as possible, and it is on this ground among others that they are unable to recognise a power in the South African Republic to abrogate that arrangement at any moment, without the assent of Her Majesty's Government. Her Majesty's Government feel confident that the South African Republic cannot desire to deprive the new arrangement of all stability, and they must press the South African Republic to give such an assurance upon that point as will remove the last remaining obstacle to the signature of the Convention. The South African Republic may rest assured that Her Majesty's Government will at all times be ready to consider with them in the most friendly spirit any modification of the Convention or Organic Proclamation now to be made with the Queen Regent and Council of Swaziland which experience may show to be required, and which the South African Republic may propose. Her Majesty's Government do not propose any alteration of the Convention with them.

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No. 108.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received October 24, 1893).

[Answered by No. 109.]

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information with reference to previous correspondence, a copy of a telegram from the Acting State Secretary, Pretoria, and of a telegram to his Honour the State President, on the subject of the draft Convention respecting Swaziland with the South African Republic.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

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## Enclosure 1 in No. 108.

FROM ACTING STATE SECRETARY, Pretoria to His Excellency the HIGH COMMISSIONER,  
Cape Town.

## TELEGRAM.

27/9/93. Your Excellency's telegram of the 25th September. The Government of the South African Republic gives the assurance that Organic Proclamation, &c., shall not be altered or abrogated without the joint assent of Her Majesty's Government and the Government of the South African Republic, and then only at the request of the Government of the South African Republic, whereby this Government assumes that if such a request be found reasonable it will be acceded to. Upon receiving the assurance of Her Majesty's Government that they accept the above understanding his Honour the State President will be prepared to sign the Convention.

## Enclosure 2 in No. 108.

FROM HIGH COMMISSIONER, Cape Town, to His Honour the STATE PRESIDENT, Pretoria.

## TELEGRAM.

September 30. It affords me much pleasure to inform your Honour that I am instructed by Her Majesty's Government that they accept as satisfactory the assurance of your Honour and of the Government of the South African Republic, on the understanding conveyed in the telegram of the Acting State Secretary of the 27th September, and I therefore suggest that the text of the telegram should be embodied in a letter from your Honour to me and I can then reply to it in a letter identical in terms. I also suggest, to allow time for the preliminary arrangements, and for your Honour's negotiations in connexion with the Organic Proclamation, that the Convention of 1890 should be prolonged to some fixed date, terminable, however, at an earlier date on the ratification of the Organic Proclamation, and I would suggest, therefore, to your Honour that it should be prolonged either to the 31st March or 30th June next. I name these two dates as being convenient on account of financial arrangements.

I am sending your Honour a further telegram with respect to the preamble and printing of the Convention.

## No. 109.

The MARQUESS OF RIPON to SIR H. B. LOCH.

SIR,

Downing Street, October 29, 1893.

I HAVE the honour to acknowledge the receipt of your Despatch of the 3rd instant,\* enclosing telegraphic correspondence with the Government of the South African Republic, from which it appears that the last remaining obstacle to the signature of the Swaziland Convention has been removed.

I have much pleasure in conveying to you the thanks of Her Majesty's Government for the able services you have rendered in bringing these protracted negotiations to a satisfactory conclusion.

I have, &c.  
(Signed) RIPON.

## No. 110.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received October 30, 1893.)

Government House, Cape Town,  
October 10, 1893.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, in continuation of my despatch of the 3rd instant,\* a copy of a further despatch on the subject of the draft Swaziland Convention with the South African Republic.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

\* No. 108.

## Enclosure 1 in No. 110.

From ACTING STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

(Translation.)

YOUR EXCELLENCY,

Government Office, Pretoria,  
October 6, 1893.

I AM directed to confirm hereby my telegram dated to-day, reading thus:—

“ I am instructed to thank your Excellency for your telegram of the 30th September, and to say that the English and Dutch text of my telegram of the 27th September will, without delay, be sent in a letter to be addressed to your Excellency. This Government further agrees with your Excellency's suggestion that in order to give it time to carry on negotiations in the matter of the Organic Proclamation to extend the Convention of 1890 to a certain date, it being, however, terminable before that time on ratification of the Organic Proclamation. The date of extension to be the 30th June next.”

To His Excellency  
The High Commissioner, Cape Town.

I have, &c.  
(Signed) C. VAN BOESCHOTEN,  
Acting State Secretary.

## Enclosure 2 in No. 110.

From ACTING STATE SECRETARY, Pretoria, to His Excellency the HIGH COMMISSIONER,  
Cape Town.

YOUR EXCELLENCY,

Government Office, Pretoria, October 6, 1893.

I AM directed to forward to your Excellency, in accordance with my telegram of to-day, the English and Dutch text of my telegram of the 27th September last, which I have consequently the honour to append.

“ The Government of the South African Republic gives the assurance that Organic Proclamation, &c., shall not be altered or abrogated without the joint assent of Her Majesty's Government and the Government of the South African Republic, and then only at the request of the Government of the South African Republic, whereby this Government assumes that if such a request be found reasonable it will be acceded to. Upon receiving the assurance of Her Majesty's Government that they accept the above understanding his Honour the State President will be prepared to sign the Convention.

To His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) C. VAN BOESCHOTEN,  
Acting State Secretary.

## No. 111.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received November 8, 1893.)

## TELEGRAPHIC.

Cape Town, 8th November. Following telegram received from State Secretary this morning. Translation *begins*:—

“ 8th November. I am instructed to inform you that the Swaziland Convention has been signed to-day by his Honour the State President, and that a copy thereof is being sent to your Excellency to-day.” *Ends.*

SOUTH AFRICA.

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**FURTHER CORRESPONDENCE**

RESPECTING THE

**AFFAIRS OF SWAZILAND.**

*(In continuation of [C.—7212.] November 1893.)*

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**Presented to both Houses of Parliament by Command of Her Majesty.  
5 February 1895.**

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1895.

[C.—7611.] *Price 10d.*



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7	Sir W. G. Cameron - -	(Rec. May 5) Telegraphic. Extract.	Gives text of a telegram from Colonel Martin, stating that he considers a good effect might be produced if Mr. H. Shepstone paid a visit to Swaziland.	7
8	To Sir W. G. Cameron -	May 8 Telegraphic. Extract.	Directs him to transmit telegraphic message to the President of the South African Republic, proposing an extension of the present arrangement for six months, and suggesting a Conference between the High Commissioner and the President with a view to providing some solution of the Swaziland difficulty.	8
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Serial No.	From or to whom.	Date.	Subject.	Page.
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18	Sir W. G. Cameron - -	(Rec. June 19) Telegraphic.	Gives text of a telegram from Colonel Martin, in reply to the inquiry as to the powers possessed by the Indunas sent to Cape Town.	12
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Serial No.	From or to whom.	Date.	Subject.	Page.
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27	To Sir W. G. Cameron -	September 1 Telegraphic. Extract.	Transmits telegram to Colonel Martin, stating the conditions under which Her Majesty's Government will consent to receive a Swazi deputation.	17
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Serial No.	From or to whom.	Date.	Subject.	Page.
<b>1894.</b>				
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47	Sir H. B. Loch - -	(Rec. Dec. 17.) Telegraphic.	Reports that he has had an interview with the Swazi Deputation, that they fully understand the Queen's message, and that he has impressed on them the necessity of signing the Organic Proclamation.	30

Serial No.	From or to whom.	Date.	Subject.	Page.
		<b>1894.</b>		
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52	Ditto - - -	December 18, 1894 (Rec. Jan. 4, 1895.)	Reports that he has informed President Kruger that the conditional ratification given by the Volksraad to the Convention had made an unfavourable impression upon Her Majesty's Government.	38
53	Ditto - - -	December 19, 1894 (Rec. Jan. 4, 1895.)	Transmits copy of correspondence with the Government of the South African Republic in connexion with the conclusion of the new Convention.	39
54	To Sir H. B. Loch - -	January 7. Telegraphic.	States that Her Majesty's Government see no objection to the terms of the Convention, and conveys their congratulations on his success in the negotiations.	41
55	To Sir W. F. Hely-Hutchinson.	January 14	Conveys thanks of Her Majesty's Government for the cordial assistance given by the Natal authorities to Sir H. Loch on occasion of his visit to Charlestown to confer with President Kruger.	41
56	Sir H. B. Loch - -	(Rec. Jan. 15) Telegraphic.	Reports that the deputation arrived about 27th December, and that it is hoped the meeting of the Nation may take place about 25th January.	41
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SOUTH AFRICA.

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FURTHER CORRESPONDENCE

RESPECTING THE

AFFAIRS OF SWAZILAND.

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No. 1.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received November 6, 1893.)

MY LORD MARQUESS,

Government House, Cape Town,  
October 16, 1893.

I HAVE the honour to enclose for your Lordship's information, with reference to previous correspondence, a copy of further correspondence on the subject of the draft Swaziland Convention with the South African Republic.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

---

Enclosure 1 in No. 1.

From His Excellency the HIGH COMMISSIONER, Cape Town, to His Honour the STATE PRESIDENT, Pretoria.

SIR,

Government House, Cape Town,  
October 11, 1893.

IN acknowledging the receipt of your Honour's despatch of the 6th instant, I have the honour to inform you that I am instructed by Her Majesty's Government to acquaint you that they accept as satisfactory the assurance contained in your despatch above mentioned, that the Organic Proclamation, &c. shall not be altered or abrogated without the joint assent of Her Majesty's Government and the Government of the South African Republic, and then only at the request of the Government of the South African Republic, whereby your Honour's Government assumes that if such a request be found reasonable it will be acceded to.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

His Honour the State President,  
Pretoria.

No. 2.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received December 2, 1893.)

MY LORD MARQUESS,

Government House, Cape Town,  
November 13, 1893.

I HAVE the honour to enclose the duplicate original of the Swaziland Convention, signed by myself on the 1st instant, and by his Honour the State President on the 8th instant.

I also enclose six additional printed copies of the Convention as well as copies of correspondence respecting its negotiation in continuation of previous papers on the subject.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

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Enclosure 1 in No. 2.

A CONVENTION between Her Majesty the QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND and the SOUTH AFRICAN REPUBLIC.

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic, as representing the Government of the said Republic, have agreed that it is expedient that they should enter into a Convention relative to the affairs of Swaziland in substitution of the Convention of 1890, which terminates on the taking effect of the arrangements contemplated in this Convention.

Now, therefore, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic as representing the Government of the said Republic, hereby consent and agree that the following Articles, accepted finally by and between Her Majesty and his Honour, shall, when duly signed, sealed, and executed by Her Majesty's High Commissioner for South Africa on behalf of Her Majesty, and by his Honour the State President of the South African Republic on behalf of the Government of the said Republic, and, when duly ratified by the Volksraad of the South African Republic, constitute and be a Convention by and between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic.

Article 1. The Convention of 1890, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic, with the exception of Articles 10 and 24 thereof, shall, on the 8th day of August, 1893, cease and determine, and the Articles of this Convention shall have force and effect; but the provisions of all or any of the Articles of the said Convention of 1890 may, with the consent of Her Majesty's High Commissioner, and the State President of the South African Republic, be continued in force for a further period, to be mutually arranged, pending the completion of the Convention or Organic Proclamation provided for in Article 2 of this Convention.

Article 2. Her Majesty's Government agrees, notwithstanding anything to the contrary contained in Articles 2 or 12 of the Convention of London of 1884, or in the Convention of 1890, that the Government of the South African Republic may enter into negotiations with the Swazie Queen Regent and Council, with a view to obtaining a Convention or an Organic Proclamation by which rights and powers of jurisdiction, protection, and administration over Swaziland, without incorporation thereof into the said Republic, may be conferred upon and secured to the last-mentioned Government; but no such Convention or Organic Proclamation would be entitled to recognition from Her Majesty's Government unless the said Government were satisfied—

(a.) That the Swazie Queen Regent and Council understood the nature, terms, articles and conditions thereof.

- (b.) That just provisions have been made for the protection of the Swazie natives with regard to the management of their own internal affairs according to their own laws and customs, including the laws and customs of inheritance and succession in so far as the said laws and customs are not inconsistent with civilised laws and customs, or with any law in force in Swazieland made pursuant in such Convention or Organic Proclamation, and with regard to their continued use and occupation of land now in their possession, and of all grazing or agricultural rights to which they are at present entitled.

Article 3. In the event of any such Convention or Organic Proclamation as aforesaid being approved of by Her Majesty's Government, the following Articles of this Convention shall be binding upon the Government of the South African Republic.

Article 4. All British subjects residing in Swaziland, or having in Swazieland any property, grant, privilege, or concession, or any right, title to, or interest in any property, grant, privilege, or concession shall be secured in the future enjoyment of all their rights and privileges of whatsoever nature or kind in like manner as burghers of the South African Republic, but shall obey the Government and conform to the laws established for Swazieland.

Article 5. Every white male who shall have been a *bonâ fide* resident in Swazieland (even if temporarily absent from Swaziland) on the 20th April 1893, shall become and be entitled to all the political privileges of a full burgher of the South African Republic as though he had been born in that Republic ; provided, however,

- (a.) That every white male shall make application in writing to an Officer to be appointed at Bremersdorp, in Swazieland by the Government of the said Republic, to have his name enrolled upon a list of persons so entitled, and upon satisfactory proof by a true and solemn declaration, of his *bonâ fide* residence in Swazieland on the aforesaid day, such declaration to be made within six months from the date of public notification of the appointment of such officer as aforesaid, such officer shall be bound to enrol his name on such list and such list shall be the list of burghers of the South African Republic so admitted under this head of this article to the privileges aforesaid.
- (b.) That every white son of any person admitted to the privileges of a burgher under the preceding paragraph of this article, which son shall have been a minor on the aforesaid date, shall be entitled to the like political privileges which he would have had if his father had been a natural born burgher of that Republic and he himself had been born therein, provided that the right under this section shall be claimed by such minor from the Government of the South African Republic by notice in writing within twelve months from his attaining his majority.
- (c.) That every person admitted as a burgher shall, while resident in Swazieland, be entitled to register his vote at any election when and where a burgher resident in some convenient district of the South African Republic adjoining Swazieland would be entitled to vote, such district to be determined by the Government of the South African Republic, and if thereafter he shall come to reside in any district of the South African Republic, such person shall there be entitled to register his vote.

Article 6. The equal rights of the Dutch and English languages in all courts of Swazieland shall be maintained. This provision shall be in force so long as the administration of Swazieland by the Government of the South African Republic continues under the provisions of the Convention or Organic Proclamation referred to in Article 2.

Article 7. The customs duties shall not be higher in respect of any article imported into Swazieland than the duty thereon according to the tariff at present in force in the South African Republic or the tariff at present in force in the South African Customs Union whichever is now the higher. This provision shall be in force so long as the administration of Swazieland by the Government of the South African Republic continues under the provisions of the Convention or Organic Proclamation referred to in Article 2. No individual or individuals, corporation or company shall have exclusive rights or privileges with regard to imposition of or exemption from customs duties on goods.

Article 8. The Government of the South African Republic agrees to prohibit the sale or supply of intoxicating liquor to Swazie natives in Swazieland.

Article 9. No railway beyond the eastern boundary of Swazieland shall be constructed by the Government of the South African Republic save under the provisions of a further

contemplated Convention between Her Majesty the Queen and the South African Republic, or with the consent of Her Majesty's Government.

Article 10. Articles 10 and 24 of the Convention of 1890 are here again set forth for convenience of reference :—

“ Article 10. The Government of the South African Republic withdraws all claim to extend the territory of the Republic, or to enter into treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company.

“ Article 24. Her Majesty's Government consent to an alteration of the boundary of the South African Republic on the east so as to include the territory known as the Little Free State within the territory of the South African Republic.”

Article 11. Her Majesty's Government reserves the power of exercising diplomatic representation in favour of Swazie natives or British subjects in case any provision of the Convention or Organic Proclamation referred to in Article 2 shall not be fairly and faithfully observed.

Article 12. This Convention will be ratified by the Volksraad of the South African Republic on or before the 30th day of June, 1894, and in default of such ratification this Convention shall be null and void.

Signed and sealed at Cape Town, this First day of November 1893.

HENRY B. LGCH,  
High Commissioner for South Africa.

Signed and sealed at Pretoria, this Eighth day of November 1893.

S. J. P. KRUGER,  
State President of the South African Republic.

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Enclosure 2 in No. 2.

ACTING STATE SECRETARY, South African Republic, to His Excellency the  
HIGH COMMISSIONER, Cape Town.

Government Office, Pretoria,  
October 19, 1893.

EXCELLENCY,

WITH reference to your Excellency's second telegram of the 30th September, and my reply thereto of the 6th October last, I have been instructed to forward to your Excellency a Dutch translation of the new Convention, accompanied with the introduction suggested by your Excellency and approved of by this Government, and which may now be printed with the English.

With reference to the publication or non-publication of the Convention after the same shall have been signed, I have been instructed to inform your Excellency that this Government desires the publication to take place as soon as possible, but that it cannot fix that time before the Organic Proclamation shall have been disposed of.

In expectation of the printed Convention,

His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) C. VAN BOESCHOTEN,  
Acting State Secretary.

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Enclosure 3 in No. 2.

His Excellency the HIGH COMMISSIONER, to His Honour the STATE PRESIDENT OF SOUTH  
AFRICAN REPUBLIC.

Government House, Cape Town,  
November 1, 1893.

SIR,

I HAVE the honour to transmit the Convention entered into between Her Majesty's Government and your Honour on behalf of the Government of the South African Republic in English and Dutch duly signed and sealed, and I shall be much obliged by

your Honour signing and returning one of the duplicate originals upon the receipt of which Her Majesty's Government have no objection to your at once proceeding to enter into negotiations with the Swazi Queen Regent and Council. Of course any Organic Proclamation negotiated between your Honour's Government and that of the Swazi Queen to be regarded as a provisional agreement until the ratifications are exchanged.

I am directed by Her Majesty's Government, upon my receipt of the signed Convention by your Honour, to instruct Colonel Martin to give every assistance to the Government of the South African Republic in their negotiations with the Swazi Queen Regent and Council upon the understanding, of course, that the guarantees embodied in the Convention with Her Majesty's Government are fully provided for.

With regard to the publication of the Convention between Her Majesty's Government and the Government of the South African Republic, I am instructed to inform your Honour that it will be impossible for Her Majesty's Government to delay the publication of the Convention after the meeting of Parliament, which assembles on the 6th instant.

I have, &c.

His Honour the State President,  
Pretoria.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

No. 3.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received 9 p.m., February 19, 1894.)

(Extract.)

TELEGRAPHIC.

19th February.—Swazi Indunas have been to Natal to see Henriquez Shepstone, whom they have informed the Queen-Regent and Council will refuse to sign any Convention with Government of the South African Republic, fearing that the King will punish them when he comes of age three years hence. Fear there may be difficulty in settling question.

No. 4.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received April 10, 1894.)

Government House, Cape Town,  
March 19, 1894.

(Extract.)

I enclose a copy of the Organic Proclamation as now provisionally agreed upon, which I have recommended by telegraph for the approval of Her Majesty's Government.

Enclosure in No. 4.

Be it hereby made known that we Usebati, Queen Regent of the Swazi nation, in Council assembled with our chiefs and captains and acting with the advice of our resident adviser, Theophilus Shepstone, C.M.G., hereby proclaim and make known as follows:—

Whereas by virtue of certain Organic Proclamation, dated the 13th of September, 1890, the Swazi nation confirmed a certain Convention, entered into and signed at Pretoria and Cape Town on the 2nd of August, 1890, and the 14th of August, 1890, respectively, between the Governments of Great Britain and the South African Republic, by virtue of which Convention the Government of Europeans in Swaziland was vested in a Government Committee for a limited period, but nevertheless subject to notice of termination thereof by one or other of the two Governments, and whereas such notice has been given, but in accordance with mutual agreement of the two Governments the said Convention was extended to the 8th November, 1893, and again extended to the 30th June, 1894: and

Whereas it is necessary that provision be made for the future good government of the country ; and

Whereas the Governments of the South African Republic and of Great Britain have entered into a further Convention dated 8th November, 1893, wherein it was agreed as follows :—

Article 2. Her Majesty's Government agree, notwithstanding anything contained in Articles 2 and 12 of the Convention of London of 1884, or in the Convention of 1890, that may be in conflict herewith, that the Government of the South African Republic may enter into negotiations with the Swazi Queen Regent and her Council for obtaining a Convention or Organic Proclamation, whereby rights and powers of jurisdiction, protection and administration over Swaziland, without incorporation thereof into the said Republic, may be conferred upon and secured to the last-mentioned Government."

Now, therefore, we hereby make known and proclaim as follows :—

We hereby agree, approve and declare that on and after the date hereof, and after this Act shall have been approved by the two Governments aforementioned, all rights and powers of jurisdiction, protection and administration over Swaziland, and the inhabitants thereof, are conferred on and hereby secured to the Government of the South African Republic, subject to the following conditions and provisions, namely :—

1. That the young King, Ungwane *alias* Uhili *alias* Uunu, after he has become of age according to native law, shall be and remain the Paramount Chief of the Swazis in Swaziland.

2. That the payments by the Government of the South African Republic of monies derived from the collection of the private revenues of the King, shall be regularly made in terms of the Concession or Power of Attorney granted in that behalf by Umbandine and confirmed by the judgment of the Chief Court.

3. That the management of the internal affairs of our natives shall be in accordance with their own laws and customs, including the laws and customs of inheritance and succession, in so far as the said laws and customs are not inconsistent with civilised laws and customs or with any law in force in Swaziland made pursuant to this Proclamation, and with regard to their continued use and occupation of land now in their possession, and of all grazing or agricultural rights to which they are at present entitled.

4. That in the administration and government of the country by the Government of the South African Republic, no hut-tax or other tax shall be imposed upon our natives higher than the corresponding tax to which such of our people as are living within the borders of the Republic, may be subject. In no case, however, shall such taxes be able to be imposed until, after the expiration of three years from the date of this Proclamation.

That we and our Council fully understand the nature, terms, articles and conditions, and also the power and effect of this Proclamation, and that we are fully satisfied with the provisions made on our behalf.

Thus done, &c.

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No. 5.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received April 21, 1894.)

Government House, Cape Town,  
April 4, 1894.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, copy of a telegram on the subject of the attitude of the Swazis with regard to the proposed Organic Proclamation.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

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## Enclosure in No. 5.

From His Excellency the HIGH COMMISSIONER, Cape Town, to His Honour  
Colonel MARTIN, Bremersdorp.

## TELEGRAM.

2nd April.—I shall telegraph to you to-morrow text of Organic Proclamation as approved by Her Majesty's Government. You will at once seek an interview with Queen Regent and Council. It would be well if the King and Queen Mother could also be present. You will explain that the Organic Proclamation secures to the Swazis their agricultural and grazing rights, the administration of their native laws and customs that are not inconsistent with humanity, that the King remains Paramount Chief, that his revenue is reserved to him, that the country is not incorporated into the South African Republic, but that it is essential whites should be governed by whites, and as the Government of the South African Republic holds concessions in the country granted by King Umbandine, which should be held only by the administrative authority, Her Majesty's Government consider for these reasons and from the vicinity of the Republic to Swaziland, that the Government of the South African Republic is the proper power to administer the Government of the country under conditions, and to protect the rights of the whites and natives alike. Her Majesty's Government have full confidence in the Government of the South African Republic that they will act in accordance with agreement between Her Majesty's Government and Government South African Republic. You will further inform the Queen Regent and Council that Her Majesty's Government having carefully guarded and protected the interests of the Swazi King and the Swazi people, and being satisfied that the terms embodied in the Organic Proclamation are just and liberal in the interests of the Swazi nation, you are directed by me, as High Commissioner, to advise them to accept and sign the Organic Proclamation, as Her Majesty's Government state the existing state of affairs cannot continue; that they regard the arrangements approved by the convention and embodied in the Organic Proclamation are advantageous to the Swazi nation, and that if Organic Proclamation is rejected by Queen Regent and Council the position of the Swazi nation will be one of serious difficulty and danger. I think Messrs. Esselen and Shepstone should be present at any meeting.

## No. 6.

The MARQUESS OF RIPON to SIR W. G. CAMERON.  
(Sent 5.55 p.m., May 3, 1894.)

## TELEGRAPHIC.

(Extract.)

[Answered by No. 7.]

Send Martin following message.

*Begins:* Her Majesty's Government wish your opinion as to advisability of requesting Henriques Shepstone to pay visit to Swaziland in order to consult with you whether any further steps, by way of explanation or otherwise, could be taken which would make Queen-Regent and Council willing to accept Organic Proclamation. His position of eldest son of Sir Theophilus gives him special influence with the Swazis. Your action is approved by me. *Ends.*

## No. 7.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received 4.25 p.m., May 5, 1894.)

(Extract.)

## TELEGRAPHIC.

Following telegram received from Martin.

*Begins:* 5th May. It appears to me that Henriques Shepstone might produce good effect by paying visit to Swaziland. Received news yesterday evening deputation from Swaziland had left 3rd May in order to arrange with him with regard to homeward voyage. *Ends.*

## No. 8.

The MARQUESS OF RIPON to SIR W. G. CAMERON.  
(Sent 5.30 p.m., May 8, 1894.)

(Extract.)

TELEGRAPHIC.

Transmit following message to the President of the South African Republic.  
*Begins*: Her Majesty's Government regret refusal of Queen-Regent and Council to sign Organic Proclamation, due, Her Majesty's Government consider, to some counteracting influence of temporary nature, and owing to misapprehension on part of Queen-Regent and Council, and also of Queen-Mother and young King, with regard to manner in which interests of Swazis would be affected by accepting Organic Proclamation. Her Majesty's Government wish effect to be given to understanding arrived at with Government of the South African Republic in Convention of 1893. Her Majesty's Government consider that, at present, acceptance by Queen-Regent and Council of Organic Proclamation could be obtained only by adopting coercive measures. These Her Majesty's Government are not prepared to sanction, and believe Government of the South African Republic will be alike averse to the adoption of any action that might result in active opposition on part of Swazis. Having regard to this, and believing that time will lead Queen-Regent and Council to accept Organic Proclamation, Her Majesty's Government would, under existing circumstances, consent to extension of present administration for further period of six months certain from 30th June next, and thereafter for such term as may be sufficient to cover interval until King comes of age, and in the meantime efforts should not be relaxed to bring about settlement of question upon basis already arranged and approved by both Governments. However, to be prepared for the possible contingency of Queen-Regent and Council still refusing to accept Organic Proclamation, Her Majesty's Government propose that High Commissioner should personally confer with President of the South African Republic with a view to arrive at some understanding for providing solution of difficulty. High Commissioner will have full instructions and authority for arriving at some *modus vivendi* for settlement of question, and it would be satisfaction to Her Majesty's Government if such an arrangement could be arrived at before the end of the six months prolongation of joint Government. *Ends*.

## No. 9.

The MARQUESS OF RIPON to SIR W. G. CAMERON.  
(Sent 7.5 p.m., May 22, 1894.)

(Extract.)

TELEGRAPHIC.

Transmit the following message to the President of the South African Republic:—  
*Begins*: Her Majesty's Government, having fully considered situation arising from refusal of Queen Regent and Council to sign Organic Proclamation, have decided on sending out Sir Henry Loch on 2nd June for purpose of endeavouring by personal explanation to induce Queen Regent and Council to sign Organic Proclamation, and have given instructions that the wish expressed by the two Queens for permission to pay visit to Cape Town shall be complied with so that Sir Henry Loch may see them, together with some members of the Council, as soon as possible after his arrival. Should his explanation and personal advice lead, as I trust they may, to their acceptance of Organic Proclamation, there would be no further impediment to the immediate transfer of the administration of Swaziland to Government of the South African Republic, subject to terms of Convention. Sir Henry Loch will likewise after his arrival communicate with President of the South African Republic for purpose of arranging an interview with his Honour. Without raising again question of a prolongation of present system of administration for any definite period, Her Majesty's Government are sure that his Honour will see that it is necessary to continue for some little time longer in order to enable Sir H. Loch to fulfil the important mission with which he is entrusted. It is hoped that President of the South African Republic will do this as soon as possible. *Ends*.

No. 10.

COLONIAL OFFICE to SIR H. B. LOCH.

SIR,

Downing Street, May 24, 1894.

I AM directed by the Marquess of Ripon to acquaint you that, having regard to the acute crisis which has arisen in connexion with Swaziland, Her Majesty's Government, although with great regret, feel it necessary in the public interest to require you to forego the balance of the leave of absence which you have so well earned, and to proceed to South Africa by the mail steamer of the 2nd of June, as they consider that your immediate presence in South Africa affords the best possible means of arriving at a satisfactory solution of the important questions now pending between this country, the South African Republic, and the Swazie nation.

I am, &c.  
(Signed) R. H. MEADE.

No. 11.

The MARQUESS OF RIPON to SIR W. G. CAMERON.

(Sent 2.10 p.m., May 28, 1894.)

TELEGRAPHIC.

Communicate with Martin requesting that he will make arrangements, if possible, for both Queens, King, and important members of Council to arrive at Cape Town about 25th June. Prepare good accommodation for them. Consider it desirable that they should be accompanied by Martin, if he can be spared from Swaziland in safety, and Stuart.

Presume that British Agent in South African Republic has been kept acquainted with situation and telegrams. He will explain, if necessary, to Government of the South African Republic that they will be kept acquainted with all that passes, and that it is the hope of Her Majesty's Government that meeting of High Commissioner and Queens may result in signature of Organic Proclamation.

It is of great importance that Queen-Regent should go down to Cape Town to see High Commissioner if possible, but if she cannot be induced to do so it is essential that members of Council sent should fully represent her and be authorised to speak and act for her.

No. 12.

SIR W. G. CAMERON to the MARQUESS OF RIPON.

(Received, 3.55 p.m., May 31, 1894.)

(Extract.)

TELEGRAPHIC.

Following telegram received from State Secretary of the South African Republic to-day:—

*Translation begins*: 30th May.—*Re* Swaziland. As I have already had the honour to inform your Excellency, this Government is not in favour of extension of the present administration of Swaziland; they cannot agree to it. The proposal of this Government is that, after expiration of the term fixed for the present administration, Mr. Essele, as well as Colonel Martin, shall leave Swaziland, and the government of the whites shall be taken in hand by a person to be appointed by the Government of the South African Republic, if desired, after consultation with your Excellency. This person would have to receive his instruction from this Government. Under these circumstances this Government would have no objection to the Swazi Queens and Indunas going to Cape Town to personally meet Sir Henry Loch there. *Ends*.

No. 13.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received 31st May 1894.)

TELEGRAPHIC.

Following telegram received from Martin :—

“ I yesterday saw both Queens and King ; deputation have not returned from Natal, so Swazis cannot yet give definite answer ; but I gathered Queen-Regent not strong enough for paying visit, but members of Council will be deputed by her with special authority. There are objections to young King going from this country. Queen-Mother expressed pleasure, and said that she would go in person.” *Ends.*

No. 14.

The MARQUESS OF RIPON to SIR H. B. LOCH.

SIR,

Downing Street, June 1, 1894.

As the day has now arrived on which, in response to the wishes of Her Majesty's Government, you are to set out for South Africa, it is in the first place my pleasing duty to express to you our cordial recognition of the cheerful alacrity with which you have agreed to forego the enjoyment of a period of relaxation in this country, to which you were so well entitled.

It is also my duty to convey to you the views of Her Majesty's Government as to the manner in which you should deal with the existing position of affairs in Swaziland, which is the cause of your return to the Cape.

The Swazi Queen-Regent and Council have up to the present time refused to sign the Draft Organic Proclamation prepared under the Convention of 1893 by the Government of the South African Republic, and approved by Her Majesty's Government. If they persist in this refusal the state of things in Swaziland on the 1st July next, when the Convention of 1890 will have terminated, unless prolonged by agreement between Her Majesty's Government and the South African Republic, will be of the following description :—

The Swazis will be in theory an independent sovereign community, but it will be found that, owing to the acts of the late king, nearly every attribute of sovereignty has been conceded away to individuals. These conceded rights the Swazis cannot legally dispute, and Her Majesty's Government, in view of the terms of the Convention of 1890, could not, if it would, support them in so resisting, for the concessions have been confirmed by a court of justice created by that Convention and recognised by the Swazis themselves. Some of these concessions have been actually or contingently acquired by the Government of the South African Republic. Others remain in the hands of individuals, but would prove none the less a hindrance to the existence of any effective government by the natives within their own country. Nor is it open to Her Majesty's Government to step in themselves to apply an effective remedy. For by the provisions of the London Convention of 1884 the British Government and the South African Republic have agreed with each other to recognise fully the independence of the Swazis, and therefore this country is debarred from either annexing Swaziland or declaring a protectorate over it, unless with the consent of the South African Republic.

It would no doubt be open to Her Majesty's Government in the contingency supposed as a matter of treaty right to appoint a Commissioner under the 2nd Article of the Convention of London to “ maintain order and prevent encroachments,” in fact, to guard against two forms of danger, which, in the altered circumstances of South Africa, may not arise, but without the occurrence of which, the position of the Swazis may nevertheless become intolerable.

Without either the occurrence of “ encroachments ” within the meaning of that Article, or without a violation of order, those persons and forces which will have an admitted *locus standi* within the country might so work their legal rights as to render progress and good government impossible and to deny to and deprive the Swazis of their most vital rights.

It is therefore of the highest importance to obviate the occurrence of such a state of things, and Her Majesty's Government have every hope and belief that you will be successful in inducing the representatives of the Swazi Nation to sign the Organic Proclamation ; which, in their opinion, adequately safeguards the rights of the Swazis, and gives the best likelihood of peaceful government for the future.

Instructions have in consequence been sent to South Africa to arrange that the representatives of the Swazis shall come to Cape Town to confer with you on your arrival, and it will be your duty, in their interests and in those of South Africa in general, to use every exertion to convince them of the true state of the case, and, if it is possible, to induce them, by signing the Organic Proclamation, to accept what appears to be the only practical solution of the question consistent alike with the existing circumstances and with the real interests of the Swazi people.

I have, &c.  
(Signed) RIPON.

## No. 15.

RESIDENT ADVISER of the SWAZI NATION to BRITISH COMMISSIONER.  
(Received in Colonial Office, June 2, 1894.)

Offices of the Swazie Nation, Embekelweni,  
May 3, 1894.

SIR,

I HAVE the honour to enclose copy of a message which the Swazi Queen and Council have to-day sent by messengers to Mr. H. C. Shepstone, Natal.

Your Honour will remember that the Queen said at the "Kanini" that she wished to send a message to Her Majesty the Queen.

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

## Enclosure in No. 15.

MESSAGE to H. C. SHEPSTONE, Esq. (Gebuzu), the head of the House of Somtseu.

May 2, 1894.

The Swazi Queen Regent and Council send messengers to you, Gebuza-Ka-Somtseu, to say that, with regard to the words that have been spoken to us by the two Governments, we belong to the Queen of England and to Her only. Some of the present messengers, Umkonkoni, Kunkaguane, and Umhlonitywa, were with you before, and return now to tell you this:—

It is said our country is small; it is not small, it is large; we regret that Gert Rudolph put beacons where he did, and do not know if he was properly authorised to act as he did. We are unable to join the Government of the South African Republic. Our allegiance is still to the House of Somtseu.

Killing has been for some years put an end to in this country and the consequence is that the young men are not afraid to fight among themselves, and kill one another.

It is necessary that the law should be amended and that they should be killed when they do wrong and fight amongst themselves, and kill one another, as they have been doing.

We say to you, Gebuza-Ka-Somtseu, that we want the messengers to cross the sea, and see Her Majesty the Queen herself. We say to you arrange this for us, and let us cross the water. You are the only gate we have.

We are not satisfied with being told things; we want to hear with both our ears.

## No. 16.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received 1.45 p.m., June 12, 1894.)

TELEGRAPHIC.

Martin telegraphs there is no chance of inducing either Swazi Queen or King to come to Cape Town. I have directed him to get best and most representative deputation procurable, and to send them to Cape Town as soon as possible.

## No. 17.

The MARQUESS OF RIPON to SIR W. G. CAMERON.  
(Sent 10.30 p.m., June 18, 1894.)

TELEGRAPHIC.

[Answered by No. 18.]

Ask Martin at once, and inform me by telegraph, what powers Indunas sent to Cape Town possess.

## No. 18.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received 6 p.m., June 19, 1894.)

TELEGRAPHIC.

Referring to your telegram of 18th June,\* following telegram received from Martin:—

“I have several times impressed on Swazis that they must send men with full power, and last answer they gave me was as follows: ‘We sent representative men forward to Cape Town; and when they arrive at destination, and any question arises, they can deal with it. Persons descended from King of Swazis will be sent, so there are people of great importance amongst them.’ Of course quite impossible for me to say how much responsibility deputation will be willing to accept on arrival, but I think quite as much as if King or Queen were with them.” *Ends.*

## No. 19.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received 5.55 p.m., June 21, 1894.)

(Extract.)

TELEGRAPHIC.

As Swazi deputation cannot reach Cape Town before 2nd July I have decided on leaving for Pretoria to-morrow evening. From information before me in my opinion no chance of obtaining at present Swazis' agreement to Organic Proclamation. I therefore propose to confine my endeavours, at first, to obtain prolongation of joint government for six months, terminable at any time prior to that date by joint agreement between Her Majesty's Government and Government of the South African Republic upon understanding being arrived at with Swazis or with Government of South African Republic. Will telegraph again from Pretoria.

## No. 20.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received June 28, 1894.)

TELEGRAPHIC.

Pretoria, June 28.—Government of South African Republic have agreed to extend Swaziland Convention of 1893 for six months at most, but may be terminated earlier if Swazis agree to Organic Proclamation.

## No. 21.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received, 1.45 p.m., July 7, 1894.)

TELEGRAPHIC.

Swazi deputation return 9th July. They had not understood position. I have explained to them fully that object of Organic Proclamation is to reserve to Queens, King, and nation all rights and privileges that late King Umbandine had not granted

\* No. 17.

away; that concessions questions cannot be re-opened; that the decision of that court is final; that the Queen Regent and Council must sign to preserve to King his revenue, and to nation their grazing and other rights. I am going to ask Henriques Shepstone to accompany deputation to Swaziland. I am rather hopeful as to result, but it may take six weeks after their return. Government of South African Republic are sending me proposal as an alternative in case of Queen Regent and Council still refusing to sign. From what was mentioned to me at Pretoria, think that it may be made acceptable to Swazis and Her Majesty's Government. I propose to return home by steamer 18th July, as all that can be done here at present has been done, and final arrangements can be better discussed and settled at home than here.

No. 22.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received July 9, 1894.)

Government House, Cape Town,  
June 18, 1894.

MY LORD MARQUESS,

I HAVE the honour to transmit, for your Lordship's information, a copy of a letter from the Government Secretary of Swaziland transmitting reports from the various Government officers on their work for the year ended 31st March last. Under existing circumstances I do not consider it necessary to discuss any matters contained in these reports.

I have, &c.  
(Signed) W. G. CAMERON, General,  
Administrator and High Commissioner.

Enclosure in No. 22.

GOVERNMENT SECRETARY, Swaziland, to the IMPERIAL SECRETARY, Cape Town.

Government Office, Bremersdorp, Swaziland,  
June 6, 1894.

SIR,

IN accordance with Article 2 of the Convention of 8th August 1890, I have the honour to forward you my annual report.

From the following reports hereunto annexed, to wit:—

1. Report of the Government Treasurer.
2. " " Attorney General.
3. " " Orphan Master.\*
4. " " Master and Registrar of the High Court.\*
5. Report of the Commandant of Police.\*
6. " " Report of the Landdrost.\*
7. " " Chief Collector of Customs.\*
8. " " Sheriff.\*
9. " " Justice of the Peace, Piggs Head.\*
10. " " " " Forbes' Reef.\*
11. " " " " Mahamba.\*
12. " " " " Lebombo.\*

the state of affairs in Swaziland, as well as matters pertaining to the various officers, will appear clearly.

As far as I am aware the country is in a peaceful state, and everything goes on quietly.

As regards the financial condition of the country, this will appear from the Treasurer's report.

During the service year nothing of importance took place.

It would be superfluous to add anything else, as the other reports speak for themselves clearly, and duly set forth the affairs of the country.

I cannot, however, omit bringing to the notice of the Government that Mr. William Scott, clerk to the Government Secretary and Accountant to the Treasurer, quitted

\* Not printed.

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himself of his tasks particularly well, and deserves every credit for this. He often acted as Government Secretary, &c., during my absence, and I must say always to my satisfaction, and, as far as I know, also that of the Government Committee, and, therefore, deserved the consideration of the two Governments. Mr. D. S. Botha, Landdrost clerk, rendered himself very deserving, as he not only officiated as clerk to the Landdrost but also did, in that capacity, the work of the Government Secretary and Treasurer, and he thus deserves my favourable recommendation to both Governments.

I have, &c.

The Honourable the Imperial Secretary,  
Cape Town.

(Signed) JOH. Z. DE VILLIERS,  
Government Secretary.

Government Office, Bremersdorp,  
June 6, 1894.

SIR,

I HAVE the honour herewith to submit my report as Treasurer for Swaziland for the financial year ended 31st March last.

Revenue: The total amount collected during the year was 2,936*l.* 12*s.* 8*d.*, which is an increase on the previous year's revenue by 769*l.* 19*s.* 6*d.* That increase is due to customs duties collected. Last year the total amount of customs collected was 725*l.* 19*s.* 2*d.*; this year the amount is 1,556*l.* 17*s.* 2*d.*, showing therefore an increase of £830 18*s.*

From this source it would therefore appear that trade in this country had increased materially, especially taking into consideration that another concessionaire, G. Schwab, had opened a store in Bremersdorp, under a free import concession, which has decidedly lessened the revenue from custom duties. This, however, cannot be looked upon as a legitimate increase in trade, but is due to speculation mostly on the part of store-keepers bringing in large quantities, mostly of spirituous liquor, in anticipation, as it would appear from information received from them that they were under the impression that the country would become part of the South African Republic at the expiration of the convention on 8th August last, and thus saving themselves the difference in duties charged by the two countries. For instance, the duty on spirituous liquor in this country is 2*s.* 6*d.* per gallon, and in the South African Republic 10*s.* per gallon.

Trade in the country has improved during the last financial year, but not in any marked degree, and although the gold industry has not improved its position on last year, the tin industry during the past year has given every promise of becoming a payable enterprise, as the Ryan Company have been working on an extensive scale with most promising results, the only drawback being the scarcity of native labour. On another concession, "Allen and Davis," active operations have also been started.

Expenditure: The total amount of this year's expenditure is 17,324*l.* 16*s.* 7*d.*, as against last year's amount, 16,661*l.* 8*s.* 4*d.*, showing therefore an increase on expenditure of 663*l.* 8*s.* 3*d.* This is mainly caused by the cost of administration of justice. Last year the amount expended was 106*l.* 0*s.* 6*d.*, this year it is 339*l.* 13*s.*, being therefore an increase of 173*l.* 12*s.* 6*d.* The reason of this increase being chiefly witness expenses in criminal cases, which of course was unavoidable, and the miscellaneous vote under which an amount of 500*l.* was paid to Wallerstein and Bremer in satisfaction of their claim against the Swaziland Government Committee for duties paid by them under protest.

I have, &c.

(Signed) JOH. Z. DE VILLIERS,  
Government Treasurer.

## REPORT ON the DEPARTMENT of the ATTORNEY-GENERAL, 1893-1894.

### *I. Criminal Cases.*

In the High Court the following cases were disposed of:—

- 10 cases of theft (mostly of cattle).
- 1 case of extortion.
- 1 case of rape.
- 1 case of murder.

In the last-mentioned case the accused, two natives, were extradited to the Portuguese Government, but one of them escaped from safe custody and was not recaptured.

The crime of cattle stealing, by Swazie natives and petty Chiefs, increased considerably, and complaints came from justices of the peace, especially in the district of

Mahamba, about the insufficiency of measures within our reach to make an end to this state of affairs.

The police appear to experience great difficulty in arresting criminals; no less than eighteen (18) equivalent to thirty per cent. (30%) of the sixty (60) warrants of apprehension issued by the Landdrost of Swaziland at Bremersdorp were not executed; the most of these concern Swazies.

Except in the districts of Lebombo and Mahamba, and partly also of Forbes' Reef, the jurisdiction to be exercised by justices of the peace leaves much to be desired through lack of persons who are fit to occupy the post of justice of the peace, and can at the same time always be at the place itself.

#### *Civil Cases.*

The case of Wallerstein and Bremer *vs.* the Swaziland Government Committee was settled out of Court.

Two further actions:—Swazie Government Committee *versus* John Thorburn, and Swazie Government Committee *versus* Jacob Franklin, were withdrawn before the *litis contestatis*, as the Defendants responded to the claims instituted against them.

#### *Laws.*

No new laws were drafted. Measures were concerted and executed as yet to legalise certain marriages illegally solemnized in Swaziland.

#### *Department.*

The department underwent no change.

Bremersdorp,  
31st March 1894.

(Signed) Dr. J. ESSER,  
Attorney General.

No. 23.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received July 20, 1894.)

(Extract.)

Government House, Cape Town,  
July 4, 1894.

PRESIDENT KRUGER being unable, owing to the sitting of the Volksraad, to leave the Transvaal, he invited me to visit Pretoria to discuss there the Swaziland and other questions.

At the same time that I communicated with President Kruger upon the commandeering question, I discussed with him the extension of the present system of government in Swaziland for another six months, unless terminated earlier by the acceptance of the Organic Proclamation by the Swazis, or by some previous understanding being arrived at between Her Majesty's Government and the Government of the South African Republic, with regard to the Government of that country.

President Kruger considered that there should be some finality with regard to the Swaziland question, and I confess I am of the same opinion, but the question remains what is the finality to be, if the Queen Regent and Council continue to decline to come to an agreement on the basis provided under the Convention of 1893? The President, however, stated that he would shortly submit a proposal for the consideration of Her Majesty's Government, but I am not without hope that the Swazi nation may yet accept the very favourable conditions secured for them by the Convention and Organic Proclamation.

After some discussion President Kruger, with the sanction of the Executive and the Volksraad, has extended the present system of Joint Government until 31st December next. Copies of papers are transmitted herewith.

I also transmit copies of an address I received from the Acting President and Volksraad of the Orange Free State, together with a copy of my reply.

## Enclosure 1 in No. 23.

From His Honour the PRESIDENT, Pretoria, to His Excellency SIR HENRY LOCH,  
Pretoria.

Government Office, Pretoria,  
June 28, 1894.

YOUR EXCELLENCY,

WITH reference to previous correspondence and conversation respecting the termination of the present administration in Swaziland on 30th June next, I have the honour to inform your Excellency that this Government concurs in your Excellency's proposal to extend that administration for a further term of at most six months.

The Government resolves upon this in view of the existing circumstances, and in the full trust that within the said term the Swazi question will be finally settled.

(Signed) S. J. P. KRUGER,  
State President,  
DR. W. J. LEYDS,  
State Secretary.

## Enclosure 2 in No. 23.

From His Honour the ACTING STATE PRESIDENT, Bloemfontein, to His Excellency  
the HIGH COMMISSIONER, Pretoria.

TELEGRAM.

June 28.—The Honourable Volksraad has requested me to communicate the following resolution to your Excellency:—"The Volksraad of the Orange Free State, sincerely sympathising with the Government of the South African Republic in its desires respecting Swaziland, trusts that the negotiations now carried on at Pretoria with his Excellency, Her Majesty's High Commissioner, will lead to the result desired by the Government of the South African Republic, whereby a great stumbling block against mutual co-operation between the various parts of South Africa would be removed, and hopes that the visit of his Excellency to Pretoria will be the means of establishing more friendly relations between the various inhabitants of the South African Republic." Unanimously adopted.

## Enclosure 3 in No. 23.

From His Excellency the HIGH COMMISSIONER, Pretoria, to His Honour the  
ACTING STATE PRESIDENT, Bloemfontein.

TELEGRAM.

June 29.—I beg to acknowledge and thank your Honour and the Honourable the Volksraad of the Orange Free State for your friendly message of yesterday. I can assure your Honour and the Volksraad that it is my earnest desire to arrive at a satisfactory solution of the various questions on which I am negotiating with his Honour the State President of the South African Republic.

The friendly and cordial manner in which these negotiations are being conducted and that characterises the relations existing between the two Governments tends to unite the two races which together form the large majority of the European population of South Africa.

## No. 24.

SIR W. G. CAMERON to the MARQUESS OF RIPON.

(Received 10.15 p.m., August 15, 1894.)

TELEGRAPHIC.

Following is substance of Henriques Shepstone's interview with Queen-Mother in presence two Indunas: She expressed pleasure at his arrival, and hoped that he would be able to assist in satisfactory settlement of country. Very reticent, saying she had no authority yet as old Queen was Regent. Asked cause of his coming; he replied principally because wish expressed by their messengers to him that, as eldest son and successor of his father, he would come and advise in present state of affairs. Shepstone recapitulated message received and replies, and Queen acknowledged correctness.

Shepstone repeated, in his opinion, best course in the interest of Swazis to sign Organic Proclamation. Queen inquired what wrong Swazis had done that they should be thrown over by England; was Her Majesty the Queen angry? He replied that knew of no wrong done by them; Her Majesty the Queen not angry, but prevented from taking them under her rule by revenue concession granted by Umbandeen, now in possession of Government of South African Republic which prevented any other Government ruling Swaziland. Shepstone asked her confidentially what she thought about placing themselves under Government of South African Republic? She replied at once, and asserted emphatically under no circumstances would she sign, and that Swazis would not cut off themselves from Her Majesty the Queen.

Shepstone's impression is very strong that she will refuse to sign Organic Proclamation on ground that Swazis do not believe that views and wishes have been properly and fully represented to Her Majesty the Queen, and that they urged deputation may be allowed to go on to pay visit to Her Majesty.

## No. 25.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received 7.40 p.m., August 22, 1894.)

(Extract.)

TELEGRAPHIC.

Following telegram received from Martin, 22nd August:—*Begins*: At meeting yesterday Queen-Regent and everybody who spoke, with exception of Theo. Shepstone, John Gama, positively denied all knowledge of Organic Proclamation authorising Concessions Court; even disputed visit paid by members of Supreme Court to Queen-Regent, and presenting of beast to them. Queen-Mother asked how it was Proclamation signed by young King, not by her. Theo. Shepstone explained that it was signed by young King at Somboti, by some others at his own office, and for Queen-Regent by proxy. Queen-Regent and Council now consider Court really cause of this country being handed over to Boers. *Ends*.

## No. 26.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received 1.25 p.m., September 1, 1894.)

TELEGRAPHIC.

Following telegram received from Transvaal State Secretary.—*Translation begins*: I am instructed to inform your Excellency that, according to report from Mr. Shepstone, he finds himself in immediate danger because he refuses to give up to the Swazis official documents entrusted to him. Your Excellency is aware that the Swazis deny the Organic Proclamation of 1890 and other important documents and actions of very great importance to the two protecting Governments; amongst these documents there are, moreover, also documents which, as you know, are of great material importance to this Government. The destruction or disappearance of these documents would cause very great loss to both Governments, and especially to this Government. This Government cannot permit that, and will feel itself obliged to take precautionary measures against it. *Translation ends*.

## No. 27.

The MARQUESS OF RIPON to SIR W. G. CAMERON.  
(Sent 7.15 p.m., September 1, 1894.)

(Extract.)

TELEGRAPHIC.

Send Martin following message.—*Begins*: If you are satisfied that permission to pay visit to this country is necessary to allay excitement and to preserve peace, Her Majesty's Government are prepared to authorise your informing Queen Regent accordingly. Conditions, however, would be insisted on. Deputation must be properly composed, and they should undertake to return home directly they have received their answers. This is necessary in view of date fixed for expiration of joint Government. *Ends*.

No. 28.

The MARQUESS OF RIPON to SIR W. G. CAMERON.  
(Sent 7 p.m., September 2, 1894.)

TELEGRAPHIC.

[Answered by No. 29.]

Have you received official notification of reservation made by Volksraad of the South African Republic in ratification of Swaziland Convention, 1893, as reported in "Weekly Press," 7th July? If so, is newspaper report correct? If not, send text.

No. 29.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received September 3, 1894.)

TELEGRAPHIC.

Referring to your telegram of 2nd September,\* resolution of the Volksraad South African Republic, *re* ratification of Swaziland Convention of 1893, not yet received, but translation in "Press" of resolution as published in official "Gazette" of South African Republic practically correct. Correct translation by first mail.

No. 30.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received September 4, 1894.)

(Extract.)

TELEGRAPHIC.

Following telegram received from Martin 4th September, dated 2nd September. *Begins* :—Swazis very anxiously awaiting reply to request to go home. Owing to very great anxiety, they will not now listen to any message, and utterly useless to try to reason with them. Consider that refusal of request would be attended with serious effects.—*Ends*.

No. 31.

The MARQUESS OF RIPON to SIR W. G. CAMERON.  
(Sent 6 p.m., September 5, 1894.)

TELEGRAPHIC.

[Answered by No. 32.]

Transmit following message to President South African Republic. *Begins* :—Her Majesty's Government regret that alarmist reports are being circulated as to disturbances in Swaziland. They have reason to believe that these reports are not well founded, but danger will undoubtedly arise if they should be encouraged by those who think that they are forwarding the interests of the South African Republic. They are sure that your Honour will agree that the greatest tact and judgment should be used in such a crisis by all Government officials, and they trust that your Honour will impress this on your officers within, and on the borders of, Swaziland.

Any attempt at isolated action on part of your Honour's Government would be inconsistent with the joint action hitherto subsisting between the two Governments, and would endanger the attainment of the objects which your Honour desires.—*Ends*.

\* No. 28.

No. 32.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received September 7, 1894.)

TELEGRAPHIC.

[Answered by No. 33.]

Referring to your telegram of the 5th September,\* following telegram received from State Secretary, South African Republic: *Translation begins*:—Confidential. 7th September.—Your telegram of 6th September. This Government is not aware that alarmist rumours are being encouraged by persons who think that they are forwarding the interests of this State. The officials of this Republic have always had, and now still have, instructions not only to avoid, but as far as possible also to adjust, disturbances. This Government never had, nor has it now, the slightest intention to take onesided action in Swaziland. On the contrary, this Government continues to follow the joint policy as hitherto. It trusts, therefore, also, that Her Majesty's Government will not for a moment give credit to reports contrary to this.—*Translation ends*.

No. 33.

The MARQUESS OF RIPON to SIR W. G. CAMERON.  
(Sent 4.50 p.m., September 11, 1894.)

TELEGRAPHIC.

Referring to your telegram of 7th September,† inform Government of South African Republic Her Majesty's Government have received with satisfaction assurances as to instructions to officials of the Republic, and determination of President to adhere to policy of joint action.

No. 34.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received September 21, 1894.)

[See No. 36 last paragraph, and No. 52.]

MY LORD MARQUESS,

Government House, Cape Town,  
September 3, 1894.

I HAVE the honour to enclose, for your Lordship's information, with reference to my telegram of this day's date,‡ a copy of a translation of the Resolution of the Volksraad of the South African Republic on the subject of the ratification of the Swaziland Convention of 1893.

I have, &c.  
(Signed) W. G. CAMERON, General,  
Administrator and High Commissioner.

Enclosure in No. 34.

“The First Volksraad, having taken note of the Convention agreed to on the 8th November 1893, between the South African Republic and the United Kingdom of Great Britain and Ireland; having in view Article 12 of the said Convention, wherein it is provided that the ratification must take place on or before the 30th June 1894; seeing with regret that Her Majesty's Government has up to the present been unwilling to agree to conditions by which the just claims and rights of this Republic will be acknowledged; considering that it is desirable once more to make public that

\* No. 31.

† No. 32.

‡ No. 29.

the approving of the Convention cannot be considered as a relinquishment of the claims and rights which the Republic possess to territory situated to the east of that belonging to the Republic, and expressly reserving to itself those claims and rights as was done by the ratification of the Convention of 1890; abiding by everything that was said in that ratification; being convinced that no other solution of this long delayed Swazie question can be arrived at, than the total incorporation of Swaziland into the Republic; considering that the intention to arrive at this is evident from clauses 6 and 7 of the Convention; considering also that incorporation must logically follow from the granting of the franchise to certain persons in Swaziland; regarding the present Convention as a further transitional measure, and still trusting in the promises of Her Majesty's Government, resolves to ratify the said Convention, and to instruct the Government to negotiate further with Her Majesty's Government in the spirit of this resolution."

No. 35.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received October 6, 1894.)

Government House, Cape Town,  
September 19, 1894.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, with reference to previous correspondence, a copy of documents on the subject of the state of affairs in Swaziland.

I have, &c.  
(Signed) W. G. CAMERON, General,  
Administrator and High Commissioner.

Enclosure in No. 35.

From His Honour the BRITISH COMMISSIONER, Swaziland, to His Excellency the  
HIGH COMMISSIONER, Cape Town.

The British Residency, Swaziland,  
September 9, 1894.

SIR,

WITH reference to my Despatch and my telegram of September 6th, I have the honour to transmit your Excellency a copy of Mr. Hulett's appointment to be Chief Secretary of the Swazi Nation.

I have, &c.  
(Signed) R. E. R. MARTIN, Colonel,  
British Commissioner.

His Excellency the High Commissioner,  
Cape Town.

Chief Secretary's Office, Swaziland,  
August 30, 1894.

SIR,

THE Queen Regent of the Swazi Nation directs me to inform you that she has been pleased to appoint me, George Herbert Hulett, Solicitor, Supreme Court, Natal, to be Chief Secretary to the Swazi Nation.

The office of Resident Adviser and Agent to the Swazi Nation has been abolished and from henceforth I am instructed to act in all matters relating thereto.

This appointment takes effect as from the 28th Instant.

I have, &c.  
(Signed) GEORGE H. HULETT,  
Chief Secretary.

To His Honour Colonel Martin,  
British Resident, Swaziland.

Know all men whom it may concern, that I, Usibati, Queen Regent of the Swazi Nation, do hereby appoint you, George Herbert Hulett, to be Chief Secretary for the Swazi Nation, with power to demand and receive from Mr. Theophilus Shepstone, C.M.G., or any other person or persons, all books, papers, moneys, bills, securities and the like belonging to the Swazi Nation, nothing excepted, and to take such action for the recovery of same as you may think fit. And I further appoint you to act in all negotiations pending between ourselves and Her Britannic Majesty's Government, or any other Government relative to a settlement of affairs connected with Swaziland with power to appoint some other person or persons to assist in the said negotiations as you may think fit.

Given under my hand at Enkanini Kraal, Swaziland, this third day of September 1894.

(Signed) USIBATI, her × mark,  
Queen Regent of the Swazi Nation.

As witnesses :—

(Signed) E. HOWARD LANGSTON.  
CLEOPAS KUNENE.

Signed in our presence and approved by us :

(Signed) MATEBULA, his × mark.

UMGOGO „ × „

NONGPANGA „ × „

MANTSHUNGA „ × „

MAKUBATI „ × „

VELAKUBI „ × „

UMGEMANE „ × „

MABAMBA „ × „

As witnesses :—

(Signed) E. HOWARD LANGSTON.  
CLEOPAS KUNENE.

I, Unabotibeni, otherwise called Putini, Mother of the Minor King, Ungwane, otherwise known as Ubonu, do hereby approve of and confirm the above appointment.

Given under my hand at Zomboti, Swaziland, this third day of September, 1894.

(Signed) UNABOTIBENI, alias PUTINI, her × mark.

As witnesses :—

(Signed) E. HOWARD LANGSTON.  
CLEOPAS KUNENE.  
WALKER SOPELA.

Signed in our presence and approved by us :

(Signed) UMBABA, his × mark.

BILI, his × mark.

UMKONKONI, his × mark.

As witnesses :—

(Signed) E. HOWARD LANGSTON.  
CLEOPAS.  
WALKER SOPELA.

To George Herbert Hulett, Esq.,  
Solicitor, Supreme Court, Natal, Swaziland.

A true copy.

(Signed) GEO. H. HULETT, Chief Secretary, Swazic Nation.

ACTING COMMISSIONER, South African Republic, to BRITISH COMMISSIONER.

YOUR HONOUR,

Bremersdorp, September 7, 1894.

THE enclosed letter, of which I send your Honour a copy, was found yesterday in the post office box.

My opinion is that if the appointment of Resident Adviser and Agent does not exist any more then there also is no Chairman of the Government Committee.

According to my opinion the Government Committee will cease to exist. Will your Honour please let me have your opinion.

(Signed) C. J. TOSEN.

Chief Secretary's Office, Zomboti, Swaziland,

September 4, 1894.

SIR,

I AM directed by the Queen Regent of the Swazi Nation to inform you that I, George Herbert Hulett, solicitor of the Supreme Court, Natal, have been appointed Chief Secretary for the Swazie nation.

The office of Resident Adviser and Agent has been abolished and from henceforth I will act in all matters in connection therewith.

This appointment takes effect from the 28th ultimo.

I have, &c.  
(Signed) GEO. H. HULETT,  
Chief Secretary.

To His Honour Stoffel Tosen,  
Transvaal Commissioner, Swaziland.

No. 36.

The MARQUESS OF RIPON to SIR H. B. LOCH.

(Extract.)

Downing Street, October 19, 1894.

IN my despatch of the 1st of June last\* I expressed the earnest hope of Her Majesty's Government that you would be successful in inducing the representatives of the Swazi Nation, who were to come to see you at Cape Town, to accept what appeared (and what still appears) to be the best solution of the Swaziland question possible under existing circumstances, and consistent alike with the obligations of Her Majesty's Government, and with the real interests of the Swazi people, viz., the transfer of the administration of the affairs of the white people in Swaziland to the Government of the South African Republic, under special conditions for the protection of the interests and customs of the Swazi nation.

On the 7th of July you reported to me by telegraph that you had explained fully to the Swazis the real position of affairs, which they had not previously understood, and that you were hopeful as to the result; and from a subsequent despatch I learnt that you had given the deputation, for delivery to the Queen Regent, a message in the following language:—

“ If the Swazi Queen Regent refuses to sign the Organic Proclamation, I have informed the deputation that under no circumstances would Her Majesty's Government take over the administration of that country; that the Court to consider concessions was appointed under the Swazi Queen Regent's authority; that the proceedings of, and decision of, that Court cannot now be questioned; that the principal concessions now belong to the Government of South African Republic; that the European interest introduced in the country must be regulated by European administration; that Her Majesty's Government approve of the administration of the white population by the Government of the South African Republic, subject to conditions negotiated by Her Majesty's Government in the interests of Swazis; that these conditions embrace security to the King for his revenue and inheritance, to the nation for their grazing and agricultural rights, for the exercise of their own laws and customs as between native and native; that the country is not to be incorporated as part of the South African Republic. I have further pointed out that, the King being an infant, it was the duty of the Queen Regent and Council to secure to the King and nation all that has not been given away by concessions. It is therefore the duty of Swazi Queen Regent to secure this by signing the Organic Proclamation, which I direct her to do at once, or, say, within six weeks after return of the deputation. By thus acting, she secures the watchful care of Her Majesty's Government. I have desired them to convey these words to the Swazi Queen Regent, and, by thus acting, to secure the safety of the Queens, the King, and his people.”

Mr. Henriques Shepstone, who, as the oldest son of the late Sir Theophilus Shepstone, the trusted friend and adviser of natives in that part of South Africa, has been looked upon by the Swazis as his father's representative, was good enough to consent to accompany the deputation back to Swaziland, and to use his influence in support of your message.

‡ Notwithstanding all these explanations, however, the Swazis continue to refuse to sign the Organic Proclamation framed to give effect to the Convention of 1893.

The Queen Regent, whatever may have been her views and wishes at one time, is now apparently at one with the Queen Mother and the young King in the opposition

\* No. 14.

which the latter have exhibited towards the Organic Proclamation. They now also repudiate the Organic Proclamation of 1890, issued by the Swazis themselves, in accordance with the Convention of the same year, which established the Tripartite Government and the Court which confirmed the late King's concessions. They have even gone so far as to indicate a desire to revive the old custom of "killing off." Finally, the Queens have issued documents purporting to dismiss Mr. Theophilus Shepstone from his office of Resident Adviser, and have failed to appoint anyone in his place as the Swazis' representative on the Government Committee.

These attempts to destroy the system established in pursuance of the Convention of 1890 constitute a failure on the part of the Swazis duly to observe the provisions of the Organic Proclamation issued under that Convention, and justify the adoption of the measures contemplated in Article III. of that Convention, with a view to enforce such observance.

Her Majesty's Government are now restraining the South African Republic from taking such measures as they could claim should be taken under that Article, such as the introduction of a force of their own to secure order, as recommended by President Krüger, and we are, therefore, bound, by the mutual guarantee contained in Article III., to propose some alternative.

Abiding by the principle on which the Convention of 1890 was based, namely, cordial co-operation between the two Governments, Her Majesty's Government desire to continue to act in accord with the Government of the South African Republic in dealing with the matter.

There is yet hope that the result of the Swazi deputation now on its way to this country may be to induce the Queen Regent and the Queen Mother to take a reasonable view of the situation, and to realise that the proposals now made are in their best interests. The Swazis have been led to entertain doubts as to whether their views and wishes have been correctly represented to Her Majesty's Government, and as to whether your message and the statements made to them by Colonel Martin were duly authorised. Her Majesty's Government have, therefore, consented to receive this deputation, composed of Indunas of the highest rank and position, with a view of convincing them that these doubts are entirely without foundation, and also because Colonel Martin, in alluding to apprehended danger to the lives and property of the white population, has more than once stated his opinion that, in the present state of the minds of the Swazis, a refusal to receive a deputation to England would have serious effects.

In the meantime, you will, of course, take any opportunity which may present itself of repeating and emphasising the advice which you have already given to the Swazis.

Looking, however, to the possibility of the failure of these final efforts to overcome the mistaken resistance of the Swazis, it is necessary, for the purpose of preventing the country from falling into a state of anarchy on the expiration of the Joint Administration at the close of the present year, to be prepared with some other system of administration to take its place; and it is for this reason, amongst others, that Her Majesty's Government have requested you to return to South Africa by the outgoing mail.

As to the form which that administration should assume, the views of Her Majesty's Government were fully set forth in the despatch which I addressed to you on the 1st December 1892.\* Since then, the conduct of the Swazis themselves has rendered the control of a power capable of preserving peace and order in the country more than ever necessary. The system established in 1890 has received its death blow from the acts of the Swazis themselves; and, even if it were still unimpaired in validity, there is, I apprehend, little chance that the South African Republic would consent to its continuance as a permanent arrangement, or for any lengthened period of renewal.

I need not here repeat the arguments used in my despatches of 1st December 1892\* and 1st June last,† against the assumption by Her Majesty's Government of the responsibility of maintaining order under Article II. of the London Convention. At the same time, it has become clear from the events of the last few months, that a portion at least of the natives, and that portion the militant portion, is in a state of great unrest; and that, apart from the absolute necessity of providing an administration over the affairs of whites after the expiration of the present Joint Government, there is a danger that disturbances of a serious character may arise, especially if the present state of uncertainty should be prolonged. In the event of such disturbances endangering the lives and property of the white inhabitants, it would be impossible for Her Majesty's

\* No. 86 [C. 7212] November 1893.

† No. 14.

Government to resist the claim of the South African Republic. Government to intervene for the protection of its own subjects.

In the interests of the Swazis themselves, therefore, it is desirable to avert this result, and the only course which, under all the circumstances of the case, appears to be practically open is to permit the Government of the South African Republic to assume the administration of the affairs of the whites in the country, under the conditions of the Convention of 1893 and the unexecuted draft Organic Proclamation, which, as already stated, protect the interests and customs of the Swazis themselves.

But Her Majesty's Government are prepared to give you a wide discretion to conclude any other arrangement, permanent or temporary, which would be agreed to by the South African Republic and acquiesced in peaceably by the Swazis.

It must be clearly understood that, while a new system of administration should be in readiness, no change is to take place before the expiration of the present form of administration on the 31st of December next, so that the Swazis may have, up to the latest moment, the opportunity of agreeing to the Organic Proclamation.

In discussing these questions with President Krüger, you should state plainly that the conditional ratification given by the Volksraad to the Convention of 1893 has made an unfavourable impression on the minds of Her Majesty's Government; that it will, under any circumstances, be impossible for them to acquiesce in it tacitly; and that, unless those conditions are withdrawn, it will be necessary to make a formal declaration on the part of Her Majesty's Government that they in no respect accept them.

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No. 37.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received October 29, 1894.)

Government House, Cape Town,  
October 10, 1894.

MY LORD MARQUESS,

I HAVE the honour to inform your Lordship that the Swazi deputation to England are leaving by to-day's mail steamer, the s.s. "Athenian."

This deputation consists of the following persons:—

- (1.) Nongqanga,
  - (2.) Zibokwana,
  - (3.) Mhlonitshwa,
  - (4.) Mnkonkoni,
  - (5.) Mabovu,
  - (6.) Cleopas Kunene (Madonsela),
- and 3 native attendants.

The first four of these only are natives of high rank, who should be permitted to be present at any interview which Her Majesty the Queen may honour them with, unless your Lordship thinks it desirable that Cleopas Kunene, in view of his knowledge of English, should also be present as a witness.

Mr. Stuart accompanies the deputation as interpreter and he holds a document from Colonel Martin certifying that he is in sole charge of the party. Mr. Hulett is proceeding to England in the same vessel, but he has been distinctly informed that he cannot be recognised as forming part of the deputation.

Mr. Stuart proposes to make all arrangements for their accommodation in England, and has been directed to report himself to your Lordship's department on his arrival in London.

All the expenses of this visit are being paid by the Swazis themselves, but I have informed Mr. Stuart that his own expenses, of which he will render an account on his return here, will be a charge on Imperial funds, as I consider it very undesirable that the expenses of an officer specially ordered by your Lordship to accompany the deputation should be a charge on the Swazies.

I have, &c.  
(Signed) W. G. CAMERON, General,  
Administrator and High Commissioner.

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No. 38.

SIR W. G. CAMERON to the MARQUESS OF RIPON.  
(Received October 29, 1894.)

Government House, Cape Town,  
October 10, 1894.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, with reference to previous correspondence, a copy of further correspondence on the subject of Swaziland affairs.

I have, &c.  
(Signed) W. G. CAMERON, General,  
Administrator and High Commissioner.

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Enclosure in No. 38.

From His Honour Colonel MARTIN, Bremersdorp, to His Excellency the  
HIGH COMMISSIONER, Cape Town.

TELEGRAM.

October 5. No. 1.—Shepstone, in covering letter, requests that following memorandum having reference to signing of Organic Proclamation of September 1890 may be laid before the Secretary of State.

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MEMORANDUM.

October 1, 1894.

THE Swazi Queen Regent, the Queen Mother, and such headmen as were present at meeting at the Enkanini Kraal in August 1894, have, in the presence of the British Representative and others, denied having signed the Organic Proclamation of September 13th, 1890. This is not surprising, as the two Queens are acting under the advice of irresponsible White persons, who hope to obtain some benefit from such a denial.

As a deputation from the two Queens has just started for England, and there is no one there to say anything on my behalf, I deem it advisable to write this memorandum of the circumstances leading up to the signing on September 13th, 1890.

In the latter end of 1889, a Joint Commission of the two protecting Governments was sent to Swaziland, and carefully inquired into the state of affairs and concessions in the country.

A court to decide on concessions was then contemplated, as appears from an extract from the minutes of that Commission of December 11th, 1889.

This was fully explained to the Queen Regent and headmen, and a final meeting of the Commission took place at the Enkanini Kraal on December 18th, 1889, when the Queen Regent and all headmen were present and matters were fully gone into and explained, and the recommendations and advice of the Commission approved of, and, with the exception of "killing off" being stopped, warmly thanked for.

On the same day (December 18th, 1889) the proclamation giving "inter alia" administrative and executive powers to a Provisional Government Committee, and providing that such Committee was not authorised to decide the initial validity of any concession, was signed. This was thoroughly explained and understood, and two extensions of the term of the Provisional Government Committee were made, extending the term thereof to September 18th, 1890.

From December 1889 up to the 13th September 1890, the heads of the nation were assembled, and I was almost daily in conference with them, as also with the Queen Regent at Enkanini, and everything that was done, and every step contemplated to be done, to carry out the programme as proposed by the joint commission was thoroughly explained and understood, and the appointment of a concession court was warmly greeted and acquiesced in.

I received the Convention on Saturday, August 16th, 1890, and on August 20th commenced to draw the Organic Proclamation, and from that date till the 3rd September 1890, was almost daily in conference with the headmen of the nation upon the Convention and Organic Proclamation. All the headmen went, on several occasions, to the Queen Regent and fully discussed these matters at the Enkanini Kraal.

The young King was brought to his kraal, the Umtangaleni, (Somboti) on September 1st, 1890, and I attended the ceremony of presenting him to the nation as the new King, the next day.

All the headmen went over to the Enkanini that evening to consult with the Queen Regent, and returned on the evening of September 4th, 1890.

On September 5th 1890, the representatives of the two Governments attended by invitation, and the young King was presented to them. I wrote a memorandum of what took place at the time, and which appears in the Blue Book. (This meeting was also denied by the two Queens and their headmen in August, 1894.)

I completed the Organic Proclamation on September 10th, 1890, and on the following day all headmen went over to the Enkanini kraal to the Queen Regent.

I purposely put in the young King's name in the Proclamation and explained my reasons for doing so, not only to the Queen Regent and headmen but also went to the Queen Mother (who then had no authority), and explained them to her also; all of them were pleased, as there had been, and was just then, great tension existing.

My reasons were that in July 1890, a report had got about that another claimant to the throne was to be brought forward, and very serious bloodshed and civil war was imminent, and the crisis was only passed after a very large meeting over the subject, at which I was present, at Enkanini, on August 5th, 1890, but an uneasy feeling still prevailed on the subject (I beg here to draw attention to my memorandum of July 31st, 1890, addressed to the representatives of both Governments) that thereafter no question could be raised that he was not lawfully King.

On September 13th, 1890, all the headmen, including those of Enkanini, Didini, Somboti and Embekelweni, assembled at my office to sign the Organic Proclamation which was gone through and explained and understood.

The headmen said Umgogo, who always up to then and until May, 1894, had represented the Queen Regent, was authorised to sign for her. This is in accordance with native law and custom. The Proclamation was then signed in the presence of the three White and one native witness, as therein set forth.

I then, in company with the headmen, went to the Somboti kraal and saw the Queen Mother, and told her all about it, and that I was now going to get the young King to sign, at which she expressed her satisfaction. I then, with the headmen, went into the kraal, and the young King came out with his official attendant Seheshe; I explained the matter to him and he put his mark to the Proclamation.

The Queen Regent and all the headmen were only too glad that the judges were coming, and looked forward eagerly to their arrival.

I must here point out that, at this period, the young Queen had no authority whatever, but I always kept her informed of what was going on. Under native law, she was not allowed to see her son, a line being laid down which neither was to pass, her apartments being on the west side of the kraal, and her son's on the east side.

On September 15th, 1890, I was engaged with the headmen nearly all day, going through concessions, grazing rights, &c., &c., prior to the sitting of the court.

On September 20th, 1890, and many days afterwards, I was similarly occupied with the headmen.

To show that the Queen Regent and nation were fully cognizant of what they had done and were pleased at the arrival of the judges, I must point out that, directly I reported their arrival to the Queen Regent, she sent the headmen of all four royal kraals to Bremersdorp to welcome them.

They presented the judges with two head of cattle from the Queen Regent, and apologised that there was not one for each judge, but said they would rectify it. The judges received the headmen in their robes in the court room, and there was a great ceremony and congratulatory speeches.

All these facts are recorded in my diary, which I kept daily, and most of them are within the personal knowledge of their Honours Colonel Martin and Mr. Esselen. Subsequently the judges, accompanied by Colonel Martin, paid the Queen Regent a visit at the Enkanini kraal, when a third beast was presented to them. Both these occasions are also now denied by the Queens who say they never heard of the judges.

The whole period during which the Concession Court sat, headmen attended in Bremersdorp for the purpose of giving explanation or evidence as to the concessions or grazing rights, and continuously from 1890 to May 1894, have headmen of the nation attended to give evidence in various trials as to concessions, grazing rights, &c.

The nation was also legally represented in the Concession Court and High Court. The Queen Regent and nation have made use of the High Court on various occasions; and I may instance one particular occasion when, at the request of the Queen Regent, an action was brought in the Court by Sicunusa, one of the Royal family, and a headman of the nation, against some White person, and Sicunusa lost.

The Queen Mother also on one occasion got me to petition for the release of one of her personal attendants, who had been sentenced to a term of imprisonment for theft, and her application was granted, she agreeing to pay a beast to release the man.

I could give many other facts than these, but I do not consider them necessary.

In conclusion, I may state that, from the late King's death till now, I never did anything without the fullest knowledge of the Queen Regent and headmen. I was in almost daily communication with her, and her headmen were almost daily in council in my office. By her request and direction, I decided every case of importance with the headmen of the three Royal kraals and others, and every decision was reported to her.

On one occasion, the Queen Regent attended at my office for three days as complainant against several of the heads of the nation, and I not only heard the cases but gave the judgments. Umgogo, who now denies having signed for the Queen Regent, was to have been "eaten up," and on several occasions in April and May 1894 he came to my office to ask me to save his life.

He escaped being "eaten up" when Tikuba and the other Chiefs were "eaten up," but he would lose his life or be "eaten up" now if he did not also deny. In August, he personally told me he remembered all the circumstances perfectly, but that I must see from the way things were going that he dare not admit it.

The "eating up" of Tikuba and other high Chiefs was done with the intention of getting rid of their evidence, and the attempt of the two Queens to get me to leave is in the hope of getting rid of my evidence also. They have been advised that if they can successfully deny the Organic Proclamation all proceedings since September 1890 will be null and void, and that Her Majesty the Queen of England will take the country over.

(Signed) THEOPHILUS SHEPSTONE.

No. 39.

The MARQUESS OF RIPON to SIR W. G. CAMERON.

(Sent 5.7 p.m., October 30, 1894.)

TELEGRAPHIC.

Instruct Martin inform Queen Regent and Council deputation arrived Sunday, all well.

No. 40.

The MARQUESS OF RIPON to SIR H. B. LOCH.

(Extract.)

[Answered by No. 49.]

Downing Street, November 1, 1894.

THE second enclosure in Sir W. G. Cameron's despatch of the 10th ultimo\* contains a memorandum by Mr. T. Shepstone, in which he gives an account of various events which the Swazi Queens have recently stated never took place.

Some of these events must be matters of notoriety, as to which the testimony of independent persons can be obtained. I refer especially to what took place on the arrival of the Judges in Swaziland, and the ceremonial presentation of cattle to these gentlemen.

It does not appear that there is in this Department any report upon the subject, and I shall be glad if you will furnish me with any such report which may be in your possession. If no such report was furnished at the time, I desire that you will obtain and forward to me statements as to what took place from any responsible eye witnesses; statements from the Judges themselves would be specially important.

\* No. 38.

No. 41.

The MARQUESS OF RIPON to SIR W. F. HELY-HUTCHINSON.  
(Sent 5.10 p.m., November 2, 1894.)

TELEGRAPHIC.

[Answered by No. 46.]

It has been stated by the Swazi deputation that, at the end of the war against Sekukuni, Sir Marshal Clarke promised the Swazis that they should "have their country," by which, as I understand it, they mean that he guaranteed their perpetual independence.

Ask Sir M. Clarke to state whether there is any truth in this assertion? Reply quickly.

No. 42.

The SWAZI DEPUTATION to HER MAJESTY THE QUEEN.  
(Received in Colonial Office November 16, 1894.)

[Answered by No. 43.]

TO THE GREAT QUEEN OF ENGLAND.

WE salute you.

We, the Envoys of the Queen Regent of Swaziland, were especially instructed by our Queen to lay before you, her Mother, the case of the Swazi people. We consider that we are the Queen of England's children. You have protected us ever since the Zulu war and it is now with sorrow that we learn our Mother the Queen wants to send us from under her wing and hand us over to the hawks that will devour us. Whenever you, our Mother, have asked us to assist your troops, we have obeyed, even to the shedding of our blood in your cause. But this was nothing but what we, as your children, were in duty bound to do, and we did it willingly, knowing that our Mother would always, as long as we did no wrong, take care of us.

We have always been afraid of the Boers. We have lived beside them ever since they came into the Transvaal. The country they occupy adjacent to our territory was once ours, but all our people have been driven from the land by reason of the unjust and cruel acts of their Boer masters, and now there are scarcely any living on the farms. We see how happy the people are whom your Majesty has conquered in Natal, Zululand, Basutoland, Pondoland. They live peaceably with the English. Their property is secured to them. They are paid for their services. The Courts protect them against injustice. None of these things are enjoyed by the natives in the Transvaal. We therefore pray and implore your Majesty to save us from destruction, which the handing of us over to the Boers will certainly mean.

We ask your Majesty, if your Majesty cannot take our country, to keep the Boers from entering it and destroying us. Relying upon the assurance that we had that your Majesty would always care for us, we have not armed ourselves, and it is because the Dutch see this that they now desire to have our country. We have never harmed any white man's property or done any wrong to any white man that has resided in our country. We have done all we can to please the white man and why should we be destroyed?

On behalf of our Queen Regent, and the minor King and Nation, we present our humble petition to you, our great Mother, praying that you will consider us and save us.

May the Great Spirit, Who, the missionaries tell us, is God, ruler of all peoples, keep you in health of body and mind, and give you length of days to rule your kind people, and may your memory live for ever in the hearts of all.

We remain, your children,  
(Signed) NONQANGA, his × mark.  
UZIBOGWANA, his × mark.  
UNKONKONI, his × mark.  
UMHLONITSHWA, his × mark.  
MABOVU, his × mark.  
CLEOPAS MADONSELA.

As Witness to marks :

(Signed) GES. H. HULETT.

November 15, 1894.

No. 43.

COLONIAL OFFICE to JAS. STUART, Esq.

SIR,

Downing Street, November 16, 1894.

I AM directed by the Marquess of Ripon to request you to deliver to the Swazi Deputation the accompanying copy of the answer from Her Majesty the Queen, which his Lordship read to the Deputation to-day, in reply to the message from the Queen Regent in Council.

I am, &c.  
(Signed) R. H. MEADE.

Enclosure in No. 43.

MESSAGE from the QUEEN to the SWAZI DEPUTATION, delivered to them by LORD RIPON at the Colonial Office on the 16th November 1894.

I AM commanded by the Queen to inform you that, while Her Majesty is sensible of the confidence in the justice of Her rule which is implied in the offer of allegiance which you have made to Her Majesty, by order of the Queen Regent and Council of the Swazi nation, the Queen is precluded by Her Treaty Engagements from accepting the allegiance which you have tendered.

The Queen desires me to say that Sir Henry Loch, Her High Commissioner in South Africa, in preparing the system of Administration which he drew up last year in concert with the Government of the South African Republic, and which has been embodied in the Organic Proclamation which the Queen Regent and Council have been invited to sign, acted in full accordance with the instructions issued to him by Her Majesty's Government. The Queen is convinced that in framing that system Sir Henry Loch was animated by a sincere desire to do the best that could be done under the existing circumstances for the interests of the Swazi people, and Her Majesty desires you to tell this to the Queen Regent, the Queen-Mother, the King, and the Council, and to inform them that it is Her Majesty's wish that they should be guided by the advice of Her High Commissioner in South Africa, who represents the Queen in that part of the world and possesses Her Majesty's entire confidence.

No. 44.

The MARQUESS OF RIPON to SIR H. B. LOCH.

(Extract.)

Downing Street, November 16, 1894.

I HAVE the honour to inform you that, of the six natives forming the deputation from Swaziland, five return to South Africa by this mail, with a view of informing the Queen Regent and Council, at the earliest possible moment, of all that has passed.

The deputation have had six interviews with me.

Mr. Stuart, the Interpreter, has been placed in an exceedingly difficult position, and I take this opportunity of expressing to you, as I expressed to himself at my final interview with the deputation, my very high appreciation of the ability and discretion which he has displayed throughout.

Judging from his conduct on this occasion, I do not doubt that he will do credit to any higher position in the service to which he may attain.

I request that you will transmit to the Governor of Zululand, whose officer Mr. Stuart is, a copy of so much of this despatch as relates to Mr. Stuart, to be placed on record in that Colony and to be communicated to him in due course.

No. 45.

The MARQUESS OF RIPON to SIR H. B. LOCH.

(Sent 5.40 p.m., November 17, 1894.)

TELEGRAPHIC.

Swazi deputation has left, Cleopas remains with Hulett till next week. Members of deputation have promised not to delay delivery of Her Majesty's message on account of the absence of the two latter. Inform Martin, and instruct him to arrange for Swazi Council meeting against arrival of members of deputation about 20th December; no time should be lost, as we are very short of time.

No. 46.

SIR W. F. HELY-HUTCHINSON to the MARQUESS OF RIPON.

(Received November 26, 1894.)

Government House, Pietermaritzburg, Natal,

November 3, 1894.

MY LORD,

WITH reference to your Lordship's telegram of the 2nd instant,\* I have the honour to transmit herewith copies of telegraphic correspondence with Sir Marshal Clarke.

I have, &amp;c.

(Signed) WALTER HELY-HUTCHINSON,  
Governor.

Enclosure 1 in No. 46.

GOVERNOR to Sir MARSHAL CLARKE.

TELEGRAM.

November 3. Secretary of State for the Colonies wishes to know whether it is true that at end of Sekukuni war you promised Swazis that they should have their country, meaning, it is supposed, that you guaranteed to Swazis their perpetual independence. Telegraph reply.

Enclosure 2 in No. 46.

RESIDENT COMMISSIONER to GOVERNOR.

TELEGRAM.

3rd. No such promise was made by me. I had no authority, and did not make any official communication after the Sekukuni war.

No. 47.

SIR H. B. LOCH (RICHMOND ROAD) to the MARQUESS OF RIPON.

(Received 4.20 p.m., December 17, 1894.)

TELEGRAPHIC.

I had an interview with Swaziland deputation at Durban in company with Martin. They fully understand Her Majesty the Queen's message. I have instructed Martin that he should be present [at] its delivery. I strongly impressed on members of deputation necessity of signing Organic Proclamation.

\* No. 41.

No. 48.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received December 17, 1894.)

Government House, Cape Town,  
November 27, 1894.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, a copy of telegraphic correspondence with the State Secretary of the South African Republic, on the subject of the conference at Volksrust between his Excellency the High Commissioner and his Honour the State President, South African Republic.

I have, &amp;c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 1 in No. 48.

TELEGRAM.

From STATE SECRETARY, Division A., Pretoria, to His Excellency the  
HIGH COMMISSIONER, Cape Town.

(Translation.)

22nd November, 1894.—In compliance with your Excellency's request, contained in your letter of 19th instant, I have the honour to inform your Excellency that, in view of existing circumstances, his Honour the State President will be prepared to meet your Excellency at Volksrust in order to accomplish the Swaziland question. I shall be glad to learn from your Excellency on what date you will be able to meet his Honour there, and who will accompany your Excellency, in order to take the necessary measures.

Enclosure 2 in No. 48.

TELEGRAM.

From the IMPERIAL SECRETARY, Cape Town, to the STATE SECRETARY, Pretoria.

(Extract.)

November 23rd.—I am desired by his Excellency the High Commissioner to request you will be so good as to inform his Honour the State President, in reply to your telegram of yesterday's date, that his Excellency hopes to reach Charlestown the 6th proximo. He will be accompanied by myself; by Major Barter, his military secretary; his private secretary, Mr. Smuts; by a clerk of the office; and Mr. Searle, as his Excellency's legal adviser.

Enclosure 3 in No. 48.

(Translation.)

TELEGRAM.

From the STATE SECRETARY, Division A., Pretoria, to Imperial Secretary, Sir GRAHAM  
BOWER, Cape Town.

(Extract.)

24th November.—In reply to your telegram of yesterday, I have the honour to request you to inform his Excellency the High Commissioner that his Honour the State President will meet his Excellency at Volksrust on the 6th December next as proposed by him.

His Honour the State President will be accompanied by myself, Mr. J. Kock, member Executive Council, Mr. D. J. Esselen, Mr. Fockens, secretary, and the private secretary of his Honour the State President.

Enclosure 4 in No. 48.

(Translation.)

TELEGRAM.

FROM STATE SECRETARY, Pretoria, to Sir GRAHAM BOWER, Imperial Secretary,  
Cape Town.

(Extract.)

27th November, 1894.—Mr. E. Esselen, State Attorney, will also accompany his Honour, and Mr. Krogh, of Swaziland, has also been told to go.

No. 49.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received December 27, 1894.)

MY LORD MARQUESS,  
Government House, Cape Town,  
November 29, 1894.  
WITH reference to your Lordship's despatch of the 1st instant,\* and to Sir W. G. Cameron's despatch of the 10th October,† I have the honour to enclose, for your information, a copy of a memorandum which I have received from the Honourable Henry Juta, Q.C., who was one of the judges of the Swaziland Concession Court. The account given by Mr. Juta leaves no doubt on my mind that the alleged ignorance of the Swazies in regard to the proceedings of the Concession Court has no foundation in fact.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure in No. 49.

From Mr. H. H. JUTA, Cape Town, to the IMPERIAL SECRETARY, Cape Town.

Cape Town Chambers,  
November 27, 1894.

SIR,

I HAVE the honour to report as follows in reply to your letter:—In dealing with the evidence tending to show that the Swazis were aware of the existence of a Concession Court in Swaziland in the months of October, November, and December, 1890, it will be convenient to divide it into two parts, one treating of general facts, from which the inference is irresistible that the Swazis must have known of such existence, and the other dealing with particular facts showing directly that they did know it.

(A.) *General Facts.*

The building in which the Court held its sittings was situated a few yards away from Bremer's shop, then the principal one in Swaziland. During the two and a half months in which the Court sat, large numbers of Swazis, male and female, indunas and others, from all parts of the country, daily frequented the shop, often staying for hours. Living round, near, or in the building where the Court sat, were some 70 or 80 Europeans. Many of them had lived in Swaziland for years, were known to the Swazis and indunas who came to the shop, and spoke the native language freely. Some of them had been members of the "Committee of Whites," had been rivals for the favours of the Swazi rulers, and were at enmity with each other and with Mr. Shepstone. Nearly all of them were interested in concessions, several were interested in disputed concessions, and called as witnesses on their behalf native indunas and others.

These persons were constantly in conversation with the Swazis and indunas who frequented the shop or attended the Court, and were constantly visiting the three chief kraals, viz., the King's, the Queen Regent's, and the intermediate kraal (the Inkanini and Iditen). These persons being almost daily in Court and parties to suits heard therein, were, of course, aware of all the proceedings of the Court.

The Zulu police who maintained order in and about the Court were, to my own knowledge, aware of the existence of the court and its proceedings, and were in daily

\* No. 40.

† No. 38.

communication with the Swazis. All process of the Court was served by the sheriff with the aid of the police.

Swazis were called as witnesses on several occasions, and gave their evidence before us. Tekuba, the "prime minister," gave evidence four or five times, and was on each occasion accompanied by two or three indunas, who sat or stood by the witness box while Tekuba was being examined and cross-examined. Several of the other natives were either persons of influence or related to Swazi indunas, and they did not all come from one kraal or from one part of the country. Thus one was a son of Sapios, or Sapose, a headman of a distinct district, one was the "surveyor" of the late chief, Umbandine, two others were respectively brother and son of the well known induna, Sanshlan. Whenever a native was called as a witness there was always a large crowd of natives outside the Court. It is simply incredible that under these circumstances the Swazis could have been ignorant of the judges being in their midst. Swaziland is not a large country, and the three chief kraals were not more than two hours travelling from the Court house.

(B.) *Particular Facts.*

Mr. Shepstone is quite right in his reference to the reception of the Indunas or head men in the court house. Shortly after the judges arrived in Swaziland they were informed that the Queen Regent was sending a deputation of Indunas. This became generally known and was the common topic of conversation among the Europeans for some days before the appointed time. Upon the day fixed a considerable number of Swazis and Swazi Indunas arrived at Bremersdorp, some by the mountain path leading from the king's kraal, and some by the road that passes the other two chief kraals. Some 15 or 20 natives were introduced to the judges, who received them robed and attended by the court officials. Colonel Martin was present, and Mr. Shepstone introduced the men as Indunas sent by the Queen Regent to meet and welcome us; he informed us that she had sent two oxen as a present, and he apologised for a third not having been sent. The Indunas shook hands all round and Chief Justice Kotze said a few words on behalf of the Judges, thanking the Indunas. They were then entertained and remained about half an hour. Although the interpreting was done by Mr. Shepstone, there were persons in the court house and about the door who thoroughly understood the Swazi language and must have heard everything that was said. Some of the Indunas I saw subsequently, when the judges called upon the King and the Queen Regent.

The oxen were delivered to our servants and used by us.

Mr. Shepstone omits to make mention in his memorandum of a very important function which took place after the visit to us. It was a few weeks after the oxen were presented that the judges, attended by all the court officials, and accompanied by Colonel Martin and Mr. Esselen, paid a formal visit to the young king at his kraal. Upon our arrival we were shown round the kraal by some of the Indunas, and were introduced to a young woman, who was stated to be the late Umbandine's widow. In the enclosure to the royal kraal were a large number of Indunas, some of whom had been members of the deputation sent to us. Besides our party, there were other Europeans present who thoroughly understood and spoke the language, so that it is quite clear that what was said on that occasion also was correctly interpreted, and that neither the Swazis nor ourselves could by any possibility have been misinformed of what was going on.

The young King came from his hut and took his seat in the middle of the enclosure. Mr. Shepstone introduced the judges, who then presented their presents, viz., three blankets. Colonel Martin and Mr. Esselen both spoke introducing us, and Chief Justice Kotze, on behalf of the judges, made a short speech stating what we had come to Swaziland for, and that we would endeavour to do our duty, to administer justice between Europeans and Natives, &c., &c. The ceremony took some time, and was conducted with all the native formality and etiquette, and the Swazis were told distinctly and in unmistakable language that we were the judges appointed by Her Majesty the Queen and his Honour the President to try Concession and other cases.

Some time after this Chief Justice Kotze, Colonel Martin, Mr. Shepstone, some of the officials of the court, and myself, paid a formal visit to the Queen Regent at her kraal. Mr. Justice Du Toit did not accompany us on that occasion as he had been delayed. He did, however, visit the Queen Regent after our visit was ended. Mr. Shepstone interpreted, and speeches were made by Chief Justice Kotze and Colonel Martin. I cannot remember whether the interpreter to the court was present on that occasion, but there were some indunas present whom I had seen on the two former occasions. The

visit lasted about half an hour, after which we were shown round the kraal by the indunas and introduced to the "princesses" and members of the household.

Such is a short statement of what took place in connection with the official and formal visits paid to and by us.

To Sir Graham Bower,  
Imperial Secretary.

I have, &c.  
(Signed) HENRY H. JUTA.

No. 50.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received January 4, 1895.)

MY LORD MARQUESS,

Maritzburg, Natal, December 14, 1894.

I HAVE the honour to enclose, for your Lordship's information, a copy of the Convention, relative to the settlement of Swaziland, which was signed by the President of the South African Republic and myself on the 10th instant.

This Convention was signed subject to ratification by your Lordship and by the Volksraad of the South African Republic, and I propose briefly to recapitulate its objects.

The refusal of the Swazis to sign an Organic Proclamation conferring the necessary administrative authority on the Government of the South African Republic has rendered it desirable to provide for the contingency of their continued persistence in that attitude.

British protection of Swaziland is not only legally impossible, but is politically and economically undesirable, whilst an isolated, independent Swaziland under native rule could not exist for any length of time, and would, from the outset, be the prey of civil war, and an open field for filibusters and other disorderly characters.

The first necessity for the country in its present state is a good and firm government, as well as a proper administration of justice; and although the Government of the South African Republic have shown great reluctance in accepting some of the conditions of this Convention, which they consider as likely to hamper their action in the discharge of the responsibilities imposed on them, nevertheless I consider that they have sufficient liberty of action for the discharge of those duties, and that the safeguards imposed for the protection of the natives will be of great assistance to the Government of the South African Republic in their efforts to establish a peaceful and orderly government of the whites.

Similarly, every right that the natives have not already alienated has been retained to them, and I believe that the Convention may be regarded as a charter of those rights, as well as of the rights of the white population who have acquired interests in Swaziland.

In some of its provisions the Convention may have far-and-wide-reaching consequences, but I am glad to be able to assure your Lordship that those consequences can, in my opinion, only be to the advantage of British interests in South Africa, as well as to the contentment of the people under Her Majesty's rule.

It is, therefore, with much pleasure that I congratulate your Lordship on the final settlement of an anxious and irritating question, and that I recommend that your Lordship's approval be given to the Convention which has been concluded.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure in No. 50.

A CONVENTION between Her Majesty the QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND and THE SOUTH AFRICAN REPUBLIC.

Whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic, as representing the Government of the said Republic, have agreed that it is expedient that they should enter into a convention relative to the affairs of Swaziland in substitution of the Conventions of 1890 and 1893:

Now, therefore, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic, as representing the Government of the said Republic, hereby consent and agree that the

following Articles, accepted finally by and between Her Majesty and his Honour, shall, when duly signed, sealed, and executed by Her Majesty's High Commissioner for South Africa on behalf of Her Majesty, and by his Honour the State President of the South African Republic on behalf of the Government of the said Republic, and when duly ratified by the Volksraad of the South African Republic, constitute and be a convention by and between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic.

Article I. The provisions of the Convention of 1890 shall be continued in full force and effect from and after the date of the signing of this Convention by his Excellency Sir Henry Brougham Loch, Her Majesty's High Commissioner, on behalf of Her Majesty, and his Honour Stephanus Johannes Paulus Kruger, State President of the South African Republic, on behalf of the Government of the South African Republic, until the date of the ratification of this Convention by the Volksraad of the South African Republic; provided that should this Convention not be ratified before or during the next ordinary session of the said Volksraad, the provisions of the Convention of 1890, saving the provisions of Articles 10 and 24 thereof, which shall remain in full force and effect, may at any time thereafter be terminated by one month's notice, given either by Her Majesty's Government or the Government of the South African Republic, and thereupon at the expiration of the said month, in accordance with the Convention of 1884, all the provisions relative thereto in the said Convention shall be of full force and effect; and provided further that if at any time before the ratification in manner aforesaid, the assent of the Swazie Queen-Regent and Council to the draft Organic Proclamation already agreed to by Her Majesty's Government and the Government of the South African Republic be duly signified, the Convention of November 1893 shall, upon the signification of such assent, be and remain of full force and effect subject to the terms of the said Organic Proclamation, and this Convention shall not thereafter be ratified but shall be of no force and effect, and the provisions of the Convention of 1890 shall no longer be of any force or effect saving the provisions of Articles 10 and 24 thereof, which shall remain of full force and effect.

Article II. Without the incorporation of Swaziland into the South African Republic, the Government of the South African Republic shall have and be secured in all rights and powers of protection, legislation, jurisdiction, and administration over Swaziland and the inhabitants thereof, subject to the following conditions and provisions namely:—

- (1.) That the young King Ungwane *alias* Uhili *alias* Uunu after he has become of age, according to native law, shall be and remain the Paramount Chief of the Swazies in Swaziland, with the usual powers of such Paramount Chief, in so far as the same are not inconsistent with civilized laws and customs.
- (2.) That the payments by the Government of the South African Republic of monies derived from the collection of the private revenue of the King shall be regularly made in terms of concession or power of attorney, granted in that behalf by Umbandine, and confirmed by the judgment of the chief court.
- (3.) That the management of the internal affairs of the natives shall be in accordance with their own laws and customs, including the laws and customs of inheritance and succession, and that the native laws and customs shall be administered by the native chiefs entitled to administer the same, in such manner as they are in accordance with the native law and custom at present administering, in so far as the said laws and customs are not inconsistent with civilized laws and customs, or with any law in force in Swaziland made pursuant to this Convention, and the natives are guaranteed in their continued use and occupation of land now in their possession, and of all grazing or agricultural rights to which they are at present entitled; provided that no law made hereafter in Swaziland shall be in conflict with the guarantees given to the Swazies in this Convention.
- (4.) That in the administration and government of the country by the Government of the South African Republic, no hut tax or other tax shall be imposed upon the natives higher than the corresponding tax to which such of the Swazie people as are living within the borders of the Republic may be subject. In no case, however, shall such taxes be able to be imposed until after the expiration of three years from the date of the ratification of this Convention.

Article III. The Government of the South African Republic agrees to appoint an officer who shall administer Swaziland in terms of this Convention.

Article IV. The Government of the South African Republic agrees that the chief court heretofore established shall continue to exercise and possess all the powers and jurisdiction hitherto exercised or possessed by it; the said court shall also have such

powers and jurisdiction as may be conferred upon it, in accordance with Article II. of this Convention, subject to the conditions of the said Article, with full power to decree against all persons, execution of every order, judgment, decree, or sentence made by it in the exercise of its jurisdiction.

Article V. The laws, ordinances, proclamations, and regulations at present in force in Swaziland shall continue to be of full force and effect therein until altered, amended, or repealed in accordance with the terms of this Convention; and the power and jurisdiction heretofore exercised or possessed by Landdrost Courts and justices of the peace shall continue to be exercised and possessed by such courts and such justices of the peace respectively, unless and until other provision be made in accordance with the terms of this Convention.

Article VI. All Government officers appointed under and by virtue of the Convention of 1890, shall continue to hold and administer the offices to which they have been appointed, and shall be secured in the emoluments and fees of office at present enjoyed by them, until the date of the ratification of this Convention, or until other provision be made in that behalf by Her Majesty's Government or the Government of the South African Republic, and thereupon all such appointments shall cease and determine; provided that on or after the date of ratification aforesaid the said officials or any of them may be re-appointed to the said offices or any of them, in accordance with the terms of this Convention.

Article VII. All British subjects residing in Swaziland, or having in Swaziland any property, grant, privilege, or concession, or any right, title to, or interest in, any property, grant, privilege, or concession, shall be secured in the future enjoyment of all their rights and privileges of whatsoever nature or kind in like manner as burghers of the South African Republic, but shall obey the Government and conform to the laws established for Swaziland.

Article VIII. Every white male who shall have been a *bonâ fide* resident in Swaziland (even if temporarily absent from Swaziland) on the 20th April 1893, shall become and be entitled to all the political privileges of a full burgher of the South African Republic as though he had been born in that Republic: provided, however—

- (a.) That every white male shall make application in writing to an officer to be appointed at Bremersdorp, in Swaziland, by the Government of the said Republic, to have his name enrolled upon a list of persons so entitled, and upon satisfactory proof by a true and solemn declaration of his *bonâ fide* residence in Swaziland on the aforesaid day, such declaration to be made within six months from the date of public notification of the appointment of such officer as aforesaid, such officer shall be bound to enrol his name on such list, and such list shall be the list of burghers of the South African Republic so admitted under this head of this article to the privileges aforesaid.
- (b.) That every white son of any person admitted to the privileges of a burgher under the preceding paragraph of this article, which son shall have been a minor on the aforesaid date, shall be entitled to the like political privileges which he would have had if his father had been a natural-born burgher of that Republic and he himself had been born therein, provided that the right under this section shall be claimed by such minor from the Government of the South African Republic by notice in writing within twelve months from his attaining his majority.
- (c.) That every person admitted as a burgher shall, while resident in Swaziland, be entitled to register his vote at any election when and where a burgher resident in some convenient district of the South African Republic adjoining Swaziland, would be entitled to vote, such district to be determined by the Government of the South African Republic, and if thereafter he shall come to reside in any district of the South African Republic such person shall there be entitled to register his vote.

Article IX. The equal rights of the Dutch and English languages in all courts of Swaziland shall be maintained. This provision shall be in force so long as the administration of Swaziland by the Government of the South African Republic continues under the provisions of this Convention.

Article X. The Customs duties shall not be higher in respect of any article imported into Swaziland than the duty thereon according to the tariff at present in force in the South African Republic, or the tariff at present in force in the South African Customs Union, whichever is now the higher. This provision shall be in force so long as the

administration of Swaziland by the Government of the South African Republic continues under the provision of this Convention. Every exclusive right or privilege of or belonging to any individual or individuals, corporation or company, with regard to imposition of or exemption from customs duties on goods shall be liable to expropriation by the administering authority; provided that no such individual or individuals, corporation or company, shall be deprived of or interfered with in the enjoyment of any such exclusive rights or privileges as have been confirmed by the Chief Court prior to the 8th November 1893, without due compensation being awarded. The amount of such compensation shall be assessed by means of arbitration in case of difference. Each party interested shall appoint an arbitrator and the said arbitrators shall, before proceeding with the arbitration, appoint an umpire; should the said arbitrators be unable to agree upon an umpire such umpire shall, upon application of either party, after notice to the other, be appointed by the Chief Court; the decision of the majority of the persons so appointed shall, in case of difference, be final.

Article XI. The Government of the South African Republic agrees to prohibit the sale or supply of intoxicating liquor to Swazie natives in Swaziland.

Article XII. No railway beyond the eastern boundary of Swaziland shall be constructed by the Government of the South African Republic save under the provisions of a further contemplated Convention between Her Majesty the Queen and the South African Republic, or with the consent of Her Majesty's Government.

Article XIII. Articles 10 and 24 of the Convention of 1890 are here again set forth for convenience of reference:—

“Article 10. The Government of the South African Republic withdraws all claim to extend the territory of the Republic, or to enter into treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company.”

“Article 24. Her Majesty's Government consent to an alteration of the boundary of the South African Republic on the east so as to include the territory known as the Little Free State within the territory of the South African Republic.”

Article XIV. Her Majesty's Government reserves the power of exercising diplomatic representation in favour of Swazie natives or British subjects in case any provision of this Convention shall not be fairly and faithfully observed.

Article XV. Her Majesty's Government reserves the right to appoint a British Consular Officer to reside in Swaziland.

Signed and Sealed on the Border of Natal and the South African Republic,  
near Charlestown and Volksrust, this 10th day of December, 1894.

HENRY B. LOCH,  
High Commissioner

Signed and Sealed on the Border of Natal and the South African Republic,  
near Charlestown and Volksrust, this 10th day of December, 1894.

S. J. P. KRUGER,

State President of the South African Republic.

Dr. W. J. LEYDS,  
Staats Secretaris, Z.A.R.

No. 51.

SIR H. B. LOCH to the MARQUESS OF RIPON.

(Received January 4, 1895.)

(Extract.)

Government House, Cape Town,  
December 17, 1894.

BEFORE sailing from Durban on Saturday, 15th instant, I had an interview of about an hour with the Swazi deputation. I received them in a room at the Town Hall.

Colonel Martin accompanied me, and, after the usual inquiries, I endeavoured to ascertain whether they fully understood and realised the importance of the Queen's message, and I think they thoroughly understand its terms.

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I informed them that they would have to proceed at once to Swaziland, and that the Queen Regent had already been directed to summon a great meeting of the Chiefs, at which the message would be delivered, and that Colonel Martin, who was about to return to Swaziland, would see that this was arranged. I impressed upon the deputation the importance of the Queen Regent and Council realising the necessity, in the interest of the Swazi King and nation, that the Organic Proclamation should be signed without delay, and I desired that the King should be present at the meeting.

The deputation asked very few questions, but I should gather, as a general impression, they felt that there was nothing now before them but to accept the prescribed conditions, in which case I think it is possible the Organic Proclamation may be signed.

I am satisfied that the Government of the South African Republic are very desirous that the Organic Proclamation should receive the assent of the Queen Regent and Council in preference to submitting the new Convention to the Volksraad.

I enclose a copy of the instructions which I addressed to Colonel Martin.

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Enclosure in No. 51.

MINUTE from His Excellency the HIGH COMMISSIONER to His Honour Colonel MARTIN, Pietermaritzburg.

(Minute.)

December 15, 1894.

THE High Commissioner desires that Colonel Martin will return at once to Swaziland so as to precede the arrival of the Swazi deputation recently returned from England.

Her Majesty the Queen has authorised the Secretary of State to entrust her answer to the deputation which made to Her Majesty, by order of the Queen Regent and Council of the Swazi nation, the offer of their allegiance, and at the delivery of the answer the High Commissioner desires Colonel Martin to be present.

It is of the highest importance that the message of Her Majesty should be delivered in the presence of a large assembly of the Chiefs, and Colonel Martin will see that arrangements are made accordingly.

Colonel Martin will draw the attention of the Queen Regent, the Queen Mother, and the King, should he, as is desirable, be present, to the decision at which Her Majesty has arrived. This decision is that her treaty engagements preclude her from accepting the allegiance which the Queen Regent and Swazi nation have tendered.

Colonel Martin will further draw attention to the words of Her Majesty, that the system of administration which the High Commissioner, in concert with the Government of the South African Republic, has drawn up has been embodied in the Organic Proclamation. This Organic Proclamation, which the Queen Regent and Council are invited to sign, is approved, and is in full accordance with the instructions issued to the High Commissioner.

It is therefore the High Commissioner's duty to direct Colonel Martin to impress on the Queen Regent and Council that it is Her Majesty's desire that they should act in accordance with his advice, and the High Commissioner, speaking on behalf of the Great Queen, desires the Queen Regent and Council to sign the Organic Proclamation, and thereby to retain the friendship of Her Majesty.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

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No. 52.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received January 4, 1895.)

MY LORD MARQUESS,

Government House, Cape Town,  
December 18, 1894.

IN accordance with your instructions as conveyed in the last paragraph of your Lordship's despatch of the 19th October last,\* I informed President Kruger that the

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\* No. 36.

conditional ratification given by the Volksraad to the Convention had made an unfavourable impression on the minds of Her Majesty's Government.

To prevent any misunderstanding, I read the paragraph from your Lordship's despatch, and added that Her Majesty's Government will be glad to see that, if the present Convention was ratified, the ratification should be unconditional.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

No. 53.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received January 4, 1895.)

Government House, Cape Town,  
December 19, 1894.

MY LORD MARQUESS,

I HAVE the honour to enclose, for your Lordship's information, a copy of correspondence which took place with the Government of the South African Republic in connexion with the conclusion of the Swaziland Convention which I am forwarding to your Lordship by this mail.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 1 in No. 53.

From His Excellency the HIGH COMMISSIONER, Charlestown, to His Honour the STATE PRESIDENT, South African Republic.

High Commissioner's Camp, near Charlestown,  
December 10, 1894.

SIR,

I HAVE the honour to inform your Honour that Her Majesty's Government agrees that the provisions of the Convention of 1890 shall be continued from January 1, 1895, under the conditions expressed in Article 1 of the Convention signed by your Honour and myself this day.

His Honour the State President of  
the South African Republic.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Enclosure 2 in No. 53.

His Honour the STATE PRESIDENT OF THE SOUTH AFRICAN REPUBLIC to His Excellency the HIGH COMMISSIONER, AT CHARLESTOWN.

(Translation.)

YOUR EXCELLENCY,

Volksrust, December 10, 1894.

I HAVE the honour to inform your Excellency that the Government of the South African Republic agrees that the provisions of the Convention of 1890 shall continue from the 1st January, 1895, under the conditions contained in Article I. of the Convention signed this day by your Excellency and myself.

I have, &c.  
(Signed) S. J. P. KRUGER,  
State President.  
Dr. W. J. LEYDS,  
State Secretary.

To His Excellency the High Commissioner,  
at Charlestown.

## Enclosure 3 in No. 53.

STATE PRESIDENT, South African Republic, to His Excellency the HIGH COMMISSIONER.

(Translation.)

YOUR EXCELLENCY,

Volksrust, December 10, 1894.

IN consequence of what was said by us respecting Article III. of the Convention concluded to-day respecting Swaziland affairs, I have the honour to inform your Excellency that this Government will be prepared, as a transitionary measure during a certain number, say seven years, before proceeding to the appointment of a person who shall administer Swaziland, to first communicate such proposal to the High Commissioner, in order to give opportunity in case he may have any remarks to make respecting that person, it being, however, well understood that this shall not be understood to allow any rights of disapproval.

I take advantage of this opportunity to record in writing that your Excellency agrees with us in the view that the consular officer whom Her Majesty's Government will eventually appoint shall have to receive his exequatur from the Government of the South African Republic, and further, that only under that view Article XV. was agreed to on our part as it now reads, that is to say, in the omission of the words proposed in my letter of the 7th December last, "Who shall have to receive his exequatur from the Government of the South African Republic," as being, as your Excellency expressed it, a matter speaking for itself.

I have, &c.  
(Signed) S. J. P. KRUGER,  
State President.

His Excellency the High Commissioner,  
Charlestown.

Dr. W. J. LEYDS,  
State Secretary.

## Enclosure 4 in No. 53.

HIS HONOUR the STATE PRESIDENT OF THE SOUTH AFRICAN REPUBLIC to His Excellency the HIGH COMMISSIONER.

(Translation.)

YOUR EXCELLENCY,

Volksrust, December 10, 1894.

IN the Convention concluded to-day for settlement of the Swaziland question, it is stipulated that it shall be submitted to the Volksraad before or during the next ordinary session of the Volksraad.

I have the honour to inform your Excellency hereby, that I propose to make this submission to the Volksraad early after the opening of the session, say within one month.

I have, &c.  
(Signed) S. J. P. KRUGER,  
State President.

To His Excellency the High Commissioner,  
at Charlestown.

(Signed) Dr. W. J. LEYDS,  
State Secretary.

## Enclosure 5 in No. 53.

Imperial Hotel, Pietermaritzburg,  
December 12, 1894.

MY DEAR BOWER,

I HAVE your note of to-day.

You understood me perfectly correctly with regard to the letter we have promised to write you about our judges of the High Court being appointed judges of Swaziland.

It is our intention to consult our judges with a view to their being appointed judges for Swaziland, and we shall communicate to you as soon as possible the result of that consultation.

I may say that, personally, I do not anticipate any difficulty in the matter of their being so appointed.

I have, &c.  
(Signed) EWALD ESSELEN.

## No. 54.

The MARQUESS OF RIPON to SIR H. B. LOCH.  
(Sent 4.40 P.M., January 7, 1895.)

TELEGRAPHIC.

Your Despatch 14th December;\* Her Majesty's Government see no objection to terms of Convention. Pray accept congratulations of Her Majesty's Government on your success in what was evidently a most difficult negotiation.

## No. 55.

The MARQUESS OF RIPON to SIR W. F. HELY-HUTCHINSON.

SIR,

Downing Street, January 14, 1895.

I HAVE much pleasure in conveying to you, and requesting that you will convey to your Ministers, the thanks of Her Majesty's Government for the cordial assistance given by the Natal Authorities to Her Majesty's High Commissioner for South Africa on the occasion of his recent visit to Charlestown, to confer with the President of the South African Republic.

Sir Henry Loch expresses himself as being much indebted to the Natal Government for the measures taken to facilitate his travelling, and to provide for the comfort of himself and his staff.

I have, &c.  
(Signed) RIPON.

## No. 56.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received 2.35 p.m., January 15, 1895.)

TELEGRAPHIC.

Deputation arrived about 27th December.

Owing to Great Dance, which is just now over, meeting could not be assembled sooner. I hope that it may take place about 25th January. I have been in communication with Queen-Regent and Shepstone, through Martin, urging its being summoned.

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## No. 57.

SIR H. B. LOCH to the MARQUESS OF RIPON.  
(Received 4.20 p.m., February 4, 1895.)

TELEGRAPHIC.

British Agent in the South African Republic reports Volksraad meeting summoned 12th February.

\* No. 50.

## APPENDIX.

### No. I.

#### CONVENTION FOR THE SETTLEMENT OF THE TRANSVAAL TERRITORY, TRANSMITTED IN SIR HERCULES ROBINSON'S DESPATCH OF 14TH AUGUST 1881.

HER Majesty's Commissioners for the settlement of the Transvaal Territory, duly appointed as such by a Commission passed under the Royal Sign Manual and Signet, bearing date the 5th of April 1881, do hereby undertake and guarantee, on behalf of Her Majesty, that from and after the 8th day of August 1881, complete self-government, subject to the suzerainty of Her Majesty, Her heirs and successors, will be accorded to the inhabitants of the Transvaal Territory, upon the following terms and conditions, and subject to the following reservations and limitations:—

ARTICLE 1. The said Territory, to be herein-after called the Transvaal State, will embrace the land lying between the following boundaries, to wit:

Beginning from the point where the north-eastern boundary line of Griqualand West meets the Vaal River, up the course of the Vaal River to the point of junction with it of the Klip River; thence up the course of the Klip River to the point of junction with it of the stream called Gansvlei; thence up the Gansvlei stream to its source in the Drakensberg; thence to a beacon in the boundary of Natal, situated immediately opposite and close to the source of the Gansvlei stream; thence in a north-easterly direction along the ridge of the Drakensberg, dividing the waters flowing into the Gansvlei stream from the waters flowing into the sources of the Buffalo, to a beacon on a point where this mountain ceases to be a continuous chain; thence to a beacon on a plain to the north-east of the last described beacon; thence to the nearest source of a small stream called "Division Stream"; thence down this division stream, which forms the southern boundary of the farm Sandfontein, the property of Messrs. Meek, to its junction with the Coldstream; thence down the Coldstream to its junction with the Buffalo or Umzinyati River; thence down the course of the Buffalo River to the junction with it of the Blood River; thence up the course of the Blood River to the junction with it of Lyn Spruit or Dudusi; thence up the Dudusi to its source; thence 80 yards to Bea. I., situated on a spur of the N'Qaba-Ka-hawana Mountains; thence 80 yards to the N'Sonto River; thence down the N'Sonto River to its junction with the White Umvulozi River; thence up the White Umvulozi River to a white rock where it rises; thence 800 yards to Kambula Hill (Bea. II.); thence to the source of the Pemvana River, where the road from Kambula Camp to Burgers' Lager crosses; thence down the Pemvana River to its junction with the Bivana River; thence down the Bivana River to its junction with the Pongolo River; thence down the Pongolo River to where it passes through the Libombo Range; thence along the summits of the Libombo Range to the northern point of the N'Yawos Hill in that range (Bea. XVI.); thence to the northern peak of the Inkwakweni Hills (Bea. XV.); thence to Sefunda, a rocky knoll detached from and to the north-east end of the White Koppies, and to the south of the Musana River (Bea. XIV.); thence to a point on the slope near the crest of Matanjeni, which is the name given to the south-eastern portion of the Mahamba Hills (Bea. XIII.); thence to the N'gwangwana, a double-pointed hill (one point is bare, the other wooded, the beacon being on the former), on the left bank of the Assegai River and upstream of the Dadusa Spruit (Bea. XII.); thence to the southern point of Bendita, a rocky knoll in a plain between the Little Hlozane and Assegai Rivers (Bea. XI.); thence to the highest point of Suluka Hill, round the eastern slopes of which flows the Little Hlozane, also called Ludaka or Mudspruit (Bea. X.); thence to the beacon known as "Viljoen's," or N'Duko Hill; thence to a point north-east of Derby House, known as Magwazidili's Beacon; thence to the Igaba, a small knoll on the Ungwempisi River, also called "Joubert's Beacon," and known to the natives as "Piet's Beacon" (Bea. IX.); thence to the highest point of the N'Dhlovudwalili or Houtbosch, a hill on the northern bank of the Umqwempisi River (Bea. VIII.); thence to a beacon on the only flat-topped rock, about 10 feet high and about 30 yards in circumference at its base, situated on the south side of the Lamsamane range of hills, and overlooking the valley of the great Usuto River; this rock being 45 yards north of the road from Camden and Lake Banagher to the forests on the Usuto River

(sometimes called Sandhlanas Beacon) (Bea. VII.); thence to the Gulungwana or Ibubulundi, four smooth bare hills, the highest in that neighbourhood, situated to the south of the Umtuli River (Bea. VI.); thence to a flat-topped rock, 8 feet high, on the crest of the Busuku, a low rocky range south-west of the Impulazi River (Bea. V.); thence to a low bare hill on the north-east of, and overlooking the Impulazi River, to the south of it being a tributary of the Impulazi, with a considerable waterfall, and the road from the river passing 200 yards to the north-west of the beacon (Bea. IV.); thence to the highest point of the Mapumula range, the watershed of the Little Usuto River on the north, and the Umpulazi River on the south, the hill, the top of which is a bare rock, falling abruptly towards the Little Usuto (Bea. III.); thence to the western point of a double-pointed rocky hill, precipitous on all sides, called Makwana, its top being a bare rock (Bea. II.); thence to the top of a rugged hill of considerable height falling abruptly to the Komati River, this hill being the northern extremity of the Isilotwani range, and separated from the highest peak of the range Inkomokazi (a sharp cone) by a deep neck (Bea. I.). (On a ridge in the straight line between Beacons I. and II. is an intermediate beacon.) From Beacon I. the boundary runs to a hill across the Komati River, and thence along the crest of the range of hills known as the Makongwa, which runs north east and south-west, to Kamhlabana Peak; thence in a straight line to Mananga, a point in the Libombo range, and thence to the nearest point in the Portuguese frontier on the Libombo range; thence along the summits of the Libombo range to the middle of the poort where the Komati River passes through it, called the lowest Komati Poort; thence in a north by easterly direction to Pokioens Kop, situated on the north side of the Olifant's River, where it passes through the ridges; thence about north-north-west to the nearest point of Serra di Chicundo; and thence to the junction of the Pafuri River with the Limpopo or Crocodile River; thence up the course of the Limpopo River to the point where the Marique River falls into it. Thence up the course of the Marique River to "Derde Poort," where it passes through a low range of hills, called Sikwane, a beacon (No. 10) being erected on the spur of said range near to, and westward of, the banks of the river; thence in a straight line, through this beacon to a beacon (No. 9), erected on the top of the same range, about 1,700 yards distant from beacon No. 10; thence, in a straight line, to a beacon (No. 8) erected on the highest point of an isolated hill, called Dikgagong, or "Wildebeest Kop," situated south-eastward of, and about  $3\frac{1}{2}$  miles distant from a high hill, called Moripe; thence, in a straight line, to a beacon (No. 7) erected on the summit of an isolated hill or "koppie" forming the eastern extremity of the range of hills called Moshweu, situated to the northward of, and about two miles distant from, a large isolated hill called Chukudu-Chochwa; thence, in a straight line, to a beacon (No. 6) erected on the summit of a hill forming part of the same range, Moshweu; thence, in a straight line, to a beacon (No. 5) erected on the summit of a pointed hill in the same range; thence, in a straight line, to a beacon (No. 4) erected on the summit of the western extremity of the same range; thence, in a straight line, to a beacon (No. 3) erected on the summit of the northern extremity of a low, bushy hill, or "Koppie," near to and eastward of the Notwane River; thence, in a straight line to the junction of the stream called Metsi-Mashwane with the Notwane River (No. 2); thence up the course of the Notwane River to Sengoma, being the Poort where the river passes through the Dwarsberg range; thence, as described in the Award given by Lieutenant-Governor Keate, dated October 17, 1871, by Pitlanganyane (narrow place) Deboaganka or Schaapkuil, Sibatoul (bare place), and Maclase, to Ramatlabama, a pool on a spruit north of the Molopo River. From Ramatlabama the boundary shall run to the summit of an isolated hill, called Leganka; thence in a straight line, passing north-east of a Native Station, near "Buurman's Drift," on the Molopo River, to that point on the road from Mosiega to the old drift, where a road turns out through the Native Station to the new drift below; thence to "Buurman's Old Drift"; thence in a straight line, to a marked and isolated clump of trees near to and north-west of the dwelling-house of C. Austin, a tenant on the farm "Vleifontein," No. 117; thence, in a straight line, to the north-western corner beacon of the farm "Mooimeisjesfontein," No. 30; thence, along the western line of the said farm "Mooimeisjesfontein," and in prolongation thereof, as far as the road leading from "Ludik's Drift," on the Molopo River, past the homestead of "Mooimeisjesfontein," towards the Salt Pans near Harts River; thence, along the said road, to a point thereon, eight miles north of the dwelling of Gouws, at the Salt Pan; thence in a straight line, to a point one mile due west of the more northerly Pan, measured from its western edge; thence in a straight line, to the most westerly beacon of the farm Rietpan, No. 150; thence along the line of the said farm to the drift on the Harts River near the ruined house, known as

“Liedenberg’s”; thence down the Harts River to the drift about two-and-a-half miles below Mamusa and opposite the dwelling-house of Theodor Doms; thence, in a straight line, to the summit of an isolated hill, known as “Koppie Enkel,” situated between the Vaal and Harts Rivers, and about 36 miles from Mamusa, and about 18 miles north of the village of Christiana; thence, in a straight line, to that point on the north-east boundary of Griqualand West as beacons by Mr. Surveyor Ford, where two farms, registered as Nos. 72 and 75, do meet, about midway between the Vaal and Harts Rivers, measured along the said boundary of Griqualand West; thence to the first point where the north-east boundary of Griqualand West meets the Vaal River.

ARTICLE 2. Her Majesty reserves to herself, her Heirs and Successors, (a) the right from time to time to appoint a British Resident in and for the said State, with such duties and functions as are herein-after defined; (b) the right to move troops through the said State in time of war, or in case of the apprehension of immediate war between the Suzerain Power and any foreign State, or Native tribe in South Africa; and (c) the control of the external relations of the said State, including the conclusion of treaties, and the conduct of diplomatic intercourse with foreign powers, such intercourse to be carried on through Her Majesty’s diplomatic and consular officers abroad.

ARTICLE 3. Until altered by the Volksraad or other competent authority, all laws, whether passed before or after the annexation of the Transvaal territory to Her Majesty’s dominions, shall, except in so far as they are inconsistent with, or repugnant to, the provisions of this Convention, be and remain in force in the said State, in so far as they shall be applicable thereto: Provided that no future enactment specially affecting the interests of natives shall have any force or effect in the said State without the consent of Her Majesty, her Heirs and Successors, first had and obtained and signified to the Government of the said State through the British Resident: Provided further, that in no case will the repeal or amendment of any laws which have been enacted since the annexation have a retrospective effect so as to invalidate any acts done or liabilities incurred by virtue of such laws.

ARTICLE 4. On the 8th day of August 1881, the Government of the said State, together with all rights and obligations thereto appertaining, and all State property taken over at the time of annexation, save and except munitions of war, will be handed over to Messrs.

Stephanus Johannes Paulus Kruger,  
Martinus Wessel Pretorius, and  
Petrus Jacobus Joubert, or the

survivor or survivors of them, who will forthwith cause a Volksraad to be elected and convened; and the Volksraad thus elected and convened will decide as to the further administration of the Government of the said State.

ARTICLE 5. All sentences passed upon persons who may be convicted of offences contrary to the rules of civilised warfare, committed during the recent hostilities, will be duly carried out, and no alteration or mitigation of such sentences will be made or allowed by the Government of the Transvaal State without Her Majesty’s consent, conveyed through the British Resident. In case there shall be any prisoners in any of the gaols of the Transvaal State, whose respective sentences of imprisonment have been remitted in part by Her Majesty’s Administrator, or other officer administering the Government, such remission will be recognised and acted upon by the future Government of the said State.

ARTICLE 6. Her Majesty’s Government will make due compensation for all losses or damage sustained by reason of such acts as are in the 8th Article herein-after specified, which may have been committed by Her Majesty’s forces during the recent hostilities, except for such losses or damage as may already have been compensated for, and the Government of the Transvaal State will make due compensation for all losses or damage sustained by reason of such acts as are in the 8th Article herein-after specified, which may have been committed by the people who were in arms against Her Majesty during the recent hostilities, except for such losses or damage as may already have been compensated for.

ARTICLE 7. The decision of all claims for compensation, as in the last preceding article mentioned, will be referred to a Sub-Commission, consisting of the Honourable George Hudson, the Honourable Jacobus Petrus de Wet, and the Honourable John Gilbert Kotzé.

In case one or more of such Sub-Commissioners shall be unable or unwilling to act, the remaining Sub-Commissioner or Sub-Commissioners will, after consultation with the Government of the Transvaal State, submit for the approval of Her Majesty's High Commissioner, the names of one or more persons to be appointed by him, to fill the place or places thus vacated.

The decision of the said Sub-Commissioners, or of a majority of them, will be final.

The said Sub-Commissioners will enter upon and perform their duties with all convenient speed. They will, before taking evidence, or ordering evidence to be taken, in respect of any claim, decide whether such claim can be entertained at all under the rules laid down in the next succeeding article.

In regard to claims which can be so entertained, the Sub-Commissioners will, in the first instance, afford every facility for an amicable arrangement as to the amount payable in respect of any claim, and only in cases in which there is no reasonable ground for believing that an immediate amicable arrangement can be arrived at, will they take evidence, or order evidence to be taken.

For the purpose of taking evidence and reporting thereon, the Sub-Commissioners may appoint deputies, who will without delay submit records of the evidence and their reports to the Sub-Commissioners.

The Sub-Commissioners will arrange their sittings, and the sittings of their deputies, in such a manner as to afford the greatest convenience to the parties concerned and their witnesses. In no case will costs be allowed to either side, other than the actual and reasonable expenses of witnesses whose evidence is certified by the Sub-Commissioners to have been necessary. Interest will not run on the amount of any claim except as is herein-after provided for.

The said Sub-Commissioners will forthwith, after deciding upon any claim, announce their decision to the Government against which the award is made, and to the claimant.

The amount of remuneration payable to the Sub-Commissioners and their deputies will be determined by the High Commissioner after all the claims have been decided upon. The British Government and the Government of the Transvaal State will pay proportionate shares of the said remuneration, and of the expenses of the Sub-Commissioners and their deputies, according to the amounts awarded against them respectively.

ARTICLE 8. For the purpose of distinguishing claims to be accepted from those to be rejected the Sub-Commissioners will be guided by the following rules, viz.: Compensation will be allowed for losses or damage sustained by reason of the following acts committed during the recent hostilities, viz.:—(a) commandeering, seizure, confiscation, or destruction of property, or damage done to property; (b) violence done or threats used by persons in arms.

In regard to acts under (a), compensation will be allowed for direct losses only.

In regard to acts falling under (b), compensation will be allowed for actual losses of property, or actual injury to the same, proved to have been caused by its enforced abandonment.

No claims for indirect losses, except such as are in this article specially provided for, will be entertained.

No claims which have been handed in to the Secretary of the Royal Commission after the 1st day of July 1881 will be entertained, unless the Sub-Commissioners shall be satisfied that the delay was reasonable.

When claims for loss of property are considered, the Sub-Commissioners will require distinct proof of the existence of the property, and that it neither has reverted, nor will revert, to the claimant.

ARTICLE 9. The Government of the Transvaal State will pay and satisfy the amount of every claim awarded against it within one month after the Sub-Commissioners shall have notified their decision to the said Government, and in default of such payment the said Government will pay interest at the rate of six per cent. per annum from the date of such default; but Her Majesty's Government may, at any time before such payment, pay the amount, with interest, if any, to the claimant in satisfaction of his claim, and may add the sum thus paid to any debt which may be due by the Transvaal State to Her Majesty's Government, as herein-after provided for.

ARTICLE 10. The Transvaal State will be liable for the balance of the debts for which the South African Republic was liable at the date of annexation, to wit: the sum of 48,000*l.* in respect of the Cape Commercial Bank Loan, and 85,667*l.* in respect of the Railway Loan, together with the amount due on the 8th August 1881, on account of

the Orphan Chamber debt which now stands at 27,226*l.* 15*s.*, which debts will be a first charge upon the revenues of the State. The Transvaal State will moreover be liable for the lawful expenditure lawfully incurred for the necessary expenses of the Province since annexation, to wit: the sum of 265,000*l.*, which debt, together with such debts as may be incurred by virtue of the 9th Article, will be a second charge upon the revenues of the State.

ARTICLE 11. The debts due as aforesaid by the Transvaal State to Her Majesty's Government will bear interest at the rate of three and a half per cent., and any portion of such debt as may remain unpaid on the 8th August 1882, shall be repayable by a payment for interest and Sinking Fund of six pounds and ninepence per 100*l.* per annum, which will extinguish the debt in twenty-five years. The said payment of six pounds and ninepence per 100*l.*, shall be payable half-yearly, in British currency, on the 8th February and 8th August in each year: Provided always that the Transvaal State shall pay, in reduction of the said debt, the sum of 100,000*l.* before the 8th August 1882, and shall be at liberty at the close of any half-year to pay off the whole or any portion of the outstanding debt.

ARTICLE 12. All persons holding property in the said State on the 8th day of August 1881, will continue to enjoy the rights of property which they have enjoyed since the Annexation. No person who has remained loyal to Her Majesty during the recent hostilities shall suffer any molestation by reason of his loyalty; or be liable to any criminal prosecution or civil action for any part taken in connexion with such hostilities; and all such persons will have full liberty to reside in the country, with enjoyment of all civil rights, and protection for their persons and property.

ARTICLE 13. Natives will be allowed to acquire land, but the grant or transfer of such land will in every case be made to and registered in the name of the Native Location Commission, herein-after mentioned, in trust for such natives.

ARTICLE 14. Natives will be allowed to move as freely within the country as may be consistent with the requirements of public order, and to leave it for the purpose of seeking employment elsewhere, or for other lawful purposes, subject always to the Pass Laws of the said State, as amended by the Legislature of the Province, or as may hereafter be enacted, under the provisions of the 3rd Article of this Convention.

ARTICLE 15. The provisions of the 4th Article of the Sand River Convention are hereby re-affirmed, and no slavery or apprenticeship partaking of slavery will be tolerated by the Government of the said State.

ARTICLE 16. There will continue to be complete freedom of religion and protection from molestation for all denominations, provided the same be not inconsistent with morality and good order; and no disability shall attach to any person in regard to rights of property by reason of the religious opinions which he holds.

ARTICLE 17. The British Resident will receive from the Government of the Transvaal State such assistance and support as can by law be given to him for the due discharge of his functions. He will also receive every assistance for the proper care and preservation of the graves of such of Her Majesty's Forces as have died in the Transvaal; and if need be, for the expropriation of land for the purpose.

ARTICLE 18. The following will be the duties and functions of the British Resident:—

- (1.) He will perform duties and functions analogous to those discharged by a *Chargé d'Affaires* and *Consul-General*.
- (2.) In regard to Natives within the Transvaal State he will (*a*) report to the High Commissioner, as representative of the Suzerain, as to the working and observance of the provisions of this Convention; (*b*) report to the Transvaal authorities any cases of ill-treatment of Natives, or attempts to incite Natives to rebellion, that may come to his knowledge; (*c*) use his influence with the Natives in favour of law and order; and (*d*) generally perform such other duties as are by this Convention entrusted to him, and take such steps for the protection of the persons and property of Natives as are consistent with the laws of the land.
- (3.) In regard to natives not residing in the Transvaal, (*a*) he will report to the High Commissioner and the Transvaal Government any encroachments reported to him as having been made by Transvaal residents upon the land of such Natives, and in case of disagreement between the Transvaal Government and the British Resident, as to whether an encroachment has been made, the decision of the Suzerain will be final. (*b*) The British Resident will be the medium of communication with Native Chiefs outside the Transvaal, and, subject to the

approval of the High Commissioner, as representing the Suzerain, he will control the conclusion of treaties with them, and (c) he will arbitrate upon every dispute between Transvaal residents and Natives outside the Transvaal (as to acts committed beyond the boundaries of the Transvaal) which may be referred to him by the parties interested.

- (4.) In regard to communications with Foreign Powers, the Transvaal Government will correspond with Her Majesty's Government through the British Resident and the High Commissioner.

ARTICLE 19. The Government of the Transvaal State will strictly adhere to the boundaries defined in the first article of this Convention, and will do its utmost to prevent any of its inhabitants from making any encroachment upon lands beyond the said State. The Royal Commission will forthwith appoint a person who will beacon off the boundary line between Ramatlabama and the point where such line first touches the Griqualand West boundary, midway between the Vaal and Hart Rivers. The person so appointed will be instructed to make an arrangement between the owners of the farms "Grootfontein" and "Valleifontein" on the one hand and the Barolong authorities on the other by which a fair share of the water supply of the said farms shall be allowed to flow undisturbed to the said Barolongs.

ARTICLE 20. All grants or titles issued at any time by the Transvaal Government in respect of land outside the boundary of the Transvaal State, as defined in Article 1, shall be considered invalid and of no effect, except in so far as any such grant or title relates to land that falls within the boundary of the Transvaal State; and all persons holding any such grant so considered invalid and of no effect will receive from the Government of the Transvaal State such compensation, either in land or in money, as the Volksraad shall determine. In all cases in which any Native Chiefs or other authorities outside the said boundaries have received any adequate consideration from the Government of the former South African Republic for land excluded from the Transvaal by the first article of this Convention, or where permanent improvements have been made on the land, the British Resident will, subject to the approval of the High Commissioner, use his influence to recover from the native authorities fair compensation for the loss of the land thus excluded, or of the permanent improvements thereon.

ARTICLE 21. Forthwith, after the taking effect of this Convention, a Native Location Commission will be constituted, consisting of the President (or in his absence the Vice-President) of the State, or someone deputed by him, the Resident, or someone deputed by him, and a third person to be agreed upon by the President (or the Vice-President, as the case may be) and the Resident; and such Commission will be a standing body for the performance of the duties herein-after mentioned.

ARTICLE 22. The Native Location Commission will reserve to the native tribes of the State such locations as they may be fairly and equitably entitled to, due regard being had to the actual occupation of such tribes. The Native Location Commission will clearly define the boundaries of such locations, and for that purpose will, in every instance, first of all ascertain the wishes of the parties interested in such land. In case land already granted in individual titles shall be required for the purpose of any location, the owners will receive such compensation, either in other land or in money, as the Volksraad shall determine. After the boundaries of any location have been fixed, no fresh grant of land within such location will be made, nor will the boundaries be altered without the consent of the Location Commission. No fresh grants of land will be made in the districts of Waterberg, Zoutpansberg, and Lydenburg, until the locations in the said districts respectively shall have been defined by the said Commission.

ARTICLE 23. If not released before the taking effect of this Convention, Sikukuni, and those of his followers who have been imprisoned with him, will be forthwith released, and the boundaries of his location will be defined by the Native Location Commission in the manner indicated in the last preceding Article.

ARTICLE 24. The independence of the Swazis, within the boundary line of Swaziland, as indicated in the first Article of this Convention, will be fully recognised.

ARTICLE 25. No other or higher duties will be imposed on the importation into the Transvaal State of any article the produce or manufacture of the dominions and possessions of Her Majesty, from whatever place arriving, than are or may be payable on the like article the produce or manufacture of any other country, nor will any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of Her Majesty, which shall not equally extend to the importation of the like articles, being the produce or manufacture of any other country.

**ARTICLE 26.** All persons other than natives conforming themselves to the laws of the Transvaal State (*a*) will have full liberty, with their families, to enter, travel, or reside in any part of the Transvaal State; (*b*) they will be entitled to hire or possess houses, manufactories, warehouses, shops, and premises; (*c*) they may carry on their commerce either in person or by any agents whom they may think fit to employ; (*d*) they will not be subject, in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, other than those which are or may be imposed upon Transvaal citizens.

**ARTICLE 27.** All inhabitants of the Transvaal shall have free access to the Courts of Justice for the prosecution and defence of their rights.

**ARTICLE 28.** All persons, other than natives, who established their domicile in the Transvaal between the 12th day of April 1877, and the date when this Convention comes into effect, and who shall within twelve months after such last-mentioned date have their names registered by the British Resident, shall be exempt from all compulsory military service whatever. The Resident shall notify such registration to the Government of the Transvaal State.

**ARTICLE 29.** Provision shall hereafter be made by a separate instrument for the mutual extradition of criminals, and also for the surrender of deserters from Her Majesty's forces.

**ARTICLE 30.** All debts contracted since the Annexation will be payable in the same currency in which they may have been contracted.

All uncanceled postage and other revenue stamps issued by the Government since the Annexation will remain valid, and will be accepted at their present value by the future Government of the State. All licenses duly issued since the Annexation will remain in force during the period for which they may have been issued.

**ARTICLE 31.** No grants of land which may have been made, and no transfers or mortgages which may have been passed since the date of Annexation, will be invalidated by reason merely of their having been made or passed after such date.

All transfers to the British Secretary for Native Affairs in trust for Natives will remain in force, the Native Location Commission taking the place of such Secretary for Native Affairs.

**ARTICLE 32.** This Convention will be ratified by a newly-elected Volksraad within the period of three months after its execution, and in default of such ratification this Convention shall be null and void.

**ARTICLE 33.** Forthwith after the ratification of this Convention, as in the last preceding article mentioned, all British troops in Transvaal Territory will leave the same, and the mutual delivery of munitions of war will be carried out.

Signed at Pretoria this 3rd day of August 1881.

HERCULES ROBINSON,  
President and High Commissioner.  
EVELYN WOOD, Major-General,  
Officer Administering the Government.  
J. H. DE VILLIERS.

We, the undersigned, Stephanus Johannes Paulus Kruger, Martinus Wessel Pretorius, and Petrus Jacobus Joubert, as representatives of the Transvaal burghers, do hereby agree to all the above conditions, reservations, and limitations, under which self-government has been restored to the inhabitants of the Transvaal Territory, subject to the suzerainty of Her Majesty, Her heirs and successors, and we agree to accept the Government of the said Territory, with all rights and obligations thereto appertaining, on the 8th day of August 1881, and we promise and undertake that this Convention shall be ratified by a newly-elected Volksraad of the Transvaal State within three months from this date.

Signed at Pretoria, this 3rd day of August 1881.

S. J. P. KRUGER.  
M. W. PRETORIUS.  
P. J. JOUBERT.

## No. II.

SIR EVELYN WOOD to the EARL OF KIMBERLEY.  
(Received October 27, 1881.)

Government House, Natal,  
September 24, 1881.

MY LORD,

ON the 9th instant, I telegraphed from Lorenzo Marquez a brief summary\* of the result of my visit to Umbandeen, the Swazi King.

2. I will now describe, more in detail, the circumstances of that visit.

3. Previous to leaving the Inhlazatze, Zululand, I despatched messengers to King Umbandeen to announce my intended arrival. They were allowed ample time to reach Lotiti before me; they had not, however, arrived there up to the time of my departure for Delagoa Bay.

4. I arranged, with the concurrence of Colonel Mitchell, C.M.G., the Officer Administering the Government of Natal, from whom on all occasions I have received great assistance, that Mr. Rudolph, Resident Magistrate, Ladismith, should accompany me. I attached importance to his presence, because, in July 1875, Mr. Rudolph was commissioned by the then Boer Government to crown the present King Umbandeen.

5. The Transvaal Government, in 1868, annexed by Proclamation the whole of Swaziland, and although in the following year, by agreement with the Portuguese, it restricted its claim to the country west of the Lobombo, and no attempt was made to enforce its sovereignty over any portion, yet, until the Convention was signed at Pretoria on the 3rd of last month, the Boers always claimed the right to exercise a Protectorate over the Swazies.

6. The Boers attribute great importance to the possession of Swaziland for winter pasturage, and the mission, in 1875, of Mr. Rudolph, who was accompanied by about 350 men and 70 wagons, was intended to demonstrate the sovereignty of the Boers, and, as an earnest of their intention to protect the Swazies against Cetewayo, who the previous year had been crowned by Mr., now Sir, Theophilus Shepstone, and was at this time threatening to attack them.

7. Mr. Rudolph is well known, and, as was unmistakably evident in the course of our journey, is as much respected by the Swazi nation as he is beloved by the King, and since the withdrawal of Sir Morrison Barlow, he has, through Mr. Roberts, acted as our Representative on the Swazi border.

8. Mr. Rudolph has constantly exercised his influence in the interests of humanity with the present King, who has named one of his children after him. On one occasion, after a tribal fight, Mr. Rudolph happened to be going to Lotiti on business, and he not only rescued from inevitable death some (37) thirty-seven women and children who had taken refuge in a cave from their pursuers, after the slaughter of the male adults of their tribe, but also induced the King to provide food for them.

9. It is generally known that Mr. Rudolph is on good terms with the Boer leaders, and that they recently offered him the post of Secretary for Native Affairs, with a seat in the Executive Council. Under all these circumstances, his presence at Lotiti with me indicated the existing peaceful relations between the Boer Government and the Suzerain Power, and the absence of any conflicting interests.

10. The proceedings at the Inhlazatze having terminated on the 31st, and the results having been reported to your Lordship, I left on the morning of the 1st September, accompanied by Mr. Rudolph and my personal staff. We were everywhere received cordially by the Zulus in the kraals on our way. They had sustained heavy losses of cattle in the snowstorms to which I alluded in my despatch of the 31st August, as having delayed, or prevented, the arrival of some of the Chiefs, who were invited to attend at the Inhlazatze.

11. We passed the night at the kraal of the late Chief Mabamba, who at one time was likely to have succeeded Umpyamana as Prime Minister to Cetewayo.

12. The following morning we entered the Transvaal, and in the afternoon reached the Intombi River. I there met some German colonists, with whom I was well acquainted. They all expressed great regret at the change of government in the Transvaal, and fears for the future peace and order of the country.

\* Not printed.

13. On the 3rd instant we reached Derby, and then rode across the Swazi border to a mission station directed by the Rev. Mr. Jackson. I learned that, at the request of the Swazi King, Mr. Jackson was engaged in establishing a new mission station on the Great Usutu River, 14 miles from Lotiti.

14. On the 4th we crossed the Great Usutu, and passed the night at a kraal of Chief Malembalele's, 14 miles from Lotiti. On my arrival I despatched native messengers to the King to inform him I should arrive next morning.

15. We were received on the morning of the 5th at the town of Lotiti (Ditin) by Usanhlana, the Swazi Prime Minister, who rode with us to the King's kraal near the town.

16. The King informed me that my messengers from Zululand had not reached him, and expressed his regret he had not had more time to make preparations for receiving me in a suitable manner. We had two meetings for business, the detailed accounts of which are attached.

17. My main objects were :—

- (a.) To reassure the King as regards his position with the new Government of the Transvaal State.
- (b.) To point out to him the frontier that had been agreed upon as the boundary of his State, in which his independence is fully recognized.
- (c.) To satisfy him that his interests had been carefully guarded and considered by the Royal Commission in drawing up the Convention; and
- (d.) To indicate to him the line of conduct he should adopt in case of any border disputes, or complications with the Transvaal State or the Zulus.

These objects were, I hope, realised.

18. Having in the morning meeting explained the course of recent events, and such portions of the Convention as affected the natives, I met the King in the afternoon to hear such remarks as he or his advisers might desire to offer.

19. The following are the points on which he desired some information :—

- (a.) The withdrawal of Mr. Roberts, our sub-agent. The King stated that the presence of a sub-agent had been found, not only very convenient, but conducive to peace; that he doubted his messengers being able to reach the British Resident at Pretoria. He thought it unbecoming he should be obliged, as he anticipated he would be, to ask for passes for these messengers. To obviate these difficulties he is desirous that the British Government should allow him an agent through whom he could communicate either with the residents in Zululand and the Transvaal State, or, if necessary, with the British Government. Although the King did not refer to it, I may mention it has been brought to my notice that he has made an arrangement with Mr. Roberts to return and live in Swaziland near himself, with a view to his assisting him in the management of his foreign relations. Mr. Roberts will therefore, I presume, unless the King is deterred by my statement, that I did not think your Lordship would appoint him, act as an irresponsible English agent. It is for your Lordship's consideration whether this arrangement will be satisfactory.
- (b.) The King inquired whether the towns in the Transvaal had been handed back to the Boers, and was informed that complete self-government would be accorded when the Convention is ratified.
- (c.) He next inquired and was informed what course he should take in the following cases, viz. :—
  - (1.) Should the Boers trespass over the Border.
  - (2.) Should the Zulus do so.
  - (3.) Should the Boers expel Swazi settlers now in the Transvaal State.

These points were replied to, and the King expressed his satisfaction with all that had been said, and his thanks to the British Government for their action in securing his independence. The meeting then terminated.

20. My impression of the King's character is, that he is a young man of very ordinary ability, but Mr. Rudolph, who has known him for some years, tells me, he has improved very much in intelligence and self-confidence.

21. The Prime Minister, Usandhlana, impressed me most favourably; he speaks little, but all his remarks indicate ability and judgment. I am convinced he is an able adviser to the King. None of the other Indunas who happened to be present took a prominent part in the business under notice.

22. The King, with whom I had some relations in 1878-9, was most cordial to me; he placed carriers at my disposal, and, as Mr. Rudolph was returning straight to Ladismith, the King sent one of his headmen, a brother-in-law, to accompany us for one march, and ensure our being treated with attention.

23. As is the case with most tracts of country which are but little known to Europeans, the only information obtainable about the flats, east and west of the Libombo, was most conflicting. Chief John Dunn strongly urged me to abandon the journey as being perilous in the extreme after the first rains, and there is no doubt that, of seven Europeans who, in 1875, left Lorenzo Marquez for Pilgrim's Rest, six died, and the seventh was crippled by fever. Mr. Rudolph, on the contrary, from the reports of the natives, was confident of its safety, and as the horses we took to within 20 miles of Delagoa Bay, and the three Europeans who walked from the Libombo, are perfectly well now, although one of our party, who rode, suffered greatly from continued diarrhœa, it appears that in the winter, and up to September, while the flats are neither wet, nor vegetation is decaying, that men, at all events, and probably horses, can cross them in safety.

24. Your Lordship will observe from Mr. Jeppe's map that the late Sir George, then Colonel, Colley, in his journey from Lotiti, passed the Libombo near Josan's Kraal, or about 20 miles to the southward of the Umbelosi Poort, while the track I followed is virtually that chosen by Mr. Farrell, who has executed the latest and most complete survey of a proposed line of railway from Delagoa Bay to Pretoria.

25. I have only now to add, as regards our journey, that we reached the foot of the Lobombo range of mountains by the night of the 6th, having travelled along the valley of the Salagies and White Umbelosi rivers.

26. We crossed the Black Umbelosi on the night of the 6th, and, keeping on its left bank, we next morning crossed the Lobombo range, and on the 8th reached a point of the Black Umbelosi, where we awaited a boat sent up for us by Commander Sisson, of Her Majesty's gunboat "Firebrand," to whose courtesy, as well as to that of Captain Domville, R.N., the Senior Naval Officer on the station, I am much indebted. By this boat we arrived at Lorenzo Marquez on the 9th instant.

27. I was informed that the heads of kraals in the flat country east of the mountains, at least to within 10 or 15 miles of Lorenzo Marquez, acknowledge the Swazi King only as their Ruler, and if they pay any tribute, it is to him; and, in obedience to his orders, guides and carriers were freely furnished to us to the point on the Umbelosi marked "Bombeï" in Jeppe's map, where the ship's boat met us. The Portuguese authority does not appear to prevail effectively beyond the limit of a few miles from the town. The Government levy taxes entirely in the form of grain (mealies), the amount per hut varying from half a sack to a sack. A new Governor, a military officer, I was given to understand, had lately arrived at Lorenzo Marquez, and, in consequence, some 200 natives attended in the town, on the 9th instant, in order to welcome him on his arrival.

28. Before leaving the town, on the 9th instant, I called on the Governor, but did not find him at home.

29. On the morning of the 11th instant, I reached Durban, arriving at Pietermaritzburg the same evening.

30. I purpose to submit to your Lordship a despatch by Major Fraser, R.E., Assistant Military Secretary, on certain other subjects connected with my journey, on points which came within our observation, and which I think may be of interest to your Lordship.

I have, &c.  
 (Signed) EVELYN WOOD,  
 Major-General,  
 Deputy High Commissioner.

## Enclosure in Appendix No. II.

## MINUTES of PROCEEDINGS of a CONFERENCE at LOTITI in SWAZILAND between the DEPUTY HIGH COMMISSIONER, South East Africa, and KING UMBANDEEN.

## PRESENT :

Sir EVELYN Wood, Deputy High Commissioner.  
 Mr. G. M. RUDOLPH, Magistrate, Klip River.  
 Major FRASER, R.E., Military Secretary.  
 Captain SLADE, R.H.A., A.D.C.  
 Lieutenant HAMILTON, Private Secretary.

King UMBANDEEN.  
 Prime Minister USANHLANA.  
 Head Indunas.

The meeting took place at the King's kraal on the 5th September 1881. Mr. Rudolph acted as interpreter. Sir Evelyn Wood read, and Mr. Rudolph translated, the explanation of recent events which was read to the Zulus at the Inhlazatze on the 31st August.

This was followed by the translation and explanation to the Swazies of all portions of the Convention which bore on the interests of Swaziland, and all natives outside the Transvaal State, and also the proposed formation of a native location commission. Sir Evelyn Wood explained the suzerainty of the Queen over the Transvaal; pointed out that by the Convention the independence of Swaziland was guaranteed, and that the boundary line of 1880 was retained, and informed the King that the British Government desired only the good of the Swazi nation, and that the same friendship as heretofore might continue between them. The Government trusted that the King would rule with justice, and that the people might prosper.

The meeting was then adjourned for an hour to enable the King and his advisers to consider what had been said, and to reply, should they desire to do so.

The meeting was resumed about 1 p.m.

The Prime Minister generally spoke for the King.

The following conversation ensued, viz. :—

*King.*—I understand I am now to communicate through the British Resident at Pretoria, and that Mr. Roberts has no more to do with the Government. Is this so?

*Sir E. Wood.*—Yes.

*King.*—Mr. Roberts was sent to us as the eyes and ears of the Government. Why is he removed?

*Sir E. Wood.*—He was sent up for a temporary purpose only.

*King.*—We thought Mr. Roberts would remain.

*Sir E. Wood.*—His removal is by order of the Government.

*King.*—We would have wished he should still remain.

*Sir E. Wood.*—I should not have sent Mr. Roberts on his own merits as a permanent arrangement, and my main reason for the selection was that he was clerk to Mr. Rudolph, your old friend.

*King.*—My Chiefs thank you for all you have told me, but we wished for the English to remain near us.

*Sir E. Wood.*—The Transvaal State acknowledges the Queen of England as Suzerain, and you will be able to communicate your views to the Resident.

*King.*—We now know how the boundary line goes. On the north the Boers have a part of Swaziland, but, as the Government have so decided, we accept the decision. Should the Boers cross this line what are we to do?

*Sir E. Wood.*—They have promised not to pass the border. It is unlikely any difficulty will arise from the Boer Government itself.

*King.*—What is to be done should Swazies now living in the Transvaal beyond our boundary be driven back by the Boers?

*Sir E. Wood.*—Should the Boers object to the presence of Swazies in the Transvaal, the Swazies must return home, but I do not expect that the Boers will object, because, if the Swazies remain in the Transvaal, they will have to pay taxes, and the Boers are poor, and will not like to lose the hut tax.

Mr. Jackson, a missionary who was present, and from whom Umbandeen sought advice previous to the meeting, remarked he was sure some Swazies would be expelled from the Transvaal.

*Sir E. Wood.*—I do not think so, on account of the taxes they will have to pay should they remain, and because the Boers want labour.

*King.*—What is Mr. Rudolph's position ?

*Sir E. Wood.*—Mr. Rudolph was landdrost at Utrecht at the time of the late Boer rising. The Boers made a prisoner of him, and when the war was over he returned to his place. The Boer leaders said to me, "Do not employ this man, because we want him." I asked, "Do you want him as landdrost at Utrecht ?" They replied, "No, we want to make him head of all the natives." I said to Mr. Rudolph, "You can go if you like ; if you remain with me I will give you a place in Natal." The Boers said, "We will give you twice as many cows as the 'Inkos' gives you." Mr. Rudolph talked with his wife, and said, "No, I am prepared to serve England."

*King.*—Have the towns in the Transvaal been given up ?

*Sir E. Wood.*—Yes, but those British subjects who entered the Transvaal after the annexation have certain privileges as regards military services.

*King.*—If my Chiefs send messengers to the British Resident at Pretoria, will the Boers stop the messengers ?

*Sir E. Wood.*—I hope not.

*King.*—We are only blacks, and are afraid of trouble.

*Sir E. Wood.*—If your messengers are stopped you can always get a white man to write for you, and send the letter by Natal.

*King.*—We want one white man resident here, to whom we can go, we do not wish to have to ask for passes from many. It is not becoming to have to do so. We were satisfied with Roberts under Mr. Rudolph.

*Sir E. Wood.*—I do not know that the English Government would appoint a man, even should the King be prepared to pay for him. As you will hear of it from others, I mention the Zulus have asked to pay taxes out of which they propose to pay the Resident, but the British Government is not going to take one goat of the taxation for its own use.

Mr. Rudolph then explained what the Zulu Chiefs have just arranged.

*King.*—We cannot pay a white man, how could we get the money ? But we would thank you for one. People would not understand how the matter stood if they paid anything ; they would want to go direct to the white man.

*Sir E. Wood.*—Some difficulties occurred in Zululand, but my Government said, "No, we do not want to interfere with the Zulus ; we do not want to rule the Zulus. Those Chiefs who wish it may have a white man as adviser only, but not as the mouth of the Government."

*King.*—Yes, but the Zulus are different, they have no King.

*Sir E. Wood.*—Quite so ; I said what I did say as an answer to your question, but Usanhlana will see that it would not be right to tax the Swazies to put red coats on our soldiers ; in the same way, you should not ask the British Government to tax our people in England to pay a resident in Swaziland to take care of Swazi interests.

*King.*—I thank you for leaving me independent to rule my people, and I always will consider myself as your child.

*Sir E. Wood.*—We wish you to remain independent and prosperous.

*King.*—We have had most trouble owing to the lies of refugees, who have gone across the border and told tales of us.

*Sir E. Wood.*—No one will think badly of you, at all events, until your version of the story is heard. Has your brother, who was with me at Newcastle, returned ?

*King.*—No, but I thank you for his promised return. What am I to do with trespassers over the Pongola ?

*Sir E. Wood.*—It was proposed at first on the Royal Commission to alter that boundary, but, on consideration, it was thought that if we changed the line at all the Boers would want to change it towards Derby, and, on the whole, to do so would be to your disadvantage. If the present line be maintained free of trespassers, I think you will have a very good frontier.

*King.*—There are Zulus on this side of the new line.

*Sir E. Wood.*—You can get rid of them if you wish, but as long as they are obedient you had better keep them.

*King.*—If willing to be subjects, I do not object.

*Sir E. Wood.*—It was ordered last year that all Zulus who do not wish to be your subjects should return to Zululand.

*King.*—I wish to say that Maquasitete would not give up his cattle.

*Sir E. Wood.*—Any question about the Transvaal side should be reported to the British Resident at Pretoria; anything about Zululand should be reported to Mr. Osborn, the British Resident in Zululand. I know that Usanhlana has been a good adviser to the King, and I offer him my hand.

The assembly was then dismissed.

(Signed) T. FRASER, Major,  
Assistant Military Secretary.

### No. III.

## CONVENTION OF LONDON, 1884.

A CONVENTION between HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND and the SOUTH AFRICAN REPUBLIC.

Whereas the Government of the Transvaal State, through its Delegates, consisting of Stephanus Johannes Paulus Kruger, President of the said State, Stephanus Jacobus Du Toit, Superintendent of Education, and Nicholas Jacobus Smit, a member of the Volksraad, have represented that the Convention signed at Pretoria on the 3rd day of August 1881, and ratified by the Volksraad of the said State on the 25th October 1881, contains certain provisions which are inconvenient, and imposes burdens and obligations from which the said State is desirous to be relieved, and that the south-western boundaries fixed by the said Convention should be amended, with a view to promote the peace and good order of the said State, and of the countries adjacent thereto; and whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, has been pleased to take the said representations into consideration: Now, therefore, Her Majesty has been pleased to direct, and it is hereby declared, that the following articles of a new Convention, signed on behalf of Her Majesty by Her Majesty's High Commissioner in South Africa, the Right Honourable Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Cape of Good Hope, and on behalf of the Transvaal State (which shall herein-after be called the South African Republic) by the above-named Delegates, Stephanus Johannes Paulus Kruger, Stephanus Jacobus Du Toit, and Nicholas Jacobus Smit, shall, when ratified by the Volksraad of the South African Republic, be substituted for the articles embodied in the Convention of 3rd August 1881; which latter, pending such ratification, shall continue in full force and effect.

### ARTICLE I.

The territory of the South African Republic will embrace the land laying between the following boundaries, to wit:

Beginning from the point where the north-eastern boundary line of Griqualand West meets the Vaal River, up the course of the Vaal River to the point of junction with it of the Klip River; thence up the course of the Klip River to the point of junction with it of the stream called Gansvlei; thence up the Gansvlei stream to its source in the Drakensberg; thence to a beacon in the boundary of Natal, situated immediately opposite and close to the source of the Gansvlei stream; thence in a north-easterly direction along the ridge of the Drakensberg, dividing the waters flowing into the Gansvlei stream from the waters flowing into the sources of the Buffalo, to a beacon on a point where this mountain ceases to be a continuous chain; thence to a beacon on a plain to the north-east of the last described beacon; thence to the nearest source of a small stream called "Division Stream;" thence down this division stream, which forms the southern boundary of the farm Sandfontein, the property of Messrs. Meek, to its junction with the Coldstream; thence down the Coldstream to its junction with the Buffalo or Umzinayti River; thence down the course of the Buffalo River to the junction with it of the Blood River; thence up the course of the Blood River to the junction with it of Lyn Spruit or Dudusi; thence up the Dudusi to its source; thence 80 yards to Bea. I., situated on a spur of the N'Qabaka hawana Mountains; thence 80 yards to the N'Sonto River; thence down the N'Sonto River to its junction with the White Umvulozi River; thence up the White Umvulozi River to a white rock where it rises; thence 800 yards to Kambula Hill (Bea. II.); thence to the source of the Pemvana River, where the road from Kambula Camp to Burgers' Lager crosses; thence down the Pemvana River to its

junction with the Bivana River; thence down the Bivana River to its junction with the Pongolo River; thence down the Pongolo River to where it passes through the Libombo Range; thence along the summits of the Libombo Range to the northern point of the N'Yawos Hill in that range (Bea. XVI.); thence to the northern peak of the Inkwakweni Hills (Bea. XV.); thence to Sefunda, a rocky knoll detached from and to the north-east end of the White Koppies, and to the south of the Musana River (Bea. XIV.); thence to a point on the slope near the crest of Matanjani, which is the name given to the south-eastern portion of the Mahamba Hills (Bea. XIII.); thence to the N'gwangwana, a double-pointed hill (one point is bare, the other wooded, the beacon being on the former), on the left bank of the Assegai River and upstream of Dadusa Spruit (Bea. XII.); thence to the southern point of Bendita, a rocky knoll in a plain between the Little Hlozane and Assegai Rivers (Bea. XI.); thence to the highest point of Suluka Hill, round the eastern slopes of which flows the Little Hlozane, also called Ludaka or Mudspruit (Bea. X.); thence to the beacon known as "Viljoen's," or N'Duko Hill; thence to a point north-east of Derby House, known as Magwazidili's Beacon; thence to the Igaba, a small knoll on the Ungwempisi River, also called "Joubert's Beacon," and known to the natives as "Piet's Beacon" (Bea. IX.); thence to the highest point of the N'Dhlovudwalili or Houtbosch, a hill on the northern bank of the Umqwempisi River (Bea. VIII.); thence to a beacon on the only flat-topped rock, about 10 feet high and about 30 yards in circumference at its base, situated on the south side of the Lamsamane range of hills, and overlooking the valley of the great Usuto River; this rock being 45 yards north of the road from Camden and Lake Banagher to the forests on the Usuto River (sometimes called Sandhlanas Beacon) (Bea. VII.); thence to the Gulungwana or Ibubulundi, four smooth bare hills, the highest in that neighbourhood, situated to the south of the Umtulji River (Bea. VI.); thence to a flat-topped rock, 8 feet high, on the crest of the Busuku, a low rocky range south-west of the Impulazi River (Bea. V.); thence to a low bare hill on the north-east of and overlooking the Impulazi River to the south of it being a tributary of the Impulazi, with a considerable waterfall, and the road from the river passing 200 yards to the north-west of the beacon (Bea. IV.); thence to the highest point of the Mapumula range, the watershed of the Little Usuto River on the north, and the Umpulazi River on the south, the hill the top of which is a bare rock, falling abruptly towards the Little Usuto (Bea. III.); thence to the western point of a double-pointed rocky hill, precipitous on all sides, called Makwana, its top being a bare rock (Bea. II.); thence to the top of a rugged hill of considerable height falling abruptly to the Komati River, this hill being the northern extremity of the Isilotwani range, and separated from the highest peak of the range Inkomokazi (a sharp cone) by a deep neck (Bea. I.). (On a ridge in the straight line between Beacons I. and II. is an intermediate beacon.) From Beacon I. the boundary runs to a hill across the Komati River, and thence along the crest of the range of hills known as the Makongwa, which runs north-east and south-west, to Kamblubana Peak; thence in a straight line to Mananga, a point in the Libombo range, and thence to the nearest point in the Portuguese frontier on the Libombo range; thence along the summits of the Libombo range to the middle of the poort where the Komati River passes through it, called the lowest Komati Poort; thence in a north by easterly direction to Pokioens Kop, situated on the north side of the Olifant's River, where it passes through the ridges; thence about north north-west to the nearest point of Serra di Chicundo; and thence to the junction of the Pafori River with the Limpopo or Crocodile River; thence up the course of the Limpopo River to the point where the Marique River falls into it. Thence up the course of the Marique River to "Derde Poort," where it passes through a low range of hills, called Sikwane, a beacon (No. 10) being erected on the spur of said range near to, and westward of, the banks of the river; thence, in a straight line, through this beacon to a beacon (No. 9), erected on the top of the same range, about 1,700 yards distant from beacon No. 10; thence, in a straight line, to a beacon (No. 8) erected on the highest point of an isolated hill, called Dikgagong, or "Wildebeest Kop," situated south-eastward of, and about  $3\frac{1}{3}$  miles distant from a high hill called Moripe; thence, in a straight line, to a beacon (No. 7) erected on the summit of an isolated hill or "koppie" forming the eastern extremity of the range of hills called Moshweu, situated to the northward of, and about two miles distant from, a large isolated hill called Chukudu-Chochwa; thence, in a straight line, to a beacon (No. 6) erected on the summit of a hill forming part of the same range Moshweu; thence, in a straight line, to a beacon (No. 5) erected on the summit of a pointed hill in the same range; thence,

in a straight line, to a beacon (No. 4) erected on the summit of the western extremity of the same range; thence, in a straight line, to a beacon (No. 3) erected on the summit of the northern extremity of a low, bushy hill, or "Koppie," near to and eastward of the Notwane River; thence, in a straight line, to the junction of the stream called Metsi-Mashwane with the Notwane River (No. 2); thence up the course of the Notwane River to Sengoma, being the Poort where the River passes through the Dwarsberg range; thence, as described in the Award given by Lieutenant-Governor Keate, dated October 17, 1871, by Pitlanganyane (narrow place), Deboaganka or Schaapkuil, Sibatoul (bare place), and Maclase, to Ramatlabama, a pool on a spruit north of the Molopo River. From Ramatlabama the boundary shall run to the summit of an isolated hill, called Leganka; thence, in a straight line, passing north-east of a Native Station, near "Buurman's Drift," on the Molopo River, to that point on the road from Mosiega to the old drift where a road turns out through the Native Station to the new drift below; thence to "Buurman's Old Drift;" thence in a straight line, to a marked and isolated clump of trees near to and north-west of the dwelling-house of C. Austin, a tenant on the farm "Vleifontein," No. 117; thence in a straight line, to the north-western corner beacon of the farm "Mooimeisjesfontein," No. 30; thence, along the western line of the said farm "Mooimeisjesfontein," and in prolongation thereof, as far as the road leading from "Ludik's Drift," on the Molopo River, past the homestead of "Mooimeisjesfontein," towards the Salt Pans near Harts River; thence, along the said road, crossing the direct road from Polfontein to Sehuba, and until the direct road from Polfontein to Lotlakane or Pietfontein is reached; thence along the southern edge of the last-named road towards Lotlakane, until the first garden ground of that station is reached; thence, in a south-westerly direction, skirting Lotlakane, so as to leave it and all its garden ground in native territory, until the road from Lotlakane to Kunana is reached; thence along the east side, and clear of that road towards Kunana, until the garden grounds of that station are reached; thence, skirting Kunana, so as to include it and all its garden ground, but no more, in the Transvaal, until the road from Kunana to Mamusa is reached; thence, along the eastern side and clear of the road towards Mamusa, until a road turns out towards Taungs; thence, along the eastern side and clear of the road towards Taungs, till the line of the district known as "Stellaland" is reached, about 11 miles from Taungs; thence, along the line of the district Stellaland, to the Harts River about 24 miles below Mamusa; thence across Harts River, to the junction of the roads from Monthe and Phokwane; thence along the western side and clear of the nearest road towards "Koppie Enkel," an isolated hill about 36 miles from Mamusa, and about 18 miles north of Christiana, and to the summit of the said hill; thence, in a straight line, to that point on the north-east boundary of Griqualand West as beacons by Mr. Surveyor Ford, where two farms, registered as Nos. 72 and 75, do meet, about midway between the Vaal and Harts Rivers, measured along the said boundary of Griqualand West; thence to the first point where the north-east boundary of Griqualand West meets the Vaal River.

## ARTICLE II.

The Government of the South African Republic will strictly adhere to the boundaries defined in the first Article of this Convention, and will do its utmost to prevent any of its inhabitants from making any encroachments upon lands beyond the said boundaries. The Government of the South African Republic will appoint Commissioners upon the eastern and western borders whose duty it will be strictly to guard against irregularities and all trespassing over the boundaries. Her Majesty's Government will, if necessary, appoint Commissioners in the native territories outside the eastern and western borders of the South African Republic to maintain order and prevent encroachments.

Her Majesty's Government and the Government of the South African Republic will each appoint a person to proceed together to beacon off the amended south-west boundary as described in Article 1 of this Convention; and the President of the Orange Free State shall be requested to appoint a referee to whom the said persons shall refer any questions on which they may disagree respecting the interpretation of the said Article, and the decision of such referee thereon shall be final. The arrangement already made, under the terms of Article 19 of the Convention of Pretoria of the 3rd August 1881, between the owners of the farms Grootfontein and Valleifontein on the one hand, and the Barolong authorities on the other, by which a fair share of the water supply of the said farms shall be allowed to flow undisturbed to the said Barolongs, shall continue in force.

## ARTICLE III.

If a British officer is appointed to reside at Pretoria or elsewhere within the South African Republic to discharge functions analogous to those of a Consul officer he will receive the protection and assistance of the Republic.

## ARTICLE IV.

The South African Republic will conclude no treaty or engagement with any State or nation other than the Orange Free State, nor with any native tribe to the eastward or westward of the Republic, until the same has been approved by Her Majesty the Queen.

Such approval shall be considered to have been granted if Her Majesty's Government shall not, within six months after receiving a copy of such treaty (which shall be delivered to them immediately upon its completion), have notified that the conclusion of such treaty is in conflict with the interests of Great Britain or of any of Her Majesty's possessions in South Africa.

## ARTICLE V.

The South African Republic will be liable for any balance which may still remain due of the debts for which it was liable at the date of Annexation, to wit, the Cape Commercial Bank Loan, the Railway Loan, and the Orphan Chamber Debt, which debts will be a first charge upon the revenues of the Republic. The South African Republic will, moreover, be liable to Her Majesty's Government for 250,000*l.*, which will be a second charge upon the revenues of the Republic.

## ARTICLE VI.

The debt due as aforesaid by the South African Republic to Her Majesty's Government will bear interest at the rate of three and a half per cent. from the date of the ratification of this Convention, and shall be repayable by a payment for interest and Sinking Fund of six pounds and ninepence per 100*l.* per annum, which will extinguish the debt in twenty-five years. The said payment of six pounds and ninepence per 100*l.* shall be payable half-yearly, in British currency, at the close of each half year from the date of such ratification: Provided always that the South African Republic shall be at liberty at the close of any half year to pay off the whole or any portion of the outstanding debt.

Interest at the rate of three and a half per cent. on the debt as standing under the Convention of Pretoria shall as heretofore be paid to the date of the ratification of this Convention.

## ARTICLE VII.

All persons who held property in the Transvaal on the 8th day of August 1881, and still hold the same, will continue to enjoy the rights of property which they have enjoyed since the 12th April 1877. No person who has remained loyal to Her Majesty during the late hostilities shall suffer any molestation by reason of his loyalty; or be liable to any criminal prosecution or civil action for any part taken in connexion with such hostilities; and all such persons will have full liberty to reside in the country, with enjoyment of all civil rights, and protection for their persons and property.

## ARTICLE VIII.

The South African Republic renews the declaration made in the Sand River Convention, and in the Convention of Pretoria, that no slavery or apprenticeship partaking of slavery will be tolerated by the Government of the said Republic.

## ARTICLE IX.

There will continue to be complete freedom of religion and protection from molestation for all denominations, provided the same be not inconsistent with morality and good order; and no disability shall attach to any person in regard to rights of property by reason of the religious opinions which he holds.

## ARTICLE X.

The British officer appointed to reside in the South African Republic will receive every assistance from the Government of the said Republic in making due provision for the proper care and preservation of the graves of such of Her Majesty's Forces as have died in the Transvaal; and if need be, for the appropriation of land for the purpose.

## ARTICLE XI.

All grants or titles issued at any time by the Transvaal Government in respect of land outside the boundary of the South African Republic, as defined in Article I, shall be considered invalid and of no effect, except in so far as any such grant or title relates to land that falls within the boundary of the South African Republic; and all persons holding any such grant so considered invalid and of no effect will receive from the Government of the South African Republic such compensation, either in land or in money, as the Volksraad shall determine. In all cases in which any Native Chiefs or other authorities outside the said boundaries have received any adequate consideration from the Government of the South African Republic for land excluded from the Transvaal by the first Article of this Convention, or where permanent improvements have been made on the land, the High Commissioner will recover from the native authorities fair compensation for the loss of the land thus excluded, or of the permanent improvements thereon.

## ARTICLE XII.

The independence of the Swazis, within the boundary line of Swaziland, as indicated in the first Article of this Convention, will be fully recognised.

## ARTICLE XIII.

Except in pursuance of any treaty or engagement made as provided in Article 4 of this Convention, no other or higher duties shall be imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions than are or may be imposed on the like article coming from any other place or country; nor will any prohibition be maintained or imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions which shall not equally extend to the like article coming from any other place or country. And in like manner the same treatment shall be given to any article coming to Great Britain from the South African Republic as to the like article coming from any other place or country.

These provisions do not preclude the consideration of special arrangements as to import duties and commercial relations between the South African Republic and any of Her Majesty's colonies or possessions.

## ARTICLE XIV.

All persons, other than natives, conforming themselves to the laws of the South African Republic (*a*) will have full liberty, with their families, to enter, travel, or reside in any part of the South African Republic; (*b*) they will be entitled to hire or possess houses, manufactories, warehouses, shops, and premises; (*c*) they may carry on their commerce either in person or by any agents whom they may think fit to employ; (*d*) they will not be subject, in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, other than those which are or may be imposed upon citizens of the said Republic.

## ARTICLE XV.

All persons, other than natives, who established their domicile in the Transvaal between the 12th day of April 1877, and the 8th August 1881, and who within 12 months after such last-mentioned date have had their names registered by the British Resident, shall be exempt from all compulsory military service whatever.

## ARTICLE XVI.

Provision shall hereafter be made by a separate instrument for the mutual extradition of criminals, and also for the surrender of deserters from Her Majesty's Forces.

## ARTICLE XVII.

All debts contracted between the 12th April 1877 and the 8th August 1881 will be payable in the same currency in which they may have been contracted.

## ARTICLE XVIII.

No grants of land which may have been made, and no transfers or mortgages which may have been passed, between the 12th April 1877 and the 8th August 1881, will be invalidated by reason merely of their having been made or passed between such dates.

All transfers to the British Secretary for Native Affairs in trust for Natives will remain in force, an officer of the South African Republic taking the place of such Secretary for Native Affairs.

## ARTICLE XIX.

The Government of the South African Republic will engage faithfully to fulfil the assurances given, in accordance with the laws of the South African Republic, to the natives at the Pretoria Pitso by the Royal Commission in the presence of the Triumvirate and with their entire assent, (1) as to the freedom of the natives to buy or otherwise acquire lands under certain conditions, (2) as to the appointment of a commission to mark out native locations, (3) as to the access of the natives to the courts of law, and (4) as to their being allowed to move freely within the country, or to leave it for any legal purpose, under a pass system.

## ARTICLE XX.

This Convention will be ratified by a Volksraad of the South African Republic within the period of six months after its execution, and in default of such ratification this Convention shall be null and void.

Signed in duplicate in London this 27th day of February 1884.

(Signed)	HERCULES ROBINSON.
„	S. J. P. KRUGER.
„	S. J. DU TOIT.
„	N. J. SMIT.

## No. IV.

## SWAZI PROCLAMATION, DECEMBER 1889.

COLONEL MARTIN to HIS EXCELLENCY THE HIGH COMMISSIONER.

SIR,

King's Kraal, Swaziland,  
January 16, 1890.

I HAVE the honour to forward, for your Excellency's information, a copy of the Proclamation appointing the Provisional Government Committee in Swaziland.

A copy has been forwarded to Sir F. de Winton.

I have, &c.

(Signed) R. E. R. MARTIN, Lieut.-Col.,  
Her Majesty's Representative in Swaziland.  
His Excellency the High Commissioner,  
Cape Town.

## PROCLAMATION.

TO ALL WHOM IT MAY CONCERN.

We, Usibati, Queen Regent of the Swazie Nation, acting by and with the consent of our headmen and councillors in council assembled, at our Royal Kraal of Enkanini, do hereby declare, proclaim, and make known as follows :—

Whereas on the 1st day of August, 1888, a certain Charter was granted by our predecessor, Umbandine, late King and Paramount Chief of the Swazi Nation and whereas the Committee of Management, concerning the government of the whites, elected or appointed thereunder, was dissolved on the 21st day of November, 1889, and no other Committee has been elected or appointed in succession to the said dissolved Committee, nor is it now desirable that a Committee should be elected under the said Charter ;

And whereas by a Proclamation under the hand of our lawfully appointed Resident Adviser and Agent, Theophilus Shepstone, Esq., C.M.G., dated at Embekelweni, the 11th day of December, 1889, a certain memorandum of principles is affirmed, whereby certain power, jurisdiction, and authority has been lawfully conferred upon the Commissioners representing the Government of Her Majesty Queen Victoria, and the Government of the South African Republic, which power, jurisdiction, and authority will continue during the period of the stay in Swazieland of the said Commissioners ;

And whereas it is expedient and desirable to make certain provisions for the maintenance of law, order, and government, in respect of matters in which white persons are concerned in Swazieland, after the termination of the stay of the said Commissioners ;

Be it therefore made known as follows by all men by these presents :

1. From and after the date on which the aforesaid Commissioners shall terminate their stay in Swazieland, which date shall be deemed and taken to be the day on which the Commissioners, Colonel Sir Francis de Winton, C.B., K.C.M.G., and Commandant General Petrus Jacobus Joubert, shall leave our Royal Kraal, there shall be constituted a Provisional Government Committee, composed of our Resident Adviser and Agent, Theophilus Shepstone, Esq., C.M.G., as chairman, Lieutenant-Colonel Richard Edward Rowley Martin, C.M.G., as nominated representative of Her Majesty Queen Victoria, and Daniel Johannes Esselen, Esquire, as nominated representative of the South African Republic, which Committee shall, by a majority of votes, exercise and fulfil the powers and functions hereby conferred upon them during a period of four months from the aforesaid date ; provided that, in the case of any vacancy occurring from any cause in the said Committee, we, or the Government, the seat of whose nominated representative is vacant, may appoint some other person to execute and fulfil the said powers and functions during the remainder of the said period.

2. The Committee shall have power from time to time, as occasion may require, to appoint and remove such judicial, administrative, and executive officials as may be or be found to be necessary for the proper government of the white population in Swazieland, and for the proper management of all affairs in which white persons are concerned in Swazieland ; provided that the form of appointment of any such official shall, with the authority of the Committee, be signed by the Chairman, Theophilus Shepstone, Esquire, C.M.G. ; and provided also that no such official shall hold office for any period longer than that during which the Committee shall exercise power and authority hereunder.

3. The Committee shall have power and jurisdiction, acting in accordance with the principles of the Roman Dutch Law as administered in South Africa, and with any laws made and approved of by us as herein-after provided, to consider, determine upon, and finally decide all questions, matters, and disputes, civil, or criminal, in which any white person or his interests or property may be concerned ; provided that such minor questions, matters, and disputes as aforesaid, jurisdiction over which the Committee may consider it expedient to confer upon subordinate judicial officers appointed as aforesaid, shall be left to the decision of such subordinate judicial officers, subject to the powers conferred upon them ; provided further, that any question, matter, or dispute, civil or criminal, may be considered, determined upon, and finally decided either by the Committee sitting as a body, or by the chairman of the Committee, if specially appointed by the other two members of the Committee, to consider, determine upon, and finally decide such question, matter, or dispute ; and provided lastly, that the Committee shall be authorised, with the full consent of all three members, to

delegate to one or more of them the exercise in any part of Swazieland of all or any of the judicial powers conferred upon it where it may be deemed desirable that such powers should be exercised.

4. The Committee shall have power to frame such laws as it may deem expedient for the government of the white population of Swazieland, and for the management of matters in which white persons are concerned, but no such law shall have legal effect until duly confirmed by us.

5. The Committee shall have power to frame such regulations and issue such orders as may be necessary in furtherance of the powers and functions conferred upon it by this Proclamation, and all such regulations and orders shall be conformed to and obeyed, and shall be published by written notice at our Government offices, and shall be signed under the hand of our Resident Adviser and Agent.

6. The Committee may impose upon all white persons in Swazieland, and upon the property and rights of all white persons, such just and equitable taxes, duties, fees for licences, and other charges as may be necessary for the proper maintenance of the government, and performance of the powers constituted by this Proclamation.

7. All moneys now or heretofore due by any person to, held by any person for, or claimable but not recovered by, the Committee heretofore elected under the aforesaid Charter, and all moneys hereafter becoming due under this Proclamation, in respect of any tax, duty, licence, or fine, or of such other charges as are referred to in the aforesaid Charter, may be collected and recovered by the Committee or its representatives, and applied to defraying the expenses of such Government as aforesaid, and of the due performance and carrying into effect of the powers conferred by this Proclamation; provided that the Committee shall not be deemed to be disqualified from adjudicating upon any suit for the recovery of moneys due under this Proclamation; and provided, further, that proper books and accounts shall be kept of all receipts and expenditure hereby authorised.

8. Nothing herein contained shall be deemed to authorise the Committee to decide the question of the initial validity of any concession, grant, or privilege, which may have been granted, or which purports to have been granted, by Umbandine, late King and Paramount Chief of the Swazi nation.

9. Nothing herein contained shall be construed so as to confer any power or jurisdiction upon the Committee in respect of any question, matter, or dispute wherein any of our native subjects are alone concerned.

This done and passed at the Inkanini, this 18th day of December 1889.

(Signed)	THE QUEEN DOWAGER	×
„	NOCOCO, Regent	×
„	JOKOON	×
„	TIKUBA	×
„	MGOGO	×
„	MTITI	×
„	HELEMU	×
„	NOMABILILA	×
„	GIBA	×
„	RULUMENI	×
„	MAKAMBINI	×
		marks.

As witnesses :—

(Signed) G. A. JACKSON.  
 „ TOD. PLAYER.  
 „ JOHN GAMA.

Interpreted by me.

(Signed) THEOPHILUS SHEPSTONE.

No. V.

REPORT ON SWAZILAND, BY COLONEL SIR F. DE WINTON,  
R.A., K.C.M.G., C.B.

SIR F. DE WINTON to LORD KNUTSFORD.

Horse Guards, War Office,  
February 25, 1890.

MY LORD,

IN obedience with the instructions conveyed in your Lordship's despatches of the 22nd and 26th September 1889, I have now the honour to submit my report on Swaziland.

This report has been drawn up in accordance with the instructions transmitted in the above-mentioned despatches, and is divided into five sections: 1. Swaziland; its resources, revenue, &c. 2. Its present condition and recent events. 3. The main points for consideration. 4. General conclusions. 5. Amatongaland and Kosi Bay.

The appendix\* to this report contains papers affording full information on the different points to which they refer; and among them is a paper by Captain Baden-Powell, concerning the military power of the Swazie nation, which I beg may be sent to the proper authorities.

I have further to bring to your Lordship's notice the great assistance I received from the members composing the mission, viz., Colonel Martin, Mr. Advocate Schreiner, and Captain Baden-Powell, who all rendered me very valuable aid, and who performed their duties to my entire satisfaction.

In conclusion, I beg to place on record my appreciation of the kindness and courtesy with which the mission was received at Pretoria by his Honour the President and the Government of the Transvaal; and I also desire to express my sense of obligation towards the members of the Transvaal Mission for their invariable goodwill and cordial co-operation during the period when the two missions were acting together.

I have, &c.

(Signed) F. DE WINTON,  
Late Commissioner to Swaziland.

The Right Hon. the Secretary of State,  
&c. &c. &c.  
Colonial Office.

REPORT ON SWAZIELAND.

Geographical position.

The geographical position of Swaziland is well known; it has an area of about 8,000 square miles, and its general features may be briefly stated as follows:—

General features of the country.

On the western side the boundary line of Swaziland runs along the elevated plateau known as the High Veldt of the Transvaal State, having an average altitude of about 5,000 feet. This elevated plateau of Southern Central Africa presents the appearance of rolling downs towards the westward, or the Transvaal, while on the eastern side broken mountain chains, with rocky serrated ridges and rugged sides, indicate that in the direction of Swaziland certain physical changes have occurred. This becomes more apparent as the border line is passed, and the road, during the first 20 miles, winds over ranges of hills and then commences steadily to descend about 3,000 feet into the plateau which forms the centre of Swaziland. It is in these western hills that the chief mineral wealth of Swaziland is deposited, and the valleys of their lower spurs form the principal winter grazing lands of the country, nearly all of which are leased to the Boers of the Transvaal. This central plateau gradually drops towards the east, terminating in the "Lebombo" range of mountains. In many parts of Africa you find three distinct elevations, and this is repeated as regards Swaziland. First come the low-lying grounds extending from the sea, represented by Amatongaland; then a range of hills brings you to the second plateau, or Swaziland, of an average height from 2,000 to 3,000 feet; then another range of hills takes you on to the higher levels, the high Veldt of the Transvaal, with an average elevation of about 5,000 feet.

\* NOTE.—The Appendices to this Report are not reprinted here, but will be found in [C. 6201], August 1890.

The chief rivers of Swazieland are the Usutu in the south, the Umbelosi in the centre and the Komati in the north. None of these rivers are navigable, and no use is made of them for the purposes of irrigation. Rivers.

The western side is well watered by numerous streams, which have their rise among the broken foothills of the mountain ranges of this part of the country.

The soil appears rich, and the natural grasses are abundant and of good quality. There is but little cultivation carried on, as the Swazies are a pastoral people, owning large herds of cattle, and the Boers from the Transvaal only winter graze. It is subject to occasional droughts, but, judging from the climate and the soil, the country is capable of producing all sub-tropical products; and if a system of irrigation were introduced a considerable area might be profitably placed under cultivation. In the summer time the climate is too warm to allow the permanent employment of white labour. Soil.

It was stated to me that the cattle belonging to the Swazies were increasing, and their numbers were estimated at from 35,000 to 40,000. Cattle.

During the summer or rainy season the climate is considered unhealthy, especially towards the eastern side, for horses, mules, and cattle, which are kept, at this time of year, as much as possible on the higher uplands of the western slopes. All wagon and other traffic to Delagoa Bay *viâ* the Maputa River is stopped during the rainy season. Climate.

The early history of the Swazie nation is somewhat vague, and their claim to the territory known as Swazieland was acquired by conquest some time in the beginning of this century. Their original country was adjacent to Zululand. Constantly threatened from the south by these powerful neighbours, they were gradually pushed northwards until they entirely abandoned their own territory and occupied what is now known as Swazieland, turning out the original inhabitants, who were called Abesutus. The information on this subject was furnished by Mr. Jackson, a missionary, who has lived for some years in Swazieland, and who has studied closely the history, manners, and customs of the Swazie people. His memo. is marked A, and is attached to the Appendix. Early history.  
Annexure A.

With reference to their early history, the Government of the Transvaal claim certain rights over Swazieland and the Swazie nation, on account of services rendered to Mswazie, the father of Umbandine, at the time when he was a candidate for the chieftainship of the Swazies. Transvaal claims.

This was, however, only a family quarrel as to the right of succession, and the Boer influence secured it for Mswazie, but they never afforded any material assistance to the Swazies when the latter were threatened by the Zulus. On the other hand, the influence of the English Government was continually exercised over Cetshwayo to prevent him from invading Swazieland and extinguishing the Swazies as a nation. This is well known to the Swazies, who acknowledge the services rendered to their nation by Great Britain, and accounts for their devotion to Sir Theophilus Shepstone (Sometsu) and his family, because he was, during this time, agent for native affairs in Natal, and Cetshwayo was kept from entering Swazieland by his influence. The claim of the South African Republic on account of services rendered to Mswazi is not, therefore, half so strong as the claim that could be urged by the Imperial Government, for the Transvaal interference was simply a settlement of a family quarrel, while the protection afforded by Great Britain preserved the nation.

The numbers of the Swazie nation may be roughly estimated at 63,000. This calculation is made by taking the fighting men at 9,000 strong and multiplying that number by seven. A good deal has been written and said concerning the Swazies as a people. They appeared to me to differ very little from other African races. The men are lazy, dirty, and untruthful. The women do all the agricultural work. The people.

Their military organisation is similar to that of the Zulus, and the number of fighting men they can put in the field is probably from 8,000 to 10,000 men. They do not appear to possess many firearms, their weapons being the assegai and the knobkerry. Military organisation.

The following regiments form the military power of the Swazies:—

Ndhlavela, or Home Guards	-	-	5 companies.
Giba, or Rangers	-	-	6 „
Myati, or Buffaloes	-	-	3 „
Mjindi and Nobamba, Holdfasts	-	-	4 „
Total	-	-	18

Each company would thus appear to be 500 strong, but they vary according to locality.

The Ndhavela wear no rings on the head but are allowed to marry.

The Giba consist of all ages. They are allowed to wear rings but are not permitted to marry. The Giba, or Rangers, are the constabulary of the country, and execute all decisions of the King and Council as regards internal disputes.

The Myati is composed of elder men. They wear rings and can marry.

The Mjindi and Nobamba wear no rings but can marry. The Swazies have the reputation of being good fighters, and would no doubt be useful allies in any native wars when supported by whites, but they always appear to have had a wholesome dread of the Zulus.

As a rule both sexes are of fine physique; it is probable, however, from certain varieties of colour and other racial distinctions, that they have mingled with the Amatongas and other tribes on their borders.

Religion.

They have no form of religion except the worship of ancestors, and strenuously resist all missionary efforts to obtain a position as teachers of the people. They appear to recognise the existence of a Supreme Being by the sacrifices of oxen made at their feasts and other ceremonial occasions.

Witch doctors and rain makers exercise considerable authority at certain times and seasons. Taking them as a whole, they are a happy, contented, work-hating, wild people, but they are not such a particularly interesting race as some have endeavoured to describe them, and, unless kept in order with a firm but just hand, would be continually giving trouble.

Umbandine.

It is only due to the late King Umbandine to state that much of what has been written as regards his despotic acts, cruelty, &c., has not much foundation except in the brains of sensational newsmongers. Everyone I approached on this subject were in agreement that the late King was a man of singularly kind and gentle disposition for an African native. It was the desire to please the whites that caused him to fall into the hands of unscrupulous adventurers, who, under the pretence of friendship, stripped him of all his possessions by these so-called concessions, to which further allusion will be made in another part of this Report. I further made inquiry as regards the killing off, as it is termed, of Sandhlana, the late prime minister and others, and obtained the following information from several independent quarters as to the true motives for this so-called murder:—When Umbandine's father died his wives, as was customary, were distributed throughout different kraals in the country in order that they might be cared for. Sandhlana was placed in charge of some of these wives of Mswazie. The punishment of death is inflicted on anyone getting one of these women with child; this is a well-established law among the natives.

Sandhlana had recently broken this law, and it was not the first time he had done so. On the first occasion his position as prime minister freed him from the penalty, but on a repetition of the offence the whole of the reigning family insisted that the law should take its course. Umbandine wished to prevent it, but the pressure was too strong, especially when one of his brothers, who had married a daughter of Sandhlana, got up a conspiracy against him. This brought matters to a crisis, and the death of Sandhlana, and those who had taken part in the conspiracy, was decreed by Umbandine in Council. I have mentioned this to show that Sandhlana was killed because he transgressed a fundamental law of the Swazie nation, the punishment of which was death, and not because Umbandine was a blood-thirsty tyrant, or because he was desirous of possessing all Sandhlana's belonging.

Trade and commerce.

The trade and commerce of Swaziland have been chiefly created by the wants of the white residents. With the exception of minerals, little is produced in the country out of which a revenue could be collected.

The people being purely pastoral, cattle are their chief property, and they grow only sufficient agricultural produce to supply their immediate wants. Indian corn or mealies, Kaffir corn or millet, a few sweet potatoes, pumpkins, and gourds, are the sole products of the soil, and as there is no production there can be no export trade except of minerals, and a few hides.

Goods for Swaziland are brought either through Natal or through Delagoa Bay; there is little or no trade with the Transvaal. As regards the former, by calculations from trade returns, it appears that a trade to the amount of 70,000*l.* a year has sprung up between Swaziland and the colony of Natal. I had no means of ascertaining the amount of trade done through Delagoa Bay, but it is considerable during the winter or

healthy season. It is possible that the total imports into Swaziland may amount to from 120,000*l.* to 150,000*l.* a year; and this will not be largely increased for some years, unless new mineral developments take place, because a large portion of the country is held by Boers, who are non-producers and non-consumers, and, as has been before pointed out, the Swazies produce very little, and their wants would tend rather to decrease than to increase.

It should be mentioned that the trade of the country is almost entirely in the hands of the English, with the exception of one or two Germans.

It is a time-honoured maxim, and one often quoted, that "trade follows the flag," and this has been true in the past, but it is not wise to rely solely upon this saying for the future, for my experience is that trade in Africa follows the lines of which energy, business capacity, and a commercial knowledge of geography, are the foundations; and there appears to me no reason why the commerce and trade of Swaziland should not remain in the hands of British subjects, whatever may be the future of Swaziland, provided their present rights are respected, and they maintain their supremacy in the qualities above-mentioned.

With the view of giving further information as regards the Natal trade, the Report of the Collector of Customs at Durban is placed in the Appendix marked B.

Annexure B.

The last paragraph of Mr. Finnemore's report would indicate that in his opinion the trade of the country would be materially increased by the establishment of a settled form of government in Swaziland.

A list of trade goods in use by the natives was furnished me by Messrs. Wallenstein and Bremer, who do a considerable trade in the country; this list is marked C. and attached to the Appendix.

Annexure C.

The present revenue of Swaziland consists of rents, obligations and transfer fees due under concessions; and licences, taxes, and custom dues. The former are paid to the King, or a representative of the Swazie nation, and are computed by Mr. Shepstone to amount to about 20,000*l.* a year. In the absence of any system of accounts, I had no means of verifying this calculation, but I believe this portion of the revenue amounts to between 15,000*l.* and 20,000*l.* a year. As these rents, &c., are exclusively the property of the Swazie nation they cannot be counted upon as revenue towards the expenses of governing the country. When the White Committee was formed, licences, taxes, and custom dues were instituted for the purposes of carrying on the duties of the government of the white residents.

Revenue.

The amount of this portion of the revenue was given at about 8,000*l.* a year. I had, however, no means of ascertaining the truth of this statement. From other sources I gathered about 4,000*l.* to 5,000*l.* was the probable income of the licences and customs dues. The mining industries pay no duties on the amount of gold exported.

A list of the tariff of Swaziland as drawn up by the White Committee will be found in the Appendix marked D.

Tariff.

As many of this White Committee were traders, the tariff was compiled to suit their interests, and, in my opinion, requires revision.

Annexure D.

This Committee was appointed in July 1887, but no records of its proceedings, previous to August, 1888, were to be obtained. It was dissolved by Mr. Shepstone on the 21st day of October, 1889. It held meetings during the months of August, September, October, and November of the year 1888; and in January, February, May, July, and September of 1889. The minutes of the proceedings of this Committee, with the exception of those of September 1889 (not entered), show that some attempt was made, at the commencement, to administer the affairs of the white residents in Swaziland by the members composing it; but the Committee having no experience in administration, and nearly all having private interests in the country, the record of these minutes are a painful evidence of internal dissensions, continued differences, and an absence of any desire to contribute to the real welfare of the country. Latterly the country was left to govern itself, as the members were engaged in getting concessions for themselves and their friends. A copy of the reasons given by Mr. Shepstone for the dissolution, issued by him on the 21st October 1889, is attached to the Appendix marked E.

White Committee.

Annexure E.

As regards the revenue a Finance Committee was appointed, but as only one member, Mr. Bremer, ever attended, the attempts at collection of revenue were in keeping with the other administrative acts of the Committee.

The mineral wealth of the country would appear to be chiefly confined to the western mountain ranges of Swaziland, close to the border of the Transvaal. I incline

Mineral wealth.

to the opinion that there is, and has been, a tendency to exaggerate the mineral wealth of Swazieland, and that while fairly good auriferous reefs have been discovered, there is nothing remarkable about them, and until they have been further developed gold mining in Swazieland must be considered as a purely speculative industry. It was stated to me that gold exists in parts of Swaziland other than that I have indicated, but I am somewhat doubtful as to this statement. I asked the manager of the Forbes Gold Mining Company — the largest concern in Swazieland — to furnish me with statistics as to the mining operations under his charge. This he promised to do.

Death of Umbandine.  
Appointment of Mr. T. Shepstone.  
Dissolution of White Committee.

On the 11th of November Her Majesty's Commissioners were at Pretoria. This change of route was in consequence of a telegram from the President of the South African Republic asking that the mission should visit Pretoria, previous to its entrance into Swazieland, to which request Her Majesty's Secretary of State gave a favourable reply. The death of Umbandine, King of the Swazies, also took place, between the departure of the mission from England and its arrival at the Cape of Good Hope, and this was followed by the appointment of Mr. Theophilus Shepstone as the Resident Adviser and Agent to the Swazie nation, on the 21st of October 1889, and the dissolution of the White Committee by him, at the request of the Queen Regent and Council, on the 21st November 1889.

Proceedings at Pretoria.  
Annexure F.

While at Pretoria the English Commissioners had frequent interviews with President Kruger and his Council, the results of which are embodied in the Memorandum, marked F., in the Appendix.

This Memorandum has reference to the procedure to be adopted by the Joint Commission on their arrival in Swaziland. Generals Joubert and Smit, with Dr. Krause, State Attorney, as their legal adviser, and Mr. Van Alphin, chief of the Postal Department, as their Secretary, were appointed by the President, as the South African Republic Commission. As shown in the Memorandum, it was deemed advisable that a common line of action should be adopted, which pledged neither Government to a definite course, but was sufficient to secure the independence of the Swazies under Article XII. of the London Convention. It was also considered desirable to provide for the maintenance of law and order during the period of time which must elapse while Her Majesty's Government, and the South African Republic, were deciding upon the future of the country. Certain other questions, having reference to the general politics of South Africa, came also under discussion; they will be referred to in another portion of this report.

South African Republic Commissioners.

Departure of the Joint Mission from Pretoria.

The Joint Mission left Pretoria on the 21st of November, and arrived at Kannemeyers (Mdimba) in Swazieland, about half way between Inkanini (the Royal Kraal) and Embekelweni, on the 30th November, 1889.

Arrival in Swazieland.  
Meeting of the Whites at Kannemeyers.  
Annexure G.

On their arrival at Kannemeyers they found a large number of the whites interested in Swazieland assembled, and it was determined by the Joint Mission that they should inform these gentlemen as to the object of the Commissioners, and invite them to formulate an expression of their opinion as to the wishes of the white residents in Swazieland concerning the future government of the country. A copy of the proceedings that took place on this occasion is attached to the Appendix marked G; also copy of a letter from Her Majesty's Commissioner to General Joubert. To arrive at a better understanding of the state of affairs the white residents are classified as follows:—

Classification of White residents.

- Mineral Concessionaires.
- Grazing Concessionaires.
- Trading and Canteen Concessionaires.
- Miscellaneous Concessionaires.

Of these the mineral and trading represent the capital invested in the country; the grazing the greatest numbers; the miscellaneous being composed of adventurers, whose object was the obtainment of concessions of every sort and description for the purpose of any profit they might be able to make, by their disposal, wherever they could find a purchaser. These miscellaneous concessions will again be alluded to.

The Joint Mission found the position of the country to be as follows:—

Position of the country.

The white committee being dissolved, the whole government of the whites in the country was vested in Mr. T. Shepstone, as the representative adviser and agent of the Swazie nation. This state of affairs was anything but satisfactory, as most of the whites were antagonistic to Mr. T. Shepstone, and were prepared to thwart or oppose any action which he might see fit to initiate; thus the Swazie nation and the white residents

might, at any moment, be brought into hostile collision, a result which could only end in an appeal to the Transvaal, as the nearest Government, to restore and maintain law and order.

The differences between Mr. Shepstone and the white residents date back to a period at least twelve months before the arrival of the Commissioners, and, in view of the conflicting interests (the probable cause of these differences) involved, it appeared to the Joint Mission that the best course to pursue was, in the first place, to ascertain if Mr. Shepstone was the chosen representative of the Swazie people, and, that fact being established, to acknowledge the choice of the nation and to admit him into their councils.

Differences between Mr. Shepstone and White residents.

It is due to Mr. Shepstone to state that none of the white residents could bring any definite charges against him, and all they accused him of was based on hearsay evidence.

After arriving at this conclusion, the next proceeding of the Joint Mission was to call a meeting of the Prime Minister, Tecuba, the regent Lgnoco, the trustee of the nation, Jokovu, and other Indunas and Head-men. At this meeting the general purpose of the mission was placed before them. They replied that before giving a definite reply it was necessary that all the principal Head-men of the nation should be summoned to attend, and then a meeting could be held and the questions referred to be considered by the nation. The points submitted at this meeting were based on the memorandum of procedure drawn up at Pretoria, and embraced the following points:—

Meeting of the natives.

1. That the independence of the Swazies was to be maintained by both Governments.
2. That the Commissioners were prepared to ratify the choice of the nation as to their future king.
3. That the Joint Mission should be appointed by the nation to administer the affairs of the Whites during their residence in the country.
4. That the Commissioners desired the assurance of the nation that Mr. T. Shepstone was their chosen adviser and agent.
5. That some form of government for the Whites should be established, after the departure of the Commissioners out of the country, and until such time as the two Governments had decided as to the best form of government for the future.
6. That the concessions of which they complained should be brought before a legal tribunal, properly appointed, who would decide as to their legality.

The proceedings of the meeting with all the Chiefs and Head-men of the Swazie nation, which was held at Embekelweni on the 9th of December, were taken down in shorthand and will be found in the Appendix marked 1.

Annexure I.

The Commission having thus arranged for the preliminary affairs of both the white residents and the Swazie nation, had then to consider their own position.

Position of the Commission.

Mr. T. Shepstone, as the chosen representative of the Swazie people, had to be consulted on all matters connected with the mission. He could not be made a member of the Joint Commission because the Commissioners had no power to appoint him; it therefore decided, for the despatch of business; and with regard to the interests of all concerned, that a committee should be appointed, to consist of the four Commissioners, their legal advisers, Messrs. Schreiner and Krause, and Mr. T. Shepstone, with Mr. Van Alphen and Captain Baden Powell as joint secretaries, to have power to deal with all questions that might be brought before them.

Appointment of a committee.

The proceeding of this Committee, the subjects which were brought before them, the conclusions they arrived at, and the resolutions they adopted, were duly kept, and are attached to the Appendix marked I. It should be observed that this Committee in all their proceedings adhered strictly to the agreement entered into at Pretoria, viz., that Art. XII of the London Convention was to be maintained, hence the sovereign power of the Swazie nation was attached to all their proceedings. The Committee met eleven times, and the principal business transacted was, the appointment of the four commissioners in conjunction with Mr. T. Shepstone to rule the Whites during their stay in the country; the appointment of a Provisional Governing Committee consisting of Mr. Shepstone as chairman, Colonel Martin, C.M.G., representative of Her Majesty's Government, and Mr. Esselen, Landdrost of Vryheid, representing the Government of the Transvaal, as members, to carry on the Government of the Whites till the Swazieland question was settled; the consideration of the liquor law; the question of future revenue; the consideration of concessions, and the best method of dealing with them; the powers to be granted to the Provisional Governing Committee; the abandonment by the Swazie nation of the practice of killing off; and other questions of a minor nature.

Annexure I.

Work done by the Committee.

Court and trial of Elisha King.

The Committee also resolved themselves into a Court of Justice for the trial of Elisha King on the charge of abduction of a native girl. The proceedings of this trial were taken down and form part of Annexure I.

This trial had a good effect both on Whites and Natives.

Main points for consideration.

Having thus briefly alluded to Swaziland, its resources, revenue, its present condition, and recent events, the main points for consideration in coming to any settlement of the future of the country are as follows:—

1. The maintenance of the integrity of the Swazie nation.
2. The White residents, and the form of Government which should be established for them.
3. The geographical position of Swaziland and the Transvaal.
4. The concessions.
5. The influences which a settlement of Swaziland may exert upon the political questions which are now agitating the Colonies and States of South Africa, from the Colonial standpoint and from the Imperial side.
6. The question of Amatongaland and the territories of Zambane and Umbigeza, and of Kosi Bay.

1. In the preservation of the independence and integrity of the Swazie nation both Governments are agreed.

Minute inquiries were made whether it would be advisable to place the natives on certain land reservations to be chosen by them, but the conclusions arrived at were that it was impracticable for two reasons, viz., that the Swazies would object to it, and that nearly the whole country had been given away to concessionnaires. It is true that some arrangement might be arrived at between the Government of the country and these land concessionnaires, but it would involve many considerations, and bearing in mind the objections of the Swazies themselves the idea was abandoned. As regards the independence of the nation, much depends on the tact and prudence of Mr. T. Shepstone. Whichever Government assumes the control of the white population, great care will have to be exercised in dealing with the natives at the outset. They would have to be gradually absorbed, and thus, in process of time, eventually come under white control.

White residents.

2. As regards the white residents, it is difficult to arrive at their correct numbers, so many persons being non-resident, though possessed of interests in Swaziland, and a proper register of those entitled to vote for the white committee never having been kept. The mineral holders, miners, canteen and store keepers, missionaries, and a few permanent farmers are the only residents in the country. These consist chiefly of subjects of Great Britain. The non-residents consist of grazing holders and concessionnaires. These are chiefly subjects of the Transvaal, or persons who have interests in the South African Republic. Roughly speaking, the subjects and sympathisers of the South African Republic represent three to one as to other nationalities, but they do not represent much capital. It was evident, on the arrival of the Commissioners in the country, that there was little or no unanimity among the white residents.

The appeal to those present at "Mdimba" on the 30th November 1889 resulted as follows:—

A meeting of whites held at "Mdimba" on the 16th December 1889. At this meeting—which was chiefly composed of Boers and concessionnaires, in the following numbers: 127 Dutch to 17 English—eight resolutions were passed unanimously. A copy of these resolutions (No. 261), marked J, is attached to the appendix.

Annexure J.

A memorial, dated Barberton, 6th December 1889, signed by about 45 persons, all of whom are concessionnaires (No. 262); copy marked J<sub>1</sub>.

Annexure J<sub>1</sub>.

A memorial, dated Pigg's Peak, 13th December 1889, signed by about 20 residents of that locality (No. 258); copy marked J<sub>2</sub>.

Annexure J<sub>2</sub>.

A certified copy of a declaration, before a notary public, by E. Taylor, Esq., Managing Director of the Henderson-Forbes Gold Mining Company, and representative of the Puller's Concession (No. 232); marked J<sub>3</sub>.

Annexure J<sub>3</sub>.

A petition of some of the principal mineral concessionnaires, containing about 18 signatures (No. 269); copy marked J<sub>4</sub>.

Annexure J<sub>4</sub>.

Signatures of the same persons appear more than once in some of these documents, and they are also repeated in the several documents.

Other individual expressions of opinion were received, as everyone was invited to state their views, but the only important documents, containing concurrent opinions of white residents, are those enumerated above. It will be observed, after a perusal of these

papers, that considerable differences of opinion exist among the representative bodies of whites in Swazieland. That the Dutch element should desire annexation to the Transvaal is but natural, and a certain number of other whites, concessionaires, attach themselves to the Transvaal party in the hope that the Government of the South African Republic will give a fuller recognition to the monopoly concessions they have obtained than they could ever expect if Great Britain established a form of government in Swazieland. The mineral concessionaires make a reasonable and fair statement of their views, and are opposed to the Government of the Transvaal on account of the reasons set forth in their petition.

The amount of capital that has already been spent in developing the mineral resources of the country, and the trade that has thereby been created, entitle their views to greater consideration than those expressed by the grazing holders and concessionaires. The grazing holders, though the most numerous class, bring absolutely nothing into the country, and take everything they can out; while the concessionaires are simply adventurers, and may be considered as a curse rather than as a blessing. As the mineral holders are really increasing the prosperity of the country, their contention that their present rights should be preserved, whatever might be the future of the country, is right and just.

The points that an equal franchise should be give to all whites in the country; that the revenue raised in Swazieland should be spent in Swazieland; that the English and Dutch languages should have equal rights; and that some form of government is necessary, appear common to nearly all these papers.

3. "Geographical position." "The geographical position of Swazieland and its relation to the Colonies of the Empire and the Transvaal."—When the formation of the New Republic was acquiesced in by the Government of Great Britain, on the lines laid down by Sir A. Havelock, its transference to the South African Republic soon followed, and as a further consequence the Colony of Natal was cut off from any direct communication with Swazieland. The only territory on the borders of Swazieland now left not belonging to the Transvaal, or to Portugal, lies on the south-east frontier, and is known as the country belonging to and occupied by the independent Chiefs, Zambane and Umbegeza. A road could be made from Natal into Swazieland, *viâ* Zululand, passing through the country of either of these Chiefs. The Transvaal Government state they have made treaties with both of these Chiefs for the surrender of their territories to the South African Republic; and if this were carried out Swazieland would be absolutely cut off from all communication with adjacent possessions of Great Britain. The Chiefs Zambane and Umbegeza deny they have parted with their territory, and it is important to bear all this in mind in any final settlement of the question.

Geographical position.

4. Concessions.—The history of the concessions of Swazieland is probably without a parallel. There are many instances where native rulers have given large and important rights to individuals and to corporations, but in Swazieland the late King and his Council have parted, not only with all their actual territory, but with rights which should only belong to the Government of a country, to a lot of adventurers, whose sole object was to make money by them.

Concessions.

It is probably quite true, as stated to the Commissioners by "Tecuba," that the Swazie King and his Council did not understand the nature of these concessions, but it is equally true that they signed the documents, and received money for them. Some of the most important of these concessions, such as postal, telegraphic, railway, banking, customs, &c., have been purchased by the Government of the Transvaal, and, in the opinion of the law officers of the Crown, they were within their legal rights in obtaining possession of these documents. The question then arises, supposing the Government of Great Britain takes over Swazieland, how is the government of the country to be carried on? Nearly all the available revenue of the country under these concessions will be in the hands of the South African Republic, and unless they are purchased there will be an "imperium in imperio," a state of affairs which could only lead to endless complications between the two Governments. This would also apply to any joint action which might be proposed by Her Majesty's Government, as the English Commissioner would be placed in the somewhat anomalous position of a part ruler of a country, while his colleague would have the disposal of all the available revenue, unless some agreement were arrived at between the two Governments.

In such a case the South African Republic would hardly be disposed to give up her concessions without some equivalent, and would be inclined to throw every obstacle in the way of the British Commissioner if nothing were offered to her for them. The grazing rights granted to numerous Boers would likewise form a source of continual

disputes in the event of a dual control, or the assumption of a protectorate over Swaziland by Great Britain. These grazing concessionaires can, at any time, bring about collisions with the natives which might result in grave complications, and should Her Majesty's Government decide on the establishment of a protectorate over Swaziland, it would be well to consider the advisability of the purchase of these grazing rights *en bloc*, as also many of the other concessions by which rights have been conferred upon private individuals which should only belong to Government. The following papers having reference to the subject of concessions are marked as under and attached to the Appendix :—

Annexure K. K. Copy of registration of concessions—interdicts on concessions—and registration of rents due under concessions, as kept by Mr. A. M. Miller.

Annexure K<sub>1</sub>. K<sub>1</sub>. Copies of 42 concessions, alluded to by the natives as wicked concessions.

Annexure K<sub>2</sub>. K<sub>2</sub>. Harington's concession to collect the King's revenue, with a memorandum by Mr. T. Shepstone, strongly repudiating it on behalf of the nation.

Annexure K<sub>3</sub>. K<sub>3</sub>. List of concessions, other than farming or grazing, furnished by Mr. Shepstone.

Annexure K<sub>4</sub>. K<sub>4</sub>. Memorandum by Mr. Advocate Schreiner, giving an opinion as to the legal aspect of these monopolist concessions.

Influence on the political questions of South Africa. 5. "The influences which a settlement of Swaziland may exert upon the political questions which are now agitating the Colonies and States of South Africa."

In regard to the political aspect of the Swaziland question, the views of the Cape Colony and Natal were obtained. These views, briefly summarised, are as follows :—

Views of the Cape Colony. Cape Colony desires, as an equivalent for the cession of Swaziland to the South African Republic—

(a.) Promise to support extension of British influence in Matabele and Mashona lands.

(b.) Franchise and reasonable oath of allegiance for Swaziland whites.

(c.) Mixed commission to settle European and native rights in Swaziland.

(d.) Support of railway extension unconditionally.

(e.) Free trade in South African produce and manufactures.

(f.) Territory of "Zambane" and "Umbigeza" to be given to the South African Republic, on condition of the Transvaal joining the Customs Union.

Views of Natal. The Government of Natal desires :—

(g.) Withdrawal of all interference in territories north of the Transvaal.

(h.) Recognition of the line of the "Lebombo" as the British boundary, on the south-east of Swaziland, as far north as the Portuguese frontier, and, if practicable, the return to Zululand of that territory formerly known as the New Republic.

(i.) Free trade in colonial produce and manufactures.

(j.) Franchise and reasonable oath of allegiance for Swaziland whites.

(k.) Extension of railway system of Natal into the Transvaal.

It is important to notice that these two colonies do not offer any serious objections to the assumption of the Government of the whites in Swaziland by the Transvaal, provided she complies with certain conditions affecting the general welfare of the South African Colonies and States; and it is reasonable, in any settlement of the question, that their views should be carefully considered.

Propositions a and g. With regard to propositions a and g, in former communications to Her Majesty's Secretary of State, President Kruger states the willingness of the Government of the Transvaal to withdraw their claims to Matabeleland and Mashonaland, provided Her Majesty's Government withdraw from Swaziland. The extension of British influence over these two countries has now become a matter of some importance in view of the action which is being taken in the direction of these territories by the British South Africa Company. The proximity of the Transvaal to Mashonaland, the pioneering habits of the Boers, and the fact that Lobengula has made overtures to the South African Republic, render it important, in the interests of peace, that the Transvaal should support the scheme of the British South Africa Company, and withdraw her pretensions to extend her influence north of the Limpopo.

The area of Matabeleland and Mashonaland, roughly estimated at 80,000 square miles, is ten times larger than Swaziland. The land is stated to be rich in minerals, and would afford a good opening for British commerce, manufactures, and enterprise. Looking at these facts, the proposal of the President of the South African Republic to

withdraw their claims, and support the extension of British influence north of the Limpopo or Crocodile River, merits serious consideration; for, bearing in mind the present condition of affairs in Swaziland, it would appear a wise and sound policy to secure the future control of the large and important territories of Matabele and Mashona lands, unhampered by concessionaires, for the British Empire, rather than cling to the doubtful possession of a territory the conditions of which would render a protectorate by Great Britain a work of considerable difficulty. It may further be observed that the proposed arrangement would not be prejudicial to commercial interests or to the interests of investors of capital in mining or other enterprises of the country, because these interests could be protected by treaty arrangements.

It is also well known that the Boer has neither the education nor inclination for business. He is simply a good pioneer and a very bad farmer, and it is a fact that an assumption of the government of the whites in Swaziland by the Transvaal would, in reality, cause little or no change in the present conditions of trade and commerce in the country.

With reference to *b* and *j*, giving franchise to whites in Swaziland, and other privileges, these could be arranged for by treaty, and it was understood that the Transvaal Government would be prepared to give to such a suggestion a favourable reply. Propositions *b* and *j*.

The proposition embodied in *c* would not appear necessary, in view of the establishment of a legal court, properly appointed, for the investigation of all such matters. Proposition *c*.

*d* and *k*.—As regards the railway policy of the Transvaal and the restrictions which have been imposed on the extension of the railway systems of Cape Colony and Natal by the South African Republic, it is very evident that the requirements of the mining interests and the rapid development of the Transvaal will soon compel the President and Executive of the South African Republic to adopt a more liberal policy. They will be unable to withstand the pressure of public opinion, which is daily becoming more alive to the necessity of more improved means of communication. Propositions *d* and *k*.

At the same time, in view of the large amount of English capital invested in the Transvaal, and the number of Her Majesty's subjects who are contributing to the revenue of the country by their capital, energy, and business capacities, it might be strongly urged upon the Executive of the South African Republic that the opposition to the extension of railways in the Transvaal should be withdrawn, so that when the railway systems of the Cape Colony and Natal arrive at the borders of the Transvaal, no objections will be raised as regards their extension into the territory of the South African Republic.

As regards the free entry of African produce and manufactures. His Honour the President agreed to this. Free entry. Proposition *e*.

The question of a Customs Union, *f*, is somewhat complicated. It is, however, a very desirable policy as regards the different colonies and states of South Africa, for the following reasons:— Customs union. Proposition *f*.

It would break down some of the prejudices which retard the general development of South Africa, by bringing the colonies and states into closer commercial union; it would promote, and thereby increase, the commerce of South Africa, an increase by which the manufacturing interests of Great Britain would benefit; it would establish trade and commerce in South Africa on fixed lines, and so avoid those errors of calculation to which the merchant is liable, and which often occasion serious losses, when trade is subject to hostile or changing tariffs.

In evidence of the desire for a Customs Union in South Africa, the Cape Colony and the Free State have already joined together, but a difficulty arises as regards Natal. The tariff of Cape Colony is very high, amounting to as much as 15 per cent., while that of Natal is not more than 5 per cent.

If the present high tariff of the Cape Colony is maintained, the Orange Free State, and the Transvaal would be obliged to keep up extensive Customs establishments, otherwise smuggling from Natal would be largely carried on. In connexion with this, I may mention that while passing through the eastern section of the Free State, the feeling against the high tariff imposed by the Cape Customs Union was very strong among the burghers of that side of the country, who had been accustomed to purchase all their goods from Natal, with its lower tariff charges. This would also apply to the Transvaal should a Customs union be established on the Cape Colony basis.

Proposition  
h. The desire of Natal for communication to be kept open from the Colony into Swazieland, *viâ* Zululand, appears perfectly legitimate, and a proposal will be submitted at the conclusion of this report for satisfying this contention.

General  
conclusions. It is now necessary to consider broadly the question of the annexation of Swazieland, either by Great Britain or by the Transvaal. The question of a dual control is not recommended; it would not lead to any finality, and would soon result in a state of affairs adverse to the general interests of Great Britain in South Africa.

Dual control.

Control by  
Great  
Britain. In the event of Great Britain undertaking the government, she would obtain the control over a fairly valuable property.

The Little Free State might be given to the South African Republic, but the territories of Zambane and Umbigeza would have to be retained. A decision would have to be arrived at concerning concessions, and those declared legal would have to be purchased. To establish a settled form of government, with a Resident, and a sufficient force of police to keep order and prevent frontier disputes, would require from 20,000*l.* to 25,000*l.* a year. There would be little difficulty in making the necessary arrangements with the Swazies, as they are favourably inclined to British rule, but they are still a wild people, and would require a judicious Administrator or Resident.

Frontier questions and grazing licenses would be a source of trouble, as the hostility of the Boers on the border must be expected. The negotiations as regards Matabele and Mashonaland, and the other points connected with South African policy, would be broken off, and the general feeling in South Africa would be favourable towards the Transvaal and adverse to the Imperial Government.

Financial  
aspect. The financial aspect of the question, roughly estimated, would be as follows :—

*Capital Account.*

	£
For the purchase of concessions and other initial expenses	- 150,000
Expenses of legal tribunal and commission for boundaries	- 10,000
Total	- <u>£160,000</u>

*Annual Expenditure.*

	£
*Police and governmental expenditure	- 22,500
Less revenue	- 5,000
	<u>17,500</u>
Interest at 3 per cent. on 160,000 <i>l.</i>	- 4,800
Total annual expenditure	- <u>£22,300</u>

In making this calculation it has been assumed that the Transvaal Government would part with their concessions. If they refused, the only plan to collect a revenue would be by placing a heavy duty, say from 40 per cent. to 60 per cent., on all monopolist concessions and to re-let the grazing rights at higher rentals.

Control by  
Transvaal. In the event of the Transvaal undertaking the government, the following recommendations are submitted.

1. That the Convention of 1884 should form the basis of any new departure that might be agreed upon by Her Majesty's Government, and that of the South African Republic.

2. That Article XII. of that Convention should be maintained.

3. That Article IV. should be modified so that the South African Republic be granted powers sufficient to allow it to make such treaties with the Swazie nation as will enable it to make proper provision for the government of the white residents, and for the preservation of interests acquired by whites in Swazieland; and that Her Majesty's Government will use her good offices towards the promotion and increase of the influence of the Transvaal in Swazieland on the distinct understanding that all residents in Swazieland are accorded equal rights of franchise and citizenship, and that

\* This item is estimated at its lowest.

all mineral rights representing large amounts of English capital, and all vested interests shall be respected in their present integrity.

4. In order to carry out these provisions, and having due regard to the rights of white residents, and of the independence of the Swazie people, no treaty with the representatives of the Swazie nation to be considered as ratified without the consent and approval of Her Majesty's Government.

5. That a properly constituted legal court shall be established, by which all doubtful concessions may be considered, and that Great Britain should leave the appointment of such a court to the judiciary of the Transvaal, reserving a right to appoint one member, either from the bench of Cape Town or Natal, should it be deemed expedient to do so.

6. That in consideration of the above agreements, the Government of the South African Republic will convey to Her Majesty's Government all rights which they may consider themselves entitled to of any lands or land, to the north, north-west, or west of the River Limpopo, to include Sellica and Lentoo, sec. (115); and they further bind themselves not to interfere in any way with the people known as Lobengula or Matabele Land, the tribes known as Mashona, or with the tribes known as Umzila; and that they will use their good offices to promote and increase the influence of Great Britain in the lands above mentioned.

7. That free entry into the Transvaal for all African produce and manufacture be agreed to.

8. That in consideration of the large amount of English capital lately invested in the territory of the Transvaal, and that the revenue of the Government of the Transvaal has been largely increased by the investment of these moneys in the development of gold mines in the Transvaal, and that so large a proportion of the population in the Transvaal are subjects of Her Majesty, and in other ways contribute to the revenue of the Government of the South African Republic; so soon as the railway systems under construction by the Cape Colony and Natal reach the borders of the Transvaal, no objections will be raised by his Honour the President and his executive to the construction of those railways within the territory of the Transvaal under conditions to be hereafter recognised; and Her Majesty's Government confidently expect that his Honour will recognise the justness and right of this contention, because, while they on their part recognise the obligations which his Honour has entered into with the Netherlands Company, nearly the whole of the revenue of the Transvaal, outside the ordinary revenue of the country, is derived from British capital and enterprise, and as his Honour acknowledges certain obligations to the Netherlands Company, he is equally bound to consider the claims of those from whom his Government derive their principal source of revenue.

9. The conventions suggested by Sir Sidney Shippard for Bechuanaland and the conclusion of a treaty by which deserters from either country can be recaptured and sent back to the country to which they belong. This latter suggestion is made by Lieut.-General Smyth, and though it might be somewhat difficult to catch these men, the fact of the existence of such a convention would have a deterrent effect on desertion, especially in Natal. A convention such as is suggested exists between Spain and England.

In conclusion, there is the question of Amatongaland, Umbegiza, Zambane, and the other chiefs Mohlalene, Manaba, Ujindi, Fokoti, Ncamana, and Sibonda.

This question has arisen out of a desire on the part of the Government of the South African Republic for a port on the eastern littoral, with the view to the construction of a line of railway through Swaziland, from the Transvaal to Kosi Bay. Without going into the various despatches and reports which surround this question, the following recommendation is submitted:—

That Her Majesty's Government are prepared to admit the claim of the South African Republic to the territory of Umbegiza, such territory to be bounded on the east and south by the Umgovuma and Pongola Rivers, but they consider, after careful enquiry, that the territories belonging to Zambane, and the other chiefs above-mentioned, do not belong to Swaziland, these chiefs being tributaries of the Zulu nation, and they are prepared to annex them to that dependency for the better preservation of peace, and to prevent further disputes as regards boundary questions, and the collection of taxes by unauthorised subjects of the Transvaal, concerning which they have had several complaints. Her Majesty's Government are further prepared to assume a Protectorate over Amatongaland with the following proviso—that should the South African Republic be desirous to construct a railway from the Transvaal through Swaziland, *viâ* the Usutu Poort, Her Majesty's Government will afford every facility in the acquirement of such rights as may be deemed necessary for its construction by

the South African Republic in Amatongaland (respecting at the same time the full rights of the Amatongas); and the further acquirement of sufficient land, by payment to the owners round Kosi Bay, say 10 miles radius, which will be sufficient to guarantee to the South African Republic a harbour of their own on the following conditions:—

That the South African Republic are prepared to enter into Treaty arrangements by which the port created by them shall never pass out of the hands of the Government of the Transvaal into the possession of any other Power, except Great Britain; also that, before the necessary arrangements are concluded, the Transvaal shall enter into a customs union either with the Free State, Cape Colony, or Natal; or, should the Cape Colony tariff appear too high, with Natal only, on such terms as the Transvaal and Natal may arrange among themselves.

It is further recommended that the Swaziland question be kept separate from the proposals which Her Majesty's Government are prepared to consider with regard to the establishment of a Protectorate over Amatongaland, and the annexation of the territories to Zululand of other chiefs of the eastern coast.

February, 1890.

F. DE WINTON,  
British Commissioner, Swaziland.

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No. VI.

CONVENTION OF 1890.

**A CONVENTION between Her Majesty the QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND and the SOUTH AFRICAN REPUBLIC.**

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Honour the State President of the South African Republic, as representing the Government of the said Republic, have agreed that it is expedient that they should enter into a Convention relative to the settlement of the affairs of Swaziland, and with regard to other matters of importance connected with the affairs of South Africa.

Now, therefore, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Honour the State President of the South African Republic, as representing the Government of the said Republic, do hereby consent and agree that the following Articles, accepted finally by and between Her Majesty and His Honour, shall, when duly signed, sealed, and executed by Her Majesty's High Commissioner for South Africa on behalf of Her Majesty, and by His Honour the State President of the South African Republic on behalf of the Government of the said Republic, and when duly ratified by the Volksraad of the South African Republic, shall constitute and be a Convention by and between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic.

ARTICLE 1.

The independence of the Swazis, as recognised by the Convention of London of 1884, is affirmed, and no inroad on that independence shall be allowed, even with the consent of the Swazi Government, without the consent of both Her Majesty's Government and the Government of the South African Republic.

ARTICLE 2.

With the consent of the Swazi Government expressed in the form of an Organic Proclamation by the Queen Regent and Council, the powers and authorities of the Provisional Government Committee, conferred by Proclamation dated the 18th December, 1889, and extended by subsequent Proclamation for a further period, to be continued for an indefinite period, subject to the following alterations and additions, and to the establishment of the following constitution and machinery of Government:—

- (a.) Each of the three Governments, Her Majesty's Government, the Government of the South African Republic, and the Swazi Government, to have power from time to time to cancel the appointment of its nominated representative in the Government Committee, and to appoint another representative in his stead.
- (b.) A Government Secretary and Treasurer to be appointed by the Government Committee upon the joint nomination of Her Majesty's High Commissioner and the State President of the South African Republic, such officer to furnish

periodical reports to Her Majesty's High Commissioner and the State President of the South African Republic; and to communicate officially with them, by instruction from the Government Committee, upon matters relating to the affairs of Swaziland.

- (c.) A Chief Court to be established composed of three judicial members approved of by Her Majesty's High Commissioner and the State President of the South African Republic, or of only one member, if Her Majesty's High Commissioner and the State President of the South African Republic should deem one member sufficient, and approve such member.
- (d.) Such Court to have full power and jurisdiction over all persons of European birth or extraction in Swaziland and over all questions, matters and things in which any such persons are concerned, with full power to decree against all persons execution by all forms of legal or equitable procedure approved by Her Majesty's High Commissioner and the State President of the South African Republic, of every order, judgment, decree or sentence made by it in the exercise of its jurisdiction.
- (e.) All subordinate judicial appointments, whether of Magistrates, Justices of the Peace, or the like, and all appointments of Police Officers to be made by the Government Committee, the persons appointed to be previously approved of by Her Majesty's High Commissioner and the State President of the South African Republic.
- (f.) The jurisdiction conferred upon such subordinate judicial officers to be such as shall be approved by Her Majesty's High Commissioner and the State President of the South African Republic.
- (g.) The laws to be administered by all Courts of Justice to be the Roman-Dutch Law as in force in South Africa, but subject to such alterations, additions, or amendments as may be made by Proclamation of the Government Committee of any laws, rules or regulations approved of by Her Majesty's High Commissioner and the State President of the South African Republic, without whose joint consent no law or regulation shall be proclaimed by the Government Committee, or, if proclaimed, be binding; provided that laws enacted during the period of power of the provisional Government Committee shall continue in force until altered, amended, or repealed by some law, rule, or regulation proclaimed after approval as aforesaid.
- (h.) The chief Court to undertake judicial enquiry into the validity of disputed concessions so soon as the Swazi Government shall have framed and proclaimed a list of those concessions which it approves of; such enquiry to be conducted in accordance with such laws, rules, and regulations as aforesaid.
- (i.) The administrative and executive powers under such Organic Proclamation as aforesaid to be vested in the Government Committee, but no powers or jurisdiction to be claimed or exercised by the Government Committee or any judicial tribunal in respect of any question, matter, or thing in which Swazi natives alone are concerned.
- (j.) All lawfully acquired rights vested in any person to be recognised by the Government Committee, and all judicial tribunals subject to such laws, rules, and regulations as aforesaid.
- (k.) The revenue from sources approved by the Proclamation of the 18th December, 1889, to be collected by officers appointed by the Government Committee, and to be by such officers paid over to the Government Treasurer, subject to such rules and regulations as to accounts and audit as shall be approved of by Her Majesty's High Commissioner and the State President of the South African Republic, provided that no revenue shall be derived from any source not lawfully recognised at the date of the Organic Proclamation, unless and until a Proclamation establishing such source of revenue shall have been published in Swaziland by the Government Committee with the consent and approval of Her Majesty's High Commissioner and the State President of the South African Republic.

### ARTICLE 3.

Her Majesty's Government and the Government of the South African Republic mutually guarantee that they will enforce the due observance by the Swazi Government and the Swazis of the provisions of the Organic Proclamation aforesaid, and of good and orderly government established thereunder, but no step shall be taken, and no act be done by either Government to compel such due observance by force without

the approval of the other, which approval shall be deemed to be given if no objection to any such step or act shall be communicated to the Government giving notice of intention to take such step or do such act within two weeks from the date of such notice; provided that either of the said Governments may, upon application by the aforesaid Government Committee, interfere by force in any urgent case to compel such due observance as aforesaid; and provided that, in case of such interference being applied for, the other Government may act upon such application.

#### ARTICLE 4.

In all Courts of Justice in Swaziland, and in all official communications of the Government Committee, the English and Dutch languages shall have equal rights.

#### ARTICLE 5.

Saving all existing rights, the sovereignty and ownership of the Swazi nation in respect of all land within the boundaries of Swaziland shall be recognised and respected, but no disposition of any such land, or of any right in respect of such land, and no grant or concession whereby any privileged or exclusive right is granted or conceded, or any right directly or indirectly interfering with the powers and jurisdiction of the Government Committee shall, after the date of such Organic Proclamation, be recognised as of any legal validity, unless it shall be made with the approval of Her Majesty's High Commissioner and of the State President of the South African Republic.

#### ARTICLE 6.

The control and management by the Swazi Government of all affairs in which natives only are concerned shall remain unaffected by such Organic Proclamation as aforesaid, and shall be regulated according to native laws and customs, save in so far as by such laws and customs any danger may arise affecting good and orderly government under the provisions of the Organic Proclamation aforesaid.

#### ARTICLE 7.

Her Majesty's Government recognises the validity of the concessions over and in respect of which the Government of the South African Republic possesses controlling power with respect to postal and telegraphic services, with respect to the construction of railways in Swaziland, and the keeping of refreshment places thereon, and with respect to the making and navigation of waterways and to land-surveying.

#### ARTICLE 8.

Her Majesty further consents to the acquisition by the South African Republic, under and by virtue of a Treaty with the Queen Regent of the Swazis and her Council, of the ownership of land in Swaziland for the purpose of construction of a railway across Swaziland, from the border of the South African Republic, the extent of such land to be three miles in width at the most; provided that

- (a.) The sovereignty over land so acquired shall not be deemed to be acquired by the South African Republic, but such land shall, in like manner with any other part of Swaziland, remain under the Government and Administration of the Government Committee referred to in this Convention; and
- (b.) Her Majesty shall, if occasion require, have the right of passage across such railway and land so acquired.

#### ARTICLE 9.

Any deficiency on the revenue for the Government of Swaziland under the Organic Proclamation shall, when duly certified according to the rules aforesaid as to accounting and audit, be borne in equal share annually by Her Majesty's Government and the Government of the South African Republic, and any surplus shall be carried over to the account of the next succeeding year.

#### ARTICLE 10.

The Government of the South African Republic withdraws all claim to extend the territory of the Republic, or to enter into Treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes

to aid and support by its favouring influence the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company.

ARTICLE 11.

Notwithstanding anything to the contrary contained in the Convention of London of 1884, Her Majesty's Government approves of the acquisition by the Government of the South African Republic of rights under Treaty with the Chieftain Umbegesa and the Queen Zambili of Amatongaland, over a strip of land not exceeding three miles in width, north of the 27th parallel of South Latitude, for the construction of a railway or for other purposes between the frontier of Swaziland and the sea-coast at or near Kosi Bay: provided that Her Majesty's Government undertakes to use its influence to obtain a concession to the South African Republic of an area of ten miles in radius from a point to be mutually agreed upon situate on the coast of Amatongaland, which area of land shall be deemed to be and to form portion of the territory of the South African Republic.

ARTICLE 12.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland agrees to recognise the sovereignty of the South African Republic in respect of

- (a.) The land acquired as aforesaid by such Treaties as are in the last preceding Article contemplated with the Chieftain Umbegesa and the Queen Zambili of Amatongaland, for the purposes therein referred to.
- (b.) So much land, connected with the land acquired from the said Chieftain as aforesaid for the purposes aforesaid as may be acquired for the purposes of the navigation of the Pongola River by the South African Republic by Treaty with the said Chieftain, as may not exceed in area an extent of four miles as the crow flies in radius from some point within the territory of the said Chieftain and on the Pongola River, and
- (c.) A strip of land for constructing a line of railway or other purposes, which strip of land may be acquired by a Treaty or Treaties with the Chieftains Zambaan and Umbegesa, and shall not exceed three miles in breadth, running lengthwise, either from Nyawos Hill, along the frontier of Swaziland, or from a point south of that hill along the Pongola River to a point north of the 27th parallel of South Latitude, where such strip of land would cut across the strip of land referred to in the last preceding Article.

ARTICLE 13.

If by any such Treaty as is referred to in Article 12 hereof the right of navigation of the Pongola River is conceded by the Chieftain Umbegesa to the South African Republic, Her Majesty's subjects, and all ships, vessels or other craft used in the navigation of the said river, and owned in whole or in part by any of Her Majesty's subjects, shall be entitled by such Treaty and by this Convention to the free navigation of the said river without obstruction from and without the imposition of any duties or charges by the Government of the South African Republic, or by any person or company holding rights protected by or derived from the said Government, other or higher than such lowest duties or charges as shall be imposed upon any person, or upon any ship, vessel, or other craft as aforesaid not owned as aforesaid by any of Her Majesty's subjects.

ARTICLE 14.

In the event of the Government of the South African Republic acquiring rights by Treaty to land for the construction of either or both the lines of railway, or for other purposes as referred to in Articles 11 and 12 of this Convention, and notwithstanding the acquisition by the South African Republic of sovereignty in terms of this Convention in respect of any land under and by virtue of any approved Treaty with the Chieftain Zambaan, the Chieftain Umbegesa or the Queen Zambili of Amatongaland, Her Majesty reserves the right of passage across such lines of railway and all land so acquired by the South African Republic, at places to be mutually agreed upon, the further right to claim convenient facilities for crossing each of the said lines and the said land with one line of railway at the same places or others conveniently situated,

and the right, at any place across either strip of land acquired under paragraph C of Article 12, of passing troops, if necessary, into Swaziland in accordance with this Convention.

#### ARTICLE 15.

No Treaty entered into in manner recognised by this Convention with the Chieftain Zambaan, the Chieftain Umbegeza, or the Queen Zambili of Amatongaland shall be deemed to be valid and binding until approved of by Her Majesty, in manner provided by Article IV. of the London Convention of 1884.

#### ARTICLE 16.

The Government of the South African Republic will in no case, without the approval of Her Majesty's Government, part with the sovereignty, control, or management of Kosi Bay or the harbour works in connection therewith, or the area of land herein-before referred to; and will not without the like approval enter into any Treaty relating to Kosi Bay or the said works or area with any foreign Power.

#### ARTICLE 17.

Should any dispute arise between the Government of the South African Republic and any foreign Power relative to any Act, omission, or alleged default on the part of the said Government in the exercise of its sovereignty in respect of Kosi Bay or the said works or area, the said Government, for the sake of protecting the sovereignty of the South African Republic with regard to the said bay, works and area, consents to assign to Her Majesty's Government the conduct, on behalf of the Government of the South African Republic, of all diplomatic representations and negotiations with such foreign Power relative to such dispute. Such representations to be made and negotiations to be carried on in consultation with the Government of the South African Republic.

#### ARTICLE 18.

The provisions of Article 16 of this Convention shall be construed so as to refer not only to Kosi Bay, the harbour works in connection therewith, and the area of land referred to in the said article, but also to any other land the sovereignty in respect of which shall be acquired by the South African Republic in terms of this Convention under and by virtue of any Treaty entered into with the Chieftain Zambaan, the Chieftain Umbegeza, or the Queen Zambili of Amatongaland and approved of by Her Majesty as aforesaid.

#### ARTICLE 19.

The Government of the South African Republic consents, in the event of acquisition by it of Kosi Bay as aforesaid, and of sovereign rights over the area of land referred to in Article 11, and over the land referred to in Article 12, to enter with Her Majesty's Colony of the Cape of Good Hope and the Orange Free State, and with such other Colonies or Dependencies of Her Majesty as may then be parties thereto, into the then existing Customs Union Convention; provided that terms and conditions of entrance are conceded with due regard to the existing contracts and to the existing treaties recognised by Her Majesty's Government, by which the Government of the South African Republic is bound.

#### ARTICLE 20.

Notwithstanding anything to the contrary contained in any of the preceding Articles of this Convention, and notwithstanding that any treaty entered into by the South African Republic with the Chieftain Zambaan, the Chieftain Umbegeza, or the Queen Zambili, of Amatongaland, shall have been approved of by Her Majesty in manner provided in this Convention, such approval shall be deemed to be conditional upon the entering of the South African Republic into the said Customs Union Convention, and none of the rights or powers conferred by any such treaty may be validly claimed or exercised by the Government of the South African Republic unless, within six months after the date of Her Majesty's approval in respect of the first of any such treaties entered into as aforesaid, copy whereof shall be received by Her Majesty's Government in accordance with Article 4 of the London Convention of 1884, the Government of the South African Republic shall have entered into the said Customs Union Convention upon terms and conditions agreed upon by and between the said Government and the

respective Governments of the Colonies, States, or Territories then parties to the said Convention.

ARTICLE 21.

If before the expiration of three years from the 8th day of August, 1890, either (a) The Government of the South African Republic shall not have entered into such treaties as aforesaid with the Chieftain Zambaan, the Chieftain Umbegesa, and the Queen Zambili of Tongaland, or their respective successors; or (b) Such treaties, if entered into, shall not have been approved of by Her Majesty in manner provided in this Convention; or (c) Though such treaties shall have been entered into and approved of, the Government of the South African Republic shall not have entered into the Customs Union Convention in accordance with Articles 19 and 20, each party to this Convention shall have the option, at any time before the 8th day of May, 1893, of giving notice, in writing, to the other party that, at the expiration of the period of three years aforesaid, the force and effect of this Convention shall terminate; provided that

- (1) Such termination shall not bind Her Majesty to recognize as valid any such treaties as aforesaid notwithstanding that the same shall have been approved of.
- (2) Such termination shall not affect the binding force and effect of Articles 10 and 24 of this Convention.

ARTICLE 22.

The Government of the South African Republic agrees to admit free of any duties of Customs into the South African Republic all articles the produce and manufacture of any State, Colony, or territory bordering on the territory of the South African Republic, into which the produce and manufactures of the South African Republic are admitted free of such duties, subject for such period as it may be a party to the Custom Union Convention to such exceptions as may be thereby prescribed.

ARTICLE 23.

The Government of the South African Republic undertakes to withdraw all opposition, direct or indirect, to the extension of railways from or through any of Her Majesty's Colonies in South Africa or the Orange Free State to or towards the boundaries of the South African Republic, and further to take into consideration the extension of such railways, subject to all existing rights and Treaties, from the said boundaries into the territory of the South African Republic to the townships of Johannesburg and Pretoria.

ARTICLE 24.

Her Majesty's Government consent to an alteration of the boundary of the South African Republic on the East, so as to include the territory known as the Little Free State within the territory of the South African Republic.

ARTICLE 25.

This Convention will be ratified by the Volksraad of the South African Republic on or before the 8th day of August, 1890, and in default of such ratification this Convention shall be null and void.

Signed and sealed at Cape Town, this 24th day of July, 1890.

HENRY B. LOCH,  
High Commissioner.

Signed and sealed at Pretoria, this 2nd day of August, 1890.

S. J. P. KRUGER,  
State President of the South African  
Republic.

DR. W. J. LEYDS,  
State Secretary.

## No. VII.

## SWAZI PROCLAMATION, AUGUST 1890.

SIR H. B. LOCH to LORD KNUTSFORD.

Government House, Cape Town,  
September 2, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a Despatch which I have received from Colonel Martin, covering a copy of the Proclamation issued by the Swazie King for the extension of the Provisional Government to the 18th September 1890.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Colonel MARTIN to HIGH COMMISSIONER.

Swazieland Mission,  
August 19, 1890.

SIR,

I HAVE the honour to forward, for your Excellency's information, a copy of the Proclamation extending the powers of the Provisional Government Committee to the 18th September next.

I have, &c.  
(Signed) R. E. R. MARTIN, Lieut.-Col.,  
British Representative, Swaziland.  
His Excellency the High Commissioner,  
Cape Town.

## SWAZIELAND PROCLAMATION.

TO ALL WHOM IT MAY CONCERN.

WHEREAS on the 18th day of December 1889 the Queen Regent, Headmen, and Councillors of the Swazi nation issued a Proclamation appointing Theophilus Shepstone, Esq., C.M.G., Resident Adviser and Agent, Lieut.-Col. R. E. R. Martin, C.M.G., nominated Representative of Her Majesty Queen Victoria, and D. J. Esselen, Esq., nominated Representative of the South African Republic, to act as a Provisional Government Committee in Swazieland for the space or term of four months :

And whereas on the 9th day of April, the Queen Regent, Headmen, and Councillors issued a further proclamation, at the request of the Government of Her Britannic Majesty and of the South African Republic, extending the aforesaid Proclamation for a further term or space of four months from the 18th day of April 1890 :

And whereas the term or period of such extension expires on the 18th day of August 1890, and Her Britannic Majesty's Government and the Government of the South African Republic have applied to the Swazie nation to further extend the term or period of the said Provisional Government Committee for the space of one month from the 18th day of August 1890 :

Be it hereby made known to all persons that we, Ungwane, otherwise Ó'Hili, otherwise U'Bunu, King and Paramount Chief of the Swazie nation, duly assisted by Usibati acting as the Queen Regent and by our mother the Queen Gunabotibeni, and acting with the advice of our Resident Adviser and Agent, Theophilus Shepstone, Esq., C.M.G., and, with the approval of our Headmen and Councillors in Council assembled, have extended, and we hereby do extend, the term or period of the said Provisional Government Committee with all its powers, privileges, and conditions for a further term or period of one month from the 18th day of August 1890.

Thus done and passed at our Royal Kraal, Enkanini, on this the 16th day of August 1890.

UNGWANE his × mark.  
King and Paramount Chief.

(Signed) USIBATI, Queen Regent her × mark.

GUNABOTIBENI, Queen her × mark.

JAKOVU his × mark. (Signed)

NOCOCO his × mark.

TEKUBA his × mark.

MALOYI his × mark.

UMGOGO his × mark.

MAKAMBANE his × mark.

MANCIBANA his × mark.

UMHLABA his × mark.

UHENIBELELA his × mark.

UGIBA his × mark.

UNTSHASHA his × mark.

U'MATEBULA his × mark.

UMTONGA his × mark.

U'BAUMBAL his × mark.

U'VELAKUTI his × mark.

U'SILILO his × mark.

U'THLUNGILE his × mark.

UMCIBOHIS his × mark.

U'BULANE his × mark.

ENTABENI his × mark.

U'MASIPULA his × mark.

UJOJO his × mark.

U'JOKOON his × mark.

UMKONYANE his × mark.

As witnesses—

(Signed)

S. TOWSON.

JOHN GAMA.

Interpreted by me,  
(Signed) THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent,  
Swazi Nation.

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No. VIII.

ORGANIC PROCLAMATION, SEPTEMBER, 1890.

SIR H. B. LOCH to LORD KNUTSFORD.

Government House, Cape Town,  
November 29, 1890.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, a copy of a letter from Colonel Martin, enclosing an Organic Proclamation by the Swazie King.

I have, &c.

(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

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BRITISH COMMISSIONER to the HIGH COMMISSIONER.

Swaziland Mission, Bremersdorp, Swaziland,  
September 29, 1890.

SIR,

I HAVE the honour to forward, for your Excellency's information, a copy of the Swaziland Organic Proclamation signed by Ungwane, the Swazie King, and his councillors.

I have, &c.

(Signed) R. E. R. MARTIN, Lieut.-Colonel,  
British Commissioner.

His Excellency the High Commissioner,  
Cape Town.

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ORGANIC PROCLAMATION by Us, UNGWANE, otherwise UBUNI, otherwise UHELE, King of the Swazie Nation, acting by and with the consent of our Headmen and Councillors in Council assembled at our Royal Kraal of Somboti.

Whereas on the 18th day of December 1889, Usibati, then and lately the Queen Regent of the Swazie Nation, acting by and with the consent of her Headmen and Councillors, in council assembled at Her Royal Kraal of Enkanini, did by Proclamation under her hand make certain provisions for the maintenance of law, order, and government, in respect of matters in which white persons were and might be concerned in Swaziland, after the termination of the stay in Swaziland of certain Commissioners

therein named, then representing the Government of Her Majesty Queen Victoria, and the Government of the South African Republic :

And whereas under and by virtue of the aforesaid Proclamation, a certain Provisional Government Committee was constituted with the powers and authorities in the said Proclamation set forth :

And whereas, the period for the exercise by the said Provisional Government Committee of the aforesaid powers and authorities has been by subsequent lawful Proclamations extended, and will expire on the 18th day of September 1890 :

And whereas it is expedient to make provision for the exercise, on and after the said 18th day of September 1890, by a Government Committee for an indefinite period, of the powers and authorities aforesaid, subject to the alterations and additions, and to the establishment of the constitution and machinery of Government herein-after set forth :

We do, therefore, hereby proclaim, declare, and make known unto all men as follows :—

1. On and after the 18th day of September 1890, there shall be constituted in Swaziland a Government Committee composed of three representatives of European birth or extraction, nominated one by ourselves, who shall be chairman, one by the Government of Her Majesty Queen Victoria, and one by the Government of the South African Republic, which Committee shall by majority of votes exercise and fulfil the powers, authorities, and functions hereby conferred upon them in conformity with the provisions of this Proclamation.
2. Each of the three Governments, ourselves, Her Majesty's Government, and the Government of the South African Republic, shall have power from time to time to cancel the appointment of its nominated representative in the Government Committee and to appoint another representative in his stead.
3. A Government secretary and treasurer shall be appointed by the Government Committee, on the joint nomination of Her Majesty's High Commissioner and the State President of the South African Republic, and such officer shall furnish periodical reports to Her Majesty's High Commissioner and the State President of the South African Republic, and shall communicate officially with them by instruction from the Government Committee upon matters relating to the affairs of Swaziland.
4. A chief court shall be established composed of three judicial members approved of by Her Majesty's High Commissioner and State President of the South African Republic, or of only one member if Her Majesty's High Commissioner and the State President of the South African Republic should deem one member sufficient and approve such member.
5. Such court shall have full power and jurisdiction over all persons of European birth or extraction in Swaziland, and over all questions, matters and things in which any such persons are concerned, with full power to decree against all persons execution by all forms of legal or equitable procedure approved by Her Majesty's High Commissioner and the State President of the South African Republic, of every order, judgment, decree, or sentence made by it in the exercise of its jurisdiction.
6. All subordinate judicial appointments, whether of magistrates, justices of the peace, or the like, and all appointments of police officers, shall be made by the Government Committee, and the persons appointed shall be previously approved of by Her Majesty's High Commissioner and the State President of the South African Republic.
7. The jurisdiction conferred upon such subordinate judicial officers shall be such as shall be approved by Her Majesty's High Commissioner and the State President of the South African Republic.
8. The laws to be administered by all courts of justice shall be established under this Proclamation to be the Roman-Dutch law as in force in South Africa, but subject to such alterations, additions, or amendments as may be made by Proclamation of the Government Committee of any laws, rules, or regulations approved of by Her Majesty's High Commissioner and the State President of the South African Republic, without whose joint consent no law, rule, or regulation shall be proclaimed by the Government Committee, or if proclaimed, be binding ; provided that laws or regulations enacted during the period of power of the provisional Government Committee shall continue in force until altered, amended, or repealed by some law, rule, or regulation proclaimed after approval as aforesaid.
9. The Chief Court shall undertake judicial inquiry into the validity of disputed concessions so soon as the Swazie Government shall have framed and proclaimed

a list of those concessions which it approves of; such inquiry shall be conducted in accordance with such laws, rules, and regulations as aforesaid.

10. In all courts of justice in Swaziland, and in all official communications of the Government Committee, the English and Dutch languages shall have equal rights.
11. The administrative and executive powers under this Proclamation shall be vested in the Government Committee, but no powers or jurisdiction shall be claimed or exercised by the Government Committee or any judicial tribunal in respect of any question, matter, or thing in which Swazie Natives alone are concerned
12. All lawfully acquired rights vested in any person shall be recognised by the Government Committee and by all judicial tribunals, subject to such laws, rules, and regulations as aforesaid.
13. The revenue from sources approved by the aforesaid Proclamation of the 18th December 1889, shall be collected by officers appointed by the Government Committee, and shall be by such officers paid over to the Government Treasurer, subject to such rules and regulations as to accounts and audit as shall be approved of by Her Majesty's High Commissioner and the State President of the South African Republic, provided that no revenue shall be derived from any source not heretofore lawfully recognised unless and until a Proclamation establishing such source of revenue shall have been published in Swaziland by the Government Committee with the consent and approval of Her Majesty's High Commissioner and the State President of the South African Republic.
14. The Government Committee shall be authorised, in cases of emergency and with the full consent of all three members, to delegate to one or more of them the exercise in any part of Swaziland of any of the administrative or executive powers vested in the said Committee under this Proclamation.
15. The Provisional Government Committee shall duly account to the Government Committee hereby established for all moneys received, and shall deliver up to the Government Committee all books, records, accounts, and documents concerning the administration of government and the exercise of judicial functions by the Provisional Government Committee.
16. All legal proceedings pending before the Provisional Government Committee shall be stayed, but may be taken up and prosecuted before any competent court hereafter established under this Proclamation, which court shall have jurisdiction to determine any such proceeding in accordance with such laws, rules, or regulations as aforesaid.

Thus done and passed at Our Royal Kraal of Kwasanboth Kwaga Qupu, this 13th day of September 1890.

		(Signed)	UNGWANE, King	His × mark.
	Their			Their
(Signed)	UMBABA	×	MALOYI	×
	MAKANBENI	×	UMQOQO	×
	MABELE	×	PANGWINI	×
	UKONKONI	×	UMAHOLOKØ	×
	UNOVASI	×	NONGANGA	×
	NOMAGAGA	×	UMBA'ENBOI	×
	UMTSHESA	×	UMATEKULA	×
	USIBATI	×	UMAFIKO	×
	FOKOWI	×	NOCOCO	×
	TIKUBA	×	UMONBANI	×
		marks.		marks.

Interpreted by me,  
THEOPHILUS SHEPSTONE,  
Resident Adviser and Agent Swazie Nation.

Witnesses:

(Signed) CHARLES B. ACTON.  
J. ANDERSON.  
JOHN GAMA.

(Signed) J. Z. DE VILLIERS,  
Government Secretary.

## SUPPLEMENT TO ORGANIC PROCLAMATION, NOVEMBER 1890.

SIR H. B. LOCH to LORD KNUTSFORD.

Government House, Cape Town,  
December 13, 1890.

MY LORD,  
I HAVE the honour to enclose, for your Lordship's information, a copy of a letter from the Government Secretary, Swazieland, covering a supplement to the Organic Proclamation.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

Government Office, Swazieland, Bremersdorp,  
November 29, 1890.

YOUR EXCELLENCY,  
I HAVE the honour to enclose, for your Excellency's information, a copy of the Supplementary Proclamation *re* the Organic Proclamation and the Honourable the High Court of Swazieland.

To His Excellency the High Commissioner,  
Cape Town.

I have, &c.  
(Signed) JOH. Z. DE VILLIERS,  
Government Secretary.

## PROCLAMATION.

To all whom it may concern :

WE Usebati, Queen Regent, and We Ungwane, King of Swazie Nation, by and with the consent and advice of our Headmen and Councillors in council assembled at our Royal Kraal, do hereby declare, proclaim, and make known, as follows :—

Whereas on the 13th day of September 1890, We, acting with the consent of our Headmen and Councillors aforesaid, did at our Royal Kraal of Somboti, by a certain Organic Proclamation, make certain provisions for the better government of and in Swazieland, and did, amongst other things, create and establish a Chief Court with jurisdiction and powers as are in the said Organic Proclamation more fully set forth :

And whereas it is expedient and advisable to supplement the said Organic Proclamation ;

Now, therefore, We, Ungwane, acting as aforesaid, do hereby proclaim, decree, and make known as follows :—

- I. In all actions and applications commonly known as Confirmations of Concessions, the Chief Court shall have power to make an order declaring a Concession, whether it be upon the approved list or not, and whether it be disputed or not, to be a valid grant enforceable under the laws and regulations provided for by the said Organic Proclamation, and in inquiring into the confirmation of any such Concession the said Chief Court shall follow the laws and regulations as provided for in the said Organic Proclamation ; provided, however, that no such order shall be deemed to have the effect of preventing any future legal proceedings with regard to any question now existing or arising hereafter of overlapping or of boundaries, or of conflict of rights between concessions duly confirmed.

Thus done and passed at Somboti, this 29th day of November 1890.

	(Signed)	UNGWANE	×	Their
		USIBATI	×	
		TIKUBA	×	
		PANGURIN	×	
		UTTOHA	×	
		NOCOCO	×	
		UMBABA	×	
		UMAKUMBA	×	
Interpreted by me,				marks.
THEOPHILUS SHEPSTONE,				
Resident Adviser and Agent, Swazie Nation.				

Witnesses :

(Signed) JOHN GAMA.  
W. E. HOLLARD.  
F. ANDERTON.

No. X.

## The MARQUESS OF RIPON to SIR H. B. LOCH.

SIR,

Downing Street, December 1, 1892.

THE proposed Conference between yourself and the President of the South African Republic on the affairs of Swaziland (and other related matters) to which Her Majesty's late Government gave their consent, has, you are aware, been from time to time postponed, for reasons on which it is not necessary to enter. In view, however, of the probability that such a Conference will take place at no very distant period, it is desirable that you should, without delay, be placed in possession of the views of Her Majesty's Government on the subject.

2. The question of the future of Swaziland, on which depend issues of great importance to South Africa, is one which has engaged the most serious attention of Her Majesty's present Government. And having given it full consideration, and having availed themselves, during your recent visit to this country, of the assistance which only a personal conference with you could afford, they are now in a position to communicate to you the conclusions at which they have arrived.

3. Sir Francis de Winton, who represented Her Majesty's Government on the Joint Anglo-Transvaal Commission which inquired into the affairs of Swaziland in 1889, advised that, whilst Article XII. of the London Convention, securing the independence of the Swazis, ought to be maintained, the Government of the South African Republic should be allowed to make treaties (subject to the approval of Her Majesty's Government) with that nation, so as to enable the Republic to extend its jurisdiction over the white population in Swaziland. To this proposal Her Majesty's Government felt themselves unable to assent, and, as an alternative, the present form of government for the whites, which had been adopted in 1889 as a temporary measure, was renewed for a period of three years. It consists of three Commissioners, one appointed by Her Majesty's Government, one by the South African Republic, and one by the Swazi nation. This arrangement was embodied in the Convention executed by yourself and President Kruger in July and August 1890.

4. It is at least an open question whether the arrangement which was thus established, and which has been in force for rather over two years, can be regarded in any way as a satisfactory one in the interests of Swaziland, and one which ought on its merits to be continued indefinitely. But whilst Her Majesty's Government would not themselves have re-opened the question, it appears to them that the time has arrived when good faith demands that, if the South African Republic so desire, the arrangement of 1890 should be reconsidered with a view, if possible, of meeting its wishes.

5. On the 10th of July 1890, whilst the draft of what is now known as the Swaziland Convention was still under discussion, and the result of that discussion was still uncertain, you proposed to my predecessor by telegraph that you should be authorised to inform President Kruger that "when the Joint Government was firmly established and concession claims settled, Her Majesty's Government would be prepared to consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible, with due regard to European and native rights." On the 11th of July, Lord Knutsford telegraphed to you that Mr. Hofmeyr, who was acting for Her Majesty's Government at Pretoria, might be informed as you proposed. On the 15th of July, his Lordship sent another telegram containing what was presumably intended as a rider to the previous proposal. It was in these words: "Joint Commissioners must be firmly established according to agreement, but at end of three years position shall be reconsidered. This proposal may be added to the instructions to Hofmeyr referred to in your telegram of the 10th of July and approved in my telegram of the 11th of July." This direction or suggestion that at the end of three years the situation should be reconsidered was not understood by you as of binding force, and, Mr. Hofmeyr having objected that its insertion would be inconsistent with the communications which he had already been instructed to make, you, by a telegram of the 17th of July, authorised him to exercise his discretion as to omitting the mention of three years, unless the South African Republic should desire that limit to be named. This the South African Republic does not appear to have desired, and Mr. Hofmeyr, in the exercise of the discretion given him by you, did omit the allusion to three years, so that, in his letter to the President of July 17th, he expressed himself in the following

words: “*Thirdly*, Her Majesty’s Government will be prepared, when the Joint Government is established and concession claims are settled, to consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible.”

On the 22nd of July, the Government of the South African Republic in communicating to Mr. Hofmeyr a fresh draft of the Convention, took occasion to insert a new article, numbered 9, embodying the promise above quoted from Mr. Hofmeyr’s letter. This draft 9th Article followed the quoted words very closely, as the following translation will show:—Her Majesty’s Government “declares that it will be prepared, when the Joint Government in Swaziland shall be established, and the concession claims settled, to take into consideration such questions as the Government of the South African Republic shall bring before Her Majesty’s Government, with an endeavour to meet the wishes of the South African Republic as far as possible” [page 27 of South African Republic Green Book No. 1 of 1890].

In a letter dated the 26th of July, Mr. Hofmeyr commented at length upon this Draft Convention [pages 29–32 of “Green Book”], and with regard to this 9th Article, he wrote as follows:—“XI. The Article No. 9 of the Draft Convention submitted by the State Secretary cannot be incorporated in the Amended Convention. Your Honour’s (President Kruger’s) Government already possesses in the ‘*Thirdly*’ of my letter of the 17th of July, the written promise of Her Majesty’s Government, and that should be accepted as sufficient guarantee that the obligations will be acknowledged.”

6. The proposed Article No. 9 was thereupon withdrawn. But the Volksraad appear to have attached importance to the actual wording of Mr. Hofmeyr’s letters, as will be seen from the text of the resolution in which they gave a conditional ratification to the Convention, and of which the following is the material part.

“The Volksraad having had under its notice the Convention concluded on the 2nd of August at Pretoria, between the South African Republic and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, observing with regret that Her Majesty’s Government is still unwilling to agree to provisions by which the just claims and rights of this Republic are acknowledged, nevertheless, wishing to maintain and strengthen friendly relations with Her Majesty’s Government, also considering and trusting in the promise of Her Majesty’s Government, namely, that when the Joint Government in Swaziland shall have been established and the Concession Claims shall have been settled, such questions shall be taken into consideration as the Government of the South African Republic may lay before Her Majesty’s Government, with the desire to meet as far as possible the wishes of the South African Republic, regarding the said Convention for that reason as a transition measure, considering that it is desirable to make it apparent that the approval of the said Convention shall not be regarded as the relinquishing of rights and claims which the Republic has on territory situate to the east of that Republic, and expressly reserving to itself those rights and claims, further considering that it is necessary for the Republic not to make itself a party in questions which may exist or may arise between Her Majesty’s Government and other Governments with respect to territory situate to the north and north-west of the Republic, and expressly declaring that the ratification of the said Convention is not making itself a party in any sense whatsoever; lastly, considering that it is impossible to cause Article 22 of the said Convention to be of force and effect, so long as the South African Republic does not enter into the Customs Union Convention, resolves, on condition that Article 22 of the Convention shall be of force and effect only during the time when the South African Republic shall be a party to the Customs Union Convention, to express its approval of the said Convention.”

7. The question whether, according to the true intention of the negotiators, the arrangement of 1890 was to last for three years certain, or was to terminate upon a contingency which the South African Republic regards as having occurred nearly two years ago, is now comparatively immaterial, because when you meet the President in conference, the Joint Government will have lasted for nearly three years, which was the limit contemplated by the late administration as that after which the position was to be reconsidered.

8. Before I quit this topic, I would note the conditional character of the Volksraad’s ratification, of which the text is given above. A conditional ratification of a convention is somewhat rare, and is regarded as more or less of an anomaly in diplomatic practice. It seems to impose upon the other contracting party the task of choosing between three alternatives, viz., to treat the Convention as not ratified, to demand a ratification not

hampered by conditions, or to remain passive, with the consequence of being probably held to acquiesce in the conditions stated. It is unnecessary to say more than that the late Government did not take either of the two first mentioned courses; and Lord Knutsford, having the text of the ratification by the South African Republic before him, conveyed to you by his Despatch of the 25th of September 1890, the final approval, ratification, and adoption by Her Majesty's Government of the Convention, and their confirmation of your action in having signed it, but he added no comment on the action of the Volksraad, which body, and not the President, is virtually the treaty-making authority of the South African Republic.

9. As bearing further on the question of how far ground was given to the Republic for hoping that its wishes would be favourably considered in the matter of Swaziland—Her Majesty's Government being aware of the nature of these wishes—I would advert to what happened in the early part of 1891.

The so-called Adendorff Trek of that year was to all appearance a formidable movement, and one which, had it obtained the countenance of the South African Republic, might have imperilled the fortunes of the British South Africa Company and the infant settlement then just founded in Mashonaland. The danger might no doubt have been successfully resisted by force of arms, but this would have been a very serious matter, and possibly fraught with far reaching consequences to the peace of South Africa; and Her Majesty's Government preferred to appeal in the first instance to President Kruger to restrain the unruly spirits within the Republic, whose mischievous endeavours threatened to undo the peace-making work of the preceding decade. The Convention of 1890 had at the time, according to its text, more than two years to run; but, as an inducement to the Government of the Republic to co-operate in crushing out the Trek, Her Majesty's Government promised, or rather renewed, Mr. Hofmeyr's promise, that the Swaziland question should be discussed at an earlier date than the period originally understood by them, viz., August 1893. Upon receiving this assurance, the influence of the President was promptly and effectively used in putting down the Trek, and the Volksraad not only confirmed the President's proclamation against it, but added severe penalties, which it was beyond the competence of the President to impose, against the infraction of the Proclamation.

10. All the circumstances above enumerated seem to Her Majesty's Government to involve an obligation on them to make good the undertakings given by their predecessors, substantially, and in the spirit in which they were made, and with a due acknowledgment of the friendly services rendered at a critical time by the South African Republic.

11. But, apart from the considerations of good faith dwelt on in the preceding part of this Despatch, there are other circumstances which appear to Her Majesty's Government to render it impossible to insist on an indefinite prolongation of the existing arrangement in Swaziland.

12. In Article 21 of the Convention of 1890 it is provided that, if within three years from the 8th of August 1890 the Government of the South African Republic should not have concluded treaties with the Chiefs to the east of Swaziland in regard to a harbour and railway and obtained approval of them from Her Majesty's Government, or if the Republic should not have joined the South African Customs Union, then either party to the Convention may, by giving notice before the 8th of May 1893, terminate, as from the 8th of August 1893, all its provisions except Articles 10 and 24 (which have reference to the treaty-making power of the South African Republic, and to a boundary question respectively). Her Majesty's Government have reason to believe that such notice will probably be given by the South African Republic; and thereupon, in the absence of any previous settlement of the question, the authority of the Joint Government would consequently cease three months later. In that state of facts, the South African Republic would be precluded, by the revived operation of the London Convention, from intervening in Swaziland, and Her Majesty's Government would have only one of two courses open to them, (i.) to allow Swaziland to relapse into its former state of anarchy, or (ii.) to assume the sole responsibility of maintaining order in the country.

13. The first of these alternatives may be at once dismissed as one which, for cogent reasons, Her Majesty's Government cannot entertain.

As to the second alternative, I would premise that Swaziland has never formed part of Her Majesty's dominions nor been declared to be under a protectorate. The rights of the British Government, apart from those conferred by the terminable Convention of

1890, are limited to what is provided as to Swaziland in the London Convention of 1884. If and when the second article of that Convention is revived, as it would be by the lapse of the Convention of 1890, Her Majesty's Government would have only the bare right to despatch a Commissioner or Commissioners, accompanied by police, in pursuance of Article No. 2 of the London Convention of 1884 "to maintain order" and prevent encroachments." The words here quoted indicate that the powers of the Commissioners would extend to but a small part of the indispensable duties of a civilised Government. Possibly, but by no means certainly, the authority of the Commissioners might be extended by what is called an "Organic Proclamation of the Swazi nation," and thus a makeshift Government might be established; but in no view of the matter can it be hoped that it would be an effective or progressive administration. The only mode of establishing such an administration would be by annexing the country in conformity with a cession to be obtained from the Swazi Sovereign; but, as my predecessor informed the House of Lords on the 4th of August, 1890, "Without breach of Article 12 of the Convention (of London) Her Majesty could not accept a surrender of his (the young Swazi King's) dominions" and declare them to be British Territory." (Hansard, Volume 347, Third Series, page 1715.) Indeed, according to a declaration made by the late Mr. W. H. Smith in the House of Commons on the 18th of March 1890, a declaration which Her Majesty's Government see no reason to question, it would be a breach of the London Convention even to take the minor and less effectual measure of declaring a protectorate, without the consent of the South African Republic. (Hansard, Third Series, Volume 342, page 1138).

14. As bearing directly upon the position of this country in the contingency contemplated, I may note that under the form of government which appears the only one possible there would exist practically no means of raising a revenue to meet the cost of administration. The late Swazi King, Umbandene, by a reckless prodigality in granting concessions, unparalleled even in the history of South Africa, gave away to concessionnaires, in addition to extravagant grants of land, almost every conceivable source of revenue. These concessions have been validated by the Court established for their examination under the Convention of 1890, and Great Britain, which was party to that Convention, remains, under all contingencies, bound to respect them. It is a peculiar feature of the possibly approaching situation, that very important revenue and administrative concessions have been acquired by the Government of the South African Republic, namely, those for the postal and telegraph service, for railways, for inland navigation, for surveying, and for the collection (or as it might more properly be called "the farming") of the King's private revenue. Thus, assuming that the Convention had come to an end, this anomalous situation would arise:—The South African Republic would have extensive powers of taxation, but no rights of government. Great Britain would have rights of government, but no powers of taxation. At present the charge of administration is a joint charge on the Exchequers of Great Britain and of the Republic. In future the whole charge, which amounts, even at present, to about 14,000*l.* a year, would fall upon the British taxpayer; and I need hardly point out that an administration carried on in face of intrigue and latent hostility would be of a peculiarly expensive character, and would no doubt involve the further necessity of providing military support, either on the spot, or in Zululand or Natal.

Thus, it is certain, that the direct civil charge upon the votes of Parliament would amount to a very considerable sum annually.

15. Beyond these financial considerations, it is material to remember that, in undertaking the sole responsibility of administering Swaziland, Her Majesty's Government would be assuming a position the maintenance of which would involve the gravest military difficulties,—in the not impossible event of the British administration being threatened by an encroachment of freebooters. Swaziland is surrounded on three sides by the South African Republic, and on the fourth side the approaches, so far as they do not pass through Portuguese Territory, lie through an unhealthy country and difficult mountain passes. To maintain, therefore, a force in Swaziland, to keep it supplied, and to furnish the necessary reinforcements, even at the most favourable season of the year, would, I am advised, be a difficult and hazardous military operation. The only way in which such a force could be conveniently despatched into the country is by a route passing across the territory of the South African Republic, and it is not easy to believe that permission for such passage would be accorded by the Government of the Republic, had they no longer any share in the administration of

Swaziland, over which they consider they have a paramount claim; while to force any such passage without the consent of the Republican Government would amount to an act of war.

16. Before concluding the discussion of the reasons which have guided Her Majesty's Government in the decision to which they have come, I desire to refer briefly to the drift of public opinion on this question in South Africa, outside the South African Republic. Public opinion throughout the Cape Colony appears to desire an amicable settlement of the Swaziland question; whilst there can be little doubt that the eminent business men and industrial communities who have raised South Africa to its present prominence are anxious to see the Imperial and Republican Governments in accord upon the Swazi as on other questions. As an indication of the feeling which prevails in another and a friendly quarter, I may also refer to the resolution passed by the Volksraad of the Orange Free State on the 23rd of June last, in which that body expressed the opinion that "co-operation between the Colonies and States of South Africa in regard to matters of common interest cannot be brought about before the question of Swaziland shall have been arranged in a manner favourable to the interests of the South African Republic."

17. Her Majesty's Government would be quite ready to continue for a further period the existing system of government in Swaziland, if the South African Republic would join with them in so doing. Indeed, there are reasons of weight which would incline the Government to desire such a temporary prolongation of the present system, notwithstanding its manifest imperfections; and I should wish you, at the opening of your communications with the President, to ascertain whether he would be willing to consent to such an arrangement. I fear, however, from all the information in my possession, that there is little likelihood of his entertaining this proposition, and if he should decline to do so and should put forward a request for a material modification of the present arrangement existing in Swaziland, Her Majesty's Government are bound not to refuse to consider any proposals which he may have to make.

18. The interests of this country in Swaziland are of two kinds; the welfare of the Swazi people, and that of such British subjects as may have settled in the country or may be associated with it. With regard to the natives, I may observe that Her Majesty's Government, while they do not doubt the good intentions of the Government of the South African Republic, consider it incumbent on them, before sanctioning any further arrangement which would give greater administrative powers over the country to that State, to obtain satisfactory guarantees that the Swazi people will be left to manage their internal affairs according to their tribal customs, and that they will not be deprived of their existing rights in the land. As regards their interest in the land—a matter to which Her Majesty's Government attach great importance—I would observe that the way of dealing with the point which seems most obvious—that is, by the formation of a mixed Commission to mark off locations or districts as Native reserves—might, I fear, be neither acceptable to the Natives, nor consistent with rights which they themselves have conferred on others. Possibly a more practical solution might be found in arranging with the South African Republic that it should buy up such concessions as are detrimental to Native land rights, and should not allow more than a certain specified proportion of the habitable land of the country to be reduced into occupation by whites.

19. With regard to British interests in Swaziland, I would observe that those settlers who claim British nationality, and who were said some time ago to number about 450 out of about 750 permanent white residents, must, under any new arrangement, be ensured an amount of freedom and protection in all their rights, personal and proprietary, not less than that which they now enjoy. It has been represented that some millions of British capital have been invested in Swaziland, but, so far as I have yet been able to ascertain, this statement can only be accepted with material reservation, inasmuch as the figures usually quoted do not represent actual money subscribed or invested, but only the nominal capital of the different companies interested in the country.

20. You will inform the President, if he claims that the question of the existing arrangements in Swaziland should be re-opened, that Her Majesty's Government are prepared to assent to his Government entering into negotiations with the Swazi Nation with a view of obtaining, in the form of a Treaty or of an "Organic Proclamation," adequate jurisdiction in Swaziland. Her Majesty's Government will require that any such Treaty or Proclamation should, before coming into operation, be submitted for the Queen's approval. Her Majesty's Government will further require to be satisfied that the consent of the Swazi nation has been effectively and intelligently given; and that

the terms of the arrangement make adequate provision for safeguarding Native and British interests in some such manner as I have indicated above. You may then intimate that, under such conditions the British Representative in the Joint Government of the Whites would be withdrawn, the duty of watching the working of the new arrangements being left to Her Majesty's Agent in the South African Republic, acting directly, or through some vice-consular or other officer subordinate to him.

21. It is important, in the interest of all the parties concerned, that the negotiations should be deliberate, and if, for that end, it seems necessary that there should be some short prolongation of the present Joint Government—say for six months—I trust that the President will see the expediency of agreeing to the suggestion.

I have, &c.  
(Signed) RIPON.

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## SWAZILAND CONVENTION OF 1893.

No. XI.

SIR H. B. LOCH to the MARQUESS OF RIPON.

Government House, Cape Town,  
January 2, 1893.

MY LORD MARQUESS,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 1st ultimo, with respect to the views entertained by Her Majesty's Government as to the policy that should govern any conference that may take place between the State President of the South African Republic and myself relating to the future government of Swaziland.

I have perused, with much care and attention, your Lordship's instructions, which, after laying down one or two general principles for my guidance, leave me, I gather, considerable latitude as to the manner in which, within certain indicated lines, I may endeavour to arrive at a satisfactory solution of the questions likely to be submitted for discussion by the Government of the South African Republic.

For the reasons stated by your Lordship, and which I have from time to time brought under the notice of Her Majesty's Government, I do not consider it would have been either right or politic to have declined to discuss with the Government of the Republic such questions as they might desire to submit for the consideration of Her Majesty's Government in connection with a more permanent settlement than that provided by the Convention of 1890, and in accordance with the promise then made to President Kruger by me, through Mr. Hofmeyr, with the consent of Her Majesty's Government.

While I consider an undoubted obligation rests upon Her Majesty's Government to protect the interests of British subjects who may reside in, or have invested money in, Swaziland, as well as to secure efficient safeguards, acceptable to the Swazi nation, by which their claims for consideration are protected, I feel it would be impossible, unless Her Majesty's Government are prepared to accept very serious responsibilities, to continue for any lengthened period the present system of joint Government in that country.

The geographical position of the country cannot be lost sight of in the consideration of the question.

Swaziland is practically severed from British territory, as only for a few months in the year is access to it through Zululand available, and then only by bridle-paths and difficult mountain passes. All communication through British territory is cut off for the remainder of the year, owing to the unhealthy character of the climate and the flooded state of the rivers, during which period Swaziland can only be reached through the territory of the South African Republic.

Besides the geographical difficulties of the question, nearly all the sources of taxation from which public revenues are usually derived are the property of the Government of the South African Republic by concessions obtained, either directly or indirectly, through concessionaires, from the late King Umbandeen.

I may also add that England does not possess a foot of land in Swaziland, and that she is debarred by her treaty obligations from annexing the country.

I have endeavoured to give an impartial consideration to the position, and have come to the conclusion that while I cannot admit that the South African Republic has any ground to claim Swaziland as a matter of right, still I am of opinion that, subject to the acceptance by the South African Republic of certain conditions, it is desirable, upon the ground of good faith and political expediency, that Her Majesty's Government should "consider such questions as the Government of the South African Republic may

“ bring before it, with a desire to meet the wishes of the South African Republic as far as possible.”

I trust the views of Her Majesty's Government, as expressed in your Lordship's Despatch, may form the basis of negotiations that will lead to an amicable settlement being arrived at with the Government of the South African Republic as to the future administration of Swaziland, on terms consistent with obligations to British subjects, to the Swazi nation, and with results generally beneficial to South African interests, and honourable to Her Majesty's Government.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

No. XII.

SIR H. B. LOCH to the MARQUESS OF RIPON.

MY LORD MARQUESS,

Government House, Cape Town,  
November 13, 1893.

I HAVE the honour to enclose the duplicate original of the Swaziland Convention, signed by myself on the 1st instant, and by his Honour the State President on the 8th instant.

I have, &c.  
(Signed) HENRY B. LOCH,  
Governor and High Commissioner.

A CONVENTION BETWEEN Her Majesty the QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND and the SOUTH AFRICAN REPUBLIC.

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic, as representing the Government of the said Republic, have agreed that it is expedient that they should enter into a Convention relative to the affairs of Swaziland, in substitution of the Convention of 1890, which terminates on the taking effect of the arrangements contemplated in this Convention.

Now, therefore, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic, as representing the Government of the said Republic, hereby consent and agree that the following Articles, accepted finally by and between Her Majesty and his Honour, shall, when duly signed, sealed, and executed by Her Majesty's High Commissioner for South Africa on behalf of Her Majesty, and by his Honour the State President of the South African Republic on behalf of the Government of the said Republic, and, when duly ratified by the Volksraad of the South African Republic, constitute and be a Convention by and between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic.

Article 1. The Convention of 1890, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic, with the exception of Articles 10 and 24 thereof, shall, on the 8th day of August, 1893, cease and determine, and the Articles of this Convention shall have force and effect; but the provisions of all or any of the Articles of the said Convention of 1890 may, with the consent of Her Majesty's High Commissioner, and the State President of the South African Republic, be continued in force for a further period, to be mutually arranged, pending the completion of the Convention or Organic Proclamation provided for in Article 2 of this Convention.

Article 2. Her Majesty's Government agrees, notwithstanding anything to the contrary contained in Articles 2 or 12 of the Convention of London of 1884, or in the Convention of 1890, that the Government of the South African Republic may enter into negotiations with the Swazie Queen Regent and Council, with a view to obtaining a Convention or an Organic Proclamation by which rights and powers of jurisdiction, protection, and administration over Swaziland, without incorporation thereof into the

said Republic, may be conferred upon and secured to the last-mentioned Government; but no such Convention or Organic Proclamation would be entitled to recognition from Her Majesty's Government unless the said Government were satisfied—

- (a.) That the Swazie Queen Regent and Council understood the nature, terms, articles, and conditions thereof.
- (b.) That just provisions have been made for the protection of the Swazie natives with regard to the management of their own internal affairs according to their own laws and customs, including the laws and customs of inheritance and succession in so far as the said laws and customs are not inconsistent with civilised laws and customs, or with any law in force in Swazieland made pursuant in such Convention or Organic Proclamation, and with regard to their continued use and occupation of land now in their possession, and of all grazing or agricultural rights to which they are at present entitled.

Article 3. In the event of any such Convention or Organic Proclamation as aforesaid being approved of by Her Majesty's Government, the following Articles of this Convention shall be binding upon the Government of the South African Republic.

Article 4. All British subjects residing in Swazieland, or having in Swazieland any property, grant, privilege, or concession, or any right, title to, or interest in any property, grant, privilege, or concession shall be secured in the future enjoyment of all their rights and privileges of whatsoever nature or kind in like manner as burghers of the South African Republic, but shall obey the Government and conform to the laws established for Swazieland.

Article 5. Every white male who shall have been a *boná fide* resident in Swazieland (even if temporarily absent from Swazieland) on the 20th April 1893, shall become and be entitled to all the political privileges of a full burgher of the South African Republic as though he had been born in that Republic; provided, however,

- (a.) That every white male shall make application in writing to an Officer to be appointed at Bremersdorp, in Swazieland, by the Government of the said Republic, to have his name enrolled upon a list of persons so entitled, and upon satisfactory proof by a true and solemn declaration, of his *boná fide* residence in Swazieland on the aforesaid day, such declaration to be made within six months from the date of public notification of the appointment of such officer as aforesaid, such officer shall be bound to enrol his name on such list, and such list shall be the list of burghers of the South African Republic so admitted under this head of this article to the privileges aforesaid.
- (b.) That every white son of any person admitted to the privileges of a burgher under the preceding paragraph of this article, which son shall have been a minor on the aforesaid date, shall be entitled to the like political privileges which he would have had if his father had been a natural born burgher of that Republic and he himself had been born therein, provided that the right under this section shall be claimed by such minor from the Government of the South African Republic by notice in writing within twelve months from his attaining his majority.
- (c.) That every person admitted as a burgher shall, while resident in Swazieland, be entitled to register his vote at any election when and where a burgher resident in some convenient district of the South African Republic adjoining Swazieland would be entitled to vote, such district to be determined by the Government of the South African Republic, and if thereafter he shall come to reside in any district of the South African Republic, such person shall there be entitled to register his vote.

Article 6. The equal rights of the Dutch and English languages in all courts of Swazieland shall be maintained. This provision shall be in force so long as the administration of Swazieland by the Government of the South African Republic continues under the provisions of the Convention or Organic Proclamation referred to in Article 2.

Article 7. The customs duties shall not be higher in respect of any article imported into Swazieland than the duty thereon according to the tariff at present in force in the South African Republic or the tariff at present in force in the South African Customs Union whichever is now the higher. This provision shall be in force so long as the administration of Swazieland by the Government of the South African Republic continues under the provisions of the Convention or Organic Proclamation referred to in

Article 2. No individual or individuals, corporation or company shall have exclusive rights or privileges with regard to imposition of or exemption from customs duties on goods.

Article 8. The Government of the South African Republic agrees to prohibit the sale or supply of intoxicating liquor to Swazie natives in Swazieland.

Article 9. No railway beyond the eastern boundary of Swazieland shall be constructed by the Government of the South African Republic save under the provisions of a further contemplated Convention between Her Majesty the Queen and the South African Republic, or with the consent of Her Majesty's Government.

Article 10. Articles 10 and 24 of the Convention of 1890 are here again set forth for convenience of reference :—

“ Article 10. The Government of the South African Republic withdraws all claim to extend the territory of the Republic, or to enter into treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company.

“ Article 24. Her Majesty's Government consent to an alteration of the boundary of the South African Republic on the east so as to include the territory known as the Little Free State within the territory of the South African Republic.”

Article 11. Her Majesty's Government reserves the power of exercising diplomatic representation in favour of Swazie natives or British subjects in case any provision of the Convention or Organic Proclamation referred to in Article 2 shall not be fairly and faithfully observed.

Article 12. This Convention will be ratified by the Volksraad of the South African Republic on or before the 30th day of June 1894, and in default of such ratification this Convention shall be null and void.

Signed and sealed at Cape Town, this First day of November 1893.

HENRY B. LOCH,  
High Commissioner for South Africa.

Signed and sealed at Pretoria, this Eighth day of November 1893.

S. J. P. KRUGER,  
State President of the South African Republic.

### No. XIII.

### CONVENTION OF 1894.

A CONVENTION between Her Majesty the QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND and THE SOUTH AFRICAN REPUBLIC.

Whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic, as representing the Government of the said Republic, have agreed that it is expedient that they should enter into a convention relative to the affairs of Swazieland in substitution of the Conventions of 1890 and 1893 :

Now, therefore, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic, as representing the Government of the said Republic, hereby consent and agree that the following Articles, accepted finally by and between Her Majesty and his Honour, shall, when duly signed, sealed, and executed by Her Majesty's High Commissioner for South Africa on behalf of Her Majesty, and by his Honour the State President of the South African Republic on behalf of the Government of the said Republic, and when duly ratified by the Volksraad of the South African Republic, constitute and be a convention by and between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic.

Article I. The provisions of the Convention of 1890 shall be continued in full force and effect from and after the date of the signing of this Convention by his Excellency Sir Henry Brougham Loch, Her Majesty's High Commissioner, on behalf of Her Majesty, and his Honour Stephanus Johannes Paulus Kruger, State President of the South African Republic, on behalf of the Government of the South African Republic, until the date of the ratification of this Convention by the Volksraad of the South African Republic; provided that should this Convention not be ratified before or during the next ordinary session of the said Volksraad, the provisions of the Convention of 1890, saving the provisions of Articles 10 and 24 thereof, which shall remain in full force and effect, may at any time thereafter be terminated by one month's notice, given either by Her Majesty's Government or the Government of the South African Republic, and thereupon at the expiration of the said month, in accordance with the Convention of 1884, all the provisions relative thereto in the said Convention shall be of full force and effect; and provided further that if at any time before the ratification in manner aforesaid, the assent of the Swazie Queen-Regent and Council to the draft Organic Proclamation already agreed to by Her Majesty's Government and the Government of the South African Republic be duly signified, the Convention of November 1893 shall, upon the signification of such assent, be and remain of full force and effect, subject to the terms of the said Organic Proclamation, and this Convention shall not thereafter be ratified but shall be of no force and effect, and the provisions of the Convention of 1890 shall no longer be of any force or effect, saving the provisions of Articles 10 and 24 thereof, which shall remain of full force and effect.

Article II. Without the incorporation of Swaziland into the South African Republic, the Government of the South African Republic shall have and be secured in all rights and powers of protection, legislation, jurisdiction, and administration over Swaziland and the inhabitants thereof, subject to the following conditions and provisions namely:—

- (1.) That the young King Ungwane *alias* Uhili *alias* Ubunu after he has become of age, according to native law, shall be and remain the Paramount Chief of the Swazies in Swaziland, with the usual powers of such Paramount Chief, in so far as the same are not inconsistent with civilized laws and customs.
- (2.) That the payments by the Government of the South African Republic of monies derived from the collection of the private revenue of the King shall be regularly made in terms of concession or power of attorney, granted in that behalf by Umbandine, and confirmed by the judgment of the chief court.
- (3.) That the management of the internal affairs of the natives shall be in accordance with their own laws and customs, including the laws and customs of inheritance and succession, and that the native laws and customs shall be administered by the native chiefs entitled to administer the same in such manner as they are in accordance with the native law and custom at present administering, in so far as the said laws and customs are not inconsistent with civilized laws and customs, or with any law in force in Swaziland made pursuant to this Convention, and the natives are guaranteed in their continued use and occupation of land now in their possession, and of all grazing or agricultural rights to which they are at present entitled; provided that no law made hereafter in Swaziland shall be in conflict with the guarantees given to the Swazies in this Convention.
- (4.) That in the administration and government of the country by the Government of the South African Republic, no hut tax or other tax shall be imposed upon the natives higher than the corresponding tax to which such of the Swazie people as are living within the borders of the Republic may be subject. In no case, however, shall such taxes be able to be imposed until after the expiration of three years from the date of the ratification of this Convention.

Article III. The Government of the South African Republic agrees to appoint an officer who shall administer Swaziland in terms of this Convention.

Article IV. The Government of the South African Republic agrees that the chief court heretofore established shall continue to exercise and possess all the powers and jurisdiction hitherto exercised or possessed by it; the said court shall also have such powers and jurisdiction as may be conferred upon it, in accordance with Article II. of this Convention, subject to the conditions of the said Article, with full power to decree against all persons, execution of every order, judgment, decree, or sentence made by it in the exercise of its jurisdiction.

Article V. The laws, ordinances, proclamations, and regulations at present in force in Swaziland shall continue to be of full force and effect therein until altered, amended,

or repealed in accordance with the terms of this Convention ; and the power and jurisdiction heretofore exercised or possessed by Landdrost Courts and justices of the peace shall continue to be exercised and possessed by such courts and such justices of the peace respectively, unless and until other provision be made in accordance with the terms of this Convention.

Article VI. All Government officers appointed under and by virtue of the Convention of 1890, shall continue to hold and administer the offices to which they have been appointed, and shall be secured in the emoluments and fees of office at present enjoyed by them, until the date of the ratification of this Convention, or until other provision be made in that behalf by Her Majesty's Government or the Government of the South African Republic, and thereupon all such appointments shall cease and determine ; provided that on or after the date of ratification aforesaid the said officials or any of them may be re-appointed to the said offices or any of them, in accordance with the terms of this Convention.

Article VII. All British subjects residing in Swazieland, or having in Swazieland any property, grant, privilege, or concession, or any right, title to, or interest in, any property, grant, privilege, or concession, shall be secured in the future enjoyment of all their rights and privileges of whatsoever nature or kind in like manner as burghers of the South African Republic, but shall obey the Government and conform to the laws established for Swazieland.

Article VIII. Every white male who shall have been a *bonâ fide* resident in Swazieland (even if temporarily absent from Swazieland) on the 20th April 1893, shall become and be entitled to all the political privileges of a full burgher of the South African Republic as though he had been born in that Republic : provided, however—

- (a.) That every white male shall make application in writing to an officer to be appointed at Bremersdorp, in Swazieland, by the Government of the said Republic, to have his name enrolled upon a list of persons so entitled, and upon satisfactory proof by a true and solemn declaration of his *bonâ fide* residence in Swazieland on the aforesaid day, such declaration to be made within six months from the date of public notification of the appointment of such officer as aforesaid, such officer shall be bound to enrol his name on such list, and such list shall be the list of burghers of the South African Republic so admitted under this head of this article to the privileges aforesaid.
- (b.) That every white son of any person admitted to the privileges of a burgher under the preceding paragraph of this article, which son shall have been a minor on the aforesaid date, shall be entitled to the like political privileges which he would have had if his father had been a natural-born burgher of that Republic and he himself had been born therein, provided that the right under this section shall be claimed by such minor from the Government of the South African Republic by notice in writing within twelve months from his attaining his majority.
- (c.) That every person admitted as a burgher shall, while resident in Swazieland, be entitled to register his vote at any election when and where a burgher resident in some convenient district of the South African Republic adjoining Swazieland would be entitled to vote, such district to be determined by the Government of the South African Republic, and if thereafter he shall come to reside in any district of the South African Republic such person shall there be entitled to register his vote.

Article IX. The equal rights of the Dutch and English languages in all courts of Swazieland shall be maintained. This provision shall be in force so long as the administration of Swazieland by the Government of the South African Republic continues under the provisions of this Convention.

Article X. The Customs duties shall not be higher in respect of any article imported into Swazieland than the duty thereon according to the tariff at present in force in the South African Republic, or the tariff at present in force in the South African Customs Union, whichever is now the higher. This provision shall be in force so long as the administration of Swazieland by the Government of the South African Republic continues under the provision of this Convention. Every exclusive right or privilege of or belonging to any individual or individuals, corporation or company, with regard to imposition of or exemption from customs duties on goods shall be liable to expropriation by the administering authority ; provided that no such individual or individuals, corporation or company, shall be deprived of or interfered with in the enjoyment of any

such exclusive rights or privileges as have been confirmed by the Chief Court prior to the 8th November 1893, without due compensation being awarded. The amount of such compensation shall be assessed by means of arbitration in case of difference. Each party interested shall appoint an arbitrator and the said arbitrators shall, before proceeding with the arbitration, appoint an umpire; should the said arbitrators be unable to agree upon an umpire such umpire shall, upon application of either party, after notice to the other, be appointed by the Chief Court; the decision of the majority of the persons so appointed shall, in case of difference, be final.

Article XI. The Government of the South African Republic agrees to prohibit the sale or supply of intoxicating liquor to Swazie natives in Swazieland.

Article XII. No railway beyond the eastern boundary of Swazieland shall be constructed by the Government of the South African Republic save under the provisions of a further contemplated Convention between Her Majesty the Queen and the South African Republic, or with the consent of Her Majesty's Government.

Article XIII. Articles 10 and 24 of the Convention of 1890 are here again set forth for convenience of reference :—

“ Article 10. The Government of the South African Republic withdraws all claims to extend the territory of the Republic, or to enter into treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company.”

“ Article 24. Her Majesty's Government consent to an alteration of the boundary of the South African Republic on the east so as to include the territory known as the Little Free State within the territory of the South African Republic.”

Article XIV. Her Majesty's Government reserves the power of exercising diplomatic representation in favour of Swazie natives or British subjects in case any provision of this Convention shall not be fairly and faithfully observed.

Article XV. Her Majesty's Government reserves the right to appoint a British Consular Officer to reside in Swazieland.

Signed and Sealed on the Border of Natal and the South African Republic,  
near Charlestown and Volksrust, this 10th day of December 1894.

HENRY B. LOCH,  
High Commissioner.

Signed and Sealed on the Border of Natal and the South African Republic,  
near Charlestown and Volksrust, this 10th day of December 1894.

S. J. P. KRUGER,  
State President of the South African Republic.

Dr. W. J. LEYDS,  
Staats Secretaris, Z.A.R.

# SOUTH AFRICA.

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## FURTHER CORRESPONDENCE

RELATIVE TO THE

## AFFAIRS OF SWAZILAND.

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Presented to both Houses of Parliament by Command of Her Majesty.  
March, 1899.

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**SOUTH AFRICA.**

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**FURTHER CORRESPONDENCE**

RELATIVE TO THE

**AFFAIRS OF SWAZILAND.**

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No. 1.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received May 2, 1898.)

SIR,

Government House, Cape Town,  
April 13, 1898.

I HAVE the honour to enclose for your information a copy of two telegrams from the British Consul on the subject of the death of the Swazi Chief Induna Mbaba, and two other men in a fracas at Zomboti kraal.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

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Enclosure 1 in No. 1.

From the BRITISH CONSUL, Bremersdorp, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

April 12.—Paramount Chief and Queen Mother have sent to report to me for your Excellency's information that on Saturday night during a fracas at Zomboti kraal between men of the Giba and Mgadhlela regiments, the Chief Induna Mbaba and two other men were accidentally killed. They are trying to find out the men who killed them. I expressed regret at occurrence.—(SMUTS.)

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Enclosure 2 in No. 1.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

April 12, 1898.—Information I have gathered respecting Mbaba's death makes me disbelieve the story of accident, and though difficult of proof, I think it is almost certain that he was killed by order of the Paramount Chief.—(SMUTS.)

No. 2.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 7.20 p.m., May 7, 1898.)

[Answered by No. 4.]

TELEGRAM.

(Extract.)

May 7. Swaziland. Matters begin to look serious. Paramount Chief has admitted that he was himself responsible for Mbaba's death. (See my despatches of 13th and 27th April.)\* Resident European population are alarmed. The Government are making a large increase in the police, but have not stated yet what action they intend to take with regard to Mbaba's death. While I recognize the gravity of the situation, as it is evident that the responsibility rests primarily with the Government of the South African Republic, I am myself indisposed to intervene in any way for the present.

No. 3.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received May 16, 1898.)

Government House, Cape Town,  
April 27, 1898.

SIR,

I HAVE the honour to enclose for your information, with reference to my despatch of the 13th instant,† a copy of a despatch and of a telegram from the British Consul on the subject of the death of the Swazi Chief Induna Mbaba.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

Enclosure 1 in No. 3.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

British Consulate, Swaziland,  
April 12, 1898.

SIR,

I HAVE the honour to inform your Excellency that on Sunday afternoon last the Induna Mbhiti, Gubuyana, a member of the Royal Family, and Alpheus Nkosi, accompanied by Mr. A. A. Mordaunt, came to the Consulate to report the death of Mbaba, the Chief Induna or Prime Minister of the nation. Finding that I had gone for a day's visit to the Usutu Mission Station, some twenty miles distant, they delivered their message to my interpreter.

At 8 a.m. yesterday they arrived at the Mission Station, and informed me they had been sent by the Paramount Chief and Queen Mother to report to me for the information of Her Majesty's Government a serious accident or mishap which had occurred at the Zomboti kraal on Saturday night (9th instant.) They stated that one of the huts in Mbaba's wing of the kraal caught fire, and that men of the Mgadhlela Regiment went to the scene. Some of the Giba Regiment to which Mbaba belonged, and which is not on good terms with the Mgadhlela, were at his quarters. A quarrel ensued, commenced by the Gibas throwing stones. During the fracas, Mbaba, who was not recognized in the darkness, and two other men, were accidentally killed by assegai wounds. Endeavours were being made to discover the culprits, but they had not yet proved successful.

\* Nos. 1 and 3.

† No. 1.

I told the messengers to inform the Paramount Chief and Queen Mother that I had heard with great regret of Mbaba's death, that I would inform your Excellency of it by telegraph, and that I thought they were acting rightly in making an investigation into the matter. I thanked them for informing me, and said I liked to be kept posted by them with what goes on in the country.

His Excellency  
The High Commissioner, Cape Town.

I have, &c.,  
J. SMUTS,  
Her Majesty's Consul.

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Enclosure 2 in No. 3.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

April 21, 1898.—Zibokwana and Alpheus reported to me yesterday deputation will start for Pretoria to-day or to-morrow. They also delivered message from Paramount Chief that message received through Indunas relative to accidental death of Mbaba was sent by Queen Mother. It was delivered to them in their presence, but they did not wish to interfere at the time. Now, however, he wishes to let me know that Mbaba was killed by his orders for reasons which he will subsequently state. Messengers inform me that Transvaal Commissioner had been informed similarly.—(SMUTS.)

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No. 4.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 2.15 p.m., May 18, 1898.)

TELEGRAM.

Your telegram of 7th May.\* Swaziland. I concur in your views.

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No. 5.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received May 25, 1898).

SIR,

Government House, Cape Town, May 4, 1898.

I HAVE the honour to enclose for your information, with reference to my despatch of the 27th ultimo,† a copy of a telegram from the British Consul, Swaziland, on the subject of the death of the Swazi Chief Induna, Mbaba.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

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Enclosure 1 in No. 5.

From the BRITISH CONSUL, Bremersdorp, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

2nd May.—“Times,” of Swaziland, of the 30th ultimo, publishes report that Paramount Chief has called up headmen and impis to eat Umbengu, that is, war medicine. Having heard rumour in early part of last week, I made enquiries from native and well-informed European sources without obtaining confirmation, but from all sources I hear that the Indhameras (the late King Umbandine's regiment) had been called up either for purpose of selecting a successor to Mbaba or to replace Mbaba's men who have, of course,

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\* No. 2.

† No. 3.

left Zomboti, or in connection with establishment of new kraal for Paramount Chief. Mr. Krogh tells me, in early part of last week, he got information of people being called up to complete the Umbengu ceremony, which failed about two and a half years ago, but that his latest information is to the same effect as mine, and he therefore presumes wiser counsels have prevailed. In consequence of the Umbengu rumour, the Government has sanctioned an increase of the police by two hundred, and recruiting is now going on.

SMUTS.

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No. 6.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received May 28, 1898.)

(Extract.)

Government House, Cape Town, May 11, 1898.

IN continuation of my despatch of the 4th instant,\* I have the honour to transmit, for your information, copies of further correspondence with the British Consul respecting the killing of Mbaba, and the position of affairs in Swaziland generally.

I also enclose a copy of a despatch from Her Majesty's Agent at Pretoria describing the reception of the Swazi deputation to the Government of the South African Republic.

So far as I have yet learned the Government have not yet decided what action to take in connection with the killing of Mbaba, though they have already increased the police force by 200 men. I have thought it best not to authorise Mr. Smuts to volunteer any communication to the Paramount Chief in the matter, though I have agreed to his accepting the invitation of that Chief to attend at Zomboti to hear his explanation.

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Enclosure 1 in No. 6.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

4th May, 1898.—Parties of Boers are arriving and being enlisted in the police. Some arrived yesterday and were enrolled and paraded.—SMUTS.

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Enclosure 2 in No. 6.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

4th May, 1898. (No. 2).—Called on Special Commissioner this morning. Said that as arrival and enlistment of police would naturally cause natives to anticipate that some forcible action is contemplated and that Europeans are also likely to become anxious, I would be glad to know what steps the Government are about to take. Mr. Krogh said I may tell enquirers that the increase of police is due to the Umbengu rumour of last week, and also to a previously taken decision of the Government to have an increased police force in connection with the imposition of Hut Tax. He again admitted that the Umbengu rumour had now been contradicted. With regard to the steps to be taken in connection with the Mbaba affair, Mr. Krogh said he had not yet received decision of his Government, he expected it to-day and agreed to see me on subject to-morrow morning.—SMUTS.

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\* No. 5.

## Enclosure 3 in No. 6.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

6th May, 1898. (No. 1).—Special Commissioner informed me yesterday that Government South African Republic has not yet definitely decided upon action with respect to death of Mbaba. He will let me know when he receives instructions. Deputation is about due from Pretoria.—SMUTS.

## Enclosure 4 in No. 6.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

6th May, 1898.—Messengers from Paramount Chief and Queen came to Consulate to-day inviting me to come to Zomboti to be present at nomination of successor to Mbaba and hear Paramount Chief's reasons for having him killed, or, as other messenger put it, to hear Mbaba's evil deeds. Mr. Krogh had also been invited, and had said he must refer matter to Pretoria before replying. It was left to us to fix the day as soon as we liked. I replied that as this is an invitation to Mr. Krogh and myself, it is no use my giving an answer till I know what day will suit him. I shall see him at once, and after doing so, and telegraphing to High Commissioner, I shall send reply without delay. I have now seen Mr. Krogh, who says he has telegraphed to Pretoria, and who, in view of the whole question being under consideration of his Government, does not wish to express opinion on the invitation, though he agrees it is a good sign. He expects decision of Government on Monday. As I think it very desirable to hear the Paramount Chief's explanation, I strongly recommend that I be allowed to accept his invitation. Please reply at earliest convenience.—SMUTS.

## Enclosure 5 in No. 6.

From the HIGH COMMISSIONER, Cape Town, to the BRITISH CONSUL, Swaziland.

## TELEGRAM.

7th May, 1898.—Yours of 6th *re* message from Chief and Queen. I see no objection to your proposal.

## Enclosure 6 in No. 6.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

9th May, 1898.—Mr. Mordaunt, who returned on Saturday night with deputation, came to Consulate Sunday midday and told me natives at Zomboti very anxious on account of increase of police, etc., Paramount Chief afraid to be in kraal, sleeps out in the veld. Queen had sent him to ask me to come on Monday to tell her what these people are doing. Mordaunt added that Rathbone, who was in Bremersdorp Saturday, had that morning said to the two Europeans, Sterling and Maber, at his (Mordaunt's) store that it was reported the Commando is coming to Zomboti Kraal on Monday, and that he was going to tell the Paramount Chief. I said I did not know what the intentions of the Government are, but that in view of my having an appointment with Mr. Krogh for Monday afternoon to hear the decision of the Government, and in connection with the invitation which had been sent us to come and hear Paramount Chief's explanation, I did not believe the report brought by Rathbone. Further, that I am in communication with the High Commissioner *re* accepting invitation and must wait reply before coming to Kraal. Moreover, if I did come I could tell them nothing. In view, however, of the evil effect Rathbone's story might have on natives I took Mordaunt to Mr. Krogh's residence, where he repeated it. Mr. Krogh said Mordaunt might assure the Swazis report is untrue, such a measure is not even contemplated, and that Paramount Chief is

quite safe at Zomboti, or even in Bremersdorp. Mr. Krogh further assured me personally that Paramount Chief will be notified of measures to be taken, and that the first step will probably be an indaba with him. Ends.—SMUTS.

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Enclosure 7 in No. 6.

(No. 115.)

Her Majesty's Agency, Pretoria,  
May 3, 1898.

SIR,

I HAVE the honour to report that a deputation of eight indunas from the Swazi nation, accompanied by Mr. A. Q. Mordaunt, as Secretary, arrived in Pretoria on the 28th April, and were received on the following day by the Executive Council.

The accompanying extract from the "Press" newspaper purports to give the result of the interview. According to this report, the Swazis were informed, in reply to their enquiry whether the Hut Tax must be paid, that such was the case, since it was provided for in the Convention.

Regarding the recent murder of the head induna by order of the King, the deputation explained that the former was put to death because he was endeavouring to encroach upon the powers of the Paramount Chief. In reply, the Executive Council informed the deputation that an inquiry was being conducted into this matter, and that they trusted that there would be no repetition of such affairs. The deputation next requested permission to send a deputation to England. Commandant Cronje, the Native Commissioner, replied that he could not give the permission. The Swazis must approach the Special Commissioner and lay before that official the full objects of such a visit and other information.

The last request of the deputation that the Swazi Chief Captain should collect the Hut Tax was refused, as being contrary to Law.

I have the honour to annex also an extract from the "Diggers' News,"\* giving the substance of an interview with Mr. Mordaunt.

As regards the question of Hut Tax, I believe the Government still adhere to their intention not to unduly press the Swazis for the payment of the Hut Tax at an early date, but that they will give them time, so long as the Swazis themselves admit the principle that the payment must be made.

I have, &c.,  
CONINGHAM GREENE.

His Excellency  
Sir Alfred Milner, G.C.M.G., K.C.B.

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"PRESS," April 30, 1898.

A SWAZIE DEPUTATION.

A deputation of eight indunas from Swaziland yesterday waited upon Commandant Cronje and Mr. Schalk Burger, who were appointed by the Executive to meet the deputation. The deputation laid before the two members of the Executive the question of the Hut Tax, and asked whether this tax must be paid.

Commandant Cronje, on behalf of the Government, said the tax must be paid, as it was provided for in the Convention.

The next point was that the deputation had to give notice to the Government that one of the indunas had been sentenced to death and killed by the King. They gave it as the reason for this crime that the said induna was taking up a position which would place him over the King, and as he was only an induna, such a state of affairs could not be permitted, and he was sentenced to death.

The members of the Executive said that on behalf of the Government they had to express their deep regret at the occurrence. It was one of the principal things which the Government of the South African Republic and Her Majesty's Government wished to prevent, and for all disputes, &c., there was a properly established High Court. The Special Commissioner of Swaziland was holding an inquiry into the matter, and the Government of the South African Republic trusted that there would be no repetition of such affairs.

The deputation next requested permission to send a deputation to Europe.

Commandant Cronje said he could not give the permission. They must approach the Special Commissioner and lay before that official the full objects of such a visit and other data.

The last request of the deputation was that the Chief Captain should collect the hut tax. The reply was to the effect that such a course would be contrary to the law.

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\* Not printed.

## No. 7.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 12.30 a.m., May 31, 1898.)

(Extract.)

[Answered by No. 8.]

## TELEGRAM.

30th May.

The British Consul is doing all he can under my instructions to promote a peaceable settlement, but unofficially. It is my idea to make official representations at Pretoria and so strengthen his efforts. Such representation should not be in the form of an objection to the Transvaal Government's action—there is nothing to object to positively—but in the form of a suggestion for meeting difficulty recognized by us. The suggestion should be to inflict heavy fine on Bunu without judicial proceedings, warning him at the same time that his deposition would follow the recurrence of such an event as the death of Mbaba. This in effect is what is being suggested to Special Commissioner by British Consul. We might, I think, add that we should use our influence to induce Bunu to submit, if this course is followed. If this suggestion is rejected by Transvaal Government I should, for the present, confine myself to asking them what course they intend to adopt.

## No. 8.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 2.20 p.m., June 1, 1898.)

## TELEGRAM.

YOUR Swaziland telegram of 30th May.\*

Your proposal to make official representation to Government of South African Republic approved.

## No. 9.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received June 4, 1898.)

Government House,

Cape Town, May 18, 1898.

SIR,

In continuation of my despatch of the 11th instant,† I have the honour to transmit, for your information, a copy of further correspondence with the British Consul, respecting the position of affairs in Swaziland in consequence of the killing of Mbaba.

I have, &amp;c.,

A. MILNER,

Governor and High Commissioner.

## Enclosure 1 in No. 9.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

(Extract.)

British Consulate, Swaziland, May 3, 1898.

I HAVE the honour to enclose, for Your Excellency's information, cuttings from the "Times," of Swaziland, relative to the political situation in this country, occasioned by the killing of the Prime Minister, Mbaba. I think that though there is a certain amount of reason for the "Times's" criticisms, they may be to some extent discounted, as they savour of the *ex parte* opinions of a concessionaire who is likely to gain by the diminution of Swazi rights.

\* No. 7.

† No. 6.

I called on the Special Commissioner yesterday morning and said I had hitherto refrained from discussing with him in detail the question of Mbaba's death, but, in view of the articles referred to, I would like to have a talk with him upon the subject. I first alluded to the alleged calling up of the headmen and impis to eat Umbengu. I told him the rumour had reached me in the early part of last week, and that I had made enquiries from native and European sources without obtaining any confirmation, but that all my informants stated the Indhlavela regiment (*i.e.*, the late King Umbandine's regiment—middle aged men) had been called up either to select a successor to Mbaba, or to take the place of Mbaba's men, who have vacated their quarters at Zomboti. Mr. Krogh said in the early part of last week the report relative to Umbengu had reached him from several sources, the reason given being that it was intended to complete the ceremony which had failed in 1895, but that his latest information coincided with mine. He believed the truth of the original reports, but presumed wiser counsels had prevailed.

He then proceeded to discuss the question of jurisdiction of the Courts in Swazi and Swazi cases, and dissented from the view taken up by the judge. He asked my opinion, and I said I agreed with the judge's view that unless it were shown that the Swazis do not try, or try and punish cases inconsistently with civilized laws and customs, the Courts have no jurisdiction. He enquired if that meant that in each case the Government would have to wait and see how the Paramount Chief acted before taking steps, to which I said no, I thought if the principle were once established the Government could take action.

Mr. Krogh said cases of "eating up" and "killing off" had frequently occurred and had lately been on the increase; and that the matter of Mbaba was a serious one: there had not even been a so-called trial, but only a council held in Mbaba's absence. Did I think that was a case with which the Convention would prevent the Government from dealing? I said the Convention only gave the Swazis the right to act provided their actions were not inconsistent with civilized laws and customs, adding that whilst the case, on the face of it, appears serious, before expressing an opinion upon it I would like to have authoritative evidence of the exact part taken by the Paramount Chief, and to know what he had to say for himself. Mr. Krogh said his information was to the effect that it had been contemplated to kill not only Mbaba and all his men, but also the Queen Mother, but that some of the older Indunas had dissuaded the King from killing the Queen. He admitted, however, this was only a report, and that he had no authentic evidence.

I said I could not refrain from expressing the opinion that the foolish acts of the Paramount Chief are in a great measure due to his drinking. Mr. Krogh fully admitted this, and also said that he believed the King was under the influence of the doctors. We agreed that he is a weak-minded young man and Mr. Krogh thought that made him a danger in the country. With respect to the liquor trade, I said that though I never doubted his own *bonâ fides*, I did think the police might do better, whilst I freely acknowledged the difficulties with which they had to contend.

He said the killing of Mbaba was a matter which they, as a civilized Government, could not overlook, for if they did there would be a recurrence of such acts, and he asked whether I did not agree. I said the matter seems serious, but that, in my opinion, the first thing to be done was to ascertain the extent of the Paramount's Chief's guilt. He said he is now waiting the instructions of his Government upon the subject.

I told Mr. Krogh that I had no instructions from Your Excellency on the subject, but that if he thought the discussion with me of any suggestion calculated to lead to a peaceful solution would be of advantage, I will be most ready to meet him at any time.

With regard to previous cases of killing off, Mr. Krogh said that the great difficulty he had experienced was to get natives to make depositions, as they feared that they too would be killed. Some cases of murder had been brought before the High Court, but the Judge held that he had no jurisdiction. I said as far as I recollected the cases they were not connected with "killing off," and in one instance the man had already been punished by the Paramount Chief. Mr. Krogh enquired whether I thought the punishment of murder by a fine was consistent with civilized laws and customs. I replied that whilst it was not a punishment which a civilized Court would inflict, I did not think it inconsistent with civilized laws and customs.

I wish to add that in reply to a question Mr. Krogh said that in consequence of the Umbengu rumour the Government has sanctioned an increase of the police of 200 men. Parties of Boers arrived to day and have been enlisted, and more are shortly expected.

I cannot help realizing that the Swazis do not deal impartially with criminal cases. If a man is in favour at Zomboti, he is almost sure to escape the consequences of his acts.

With regard to "eating up" and "killing off," impies sent out by the Paramount Chief very often exceed their instructions, but I much doubt whether he takes proper notice of their acts, and thus virtually becomes responsible. Superstition, intrigue, and the desire of self-enrichment have such a hold upon the people that men who realise they may some day be "eaten up," and perhaps killed at the instigation of a witch doctor upon some unfounded charge or upon the false testimony of a jealous neighbour, will not scruple in trying to work another Swazi's ruin if there be any chance of personal gain or advantage, whilst men whose kraals are eaten up recognise the system so fully that they will not, as a rule, venture to seek redress by the aid of the Government.

4th May, 1898.—I had a further interview with the Special Commissioner this morning, and immediately telegraphed the result to Your Excellency. It strikes me that the enrolment of the police at the present moment is likely to accentuate the tension which exists. If a hurried increase is warranted by an apparently unfounded or, at all events, subsequently contradicted rumour of a contemplated Umbengu ceremony, the Paramount Chief can scarcely be blamed if he on his part takes measures in consequence of what must appear to him an indication of aggressive action by the Government. I have no instructions as yet from Your Excellency, but at present I feel disposed to go to Zomboti and explain matters to the Paramount Chief, urging him to avoid any overt or covert act likely to produce alarm on the other side. I shall, however, be guided by what Mr. Krogh tells me to-morrow are the intentions of his Government in the Mbaba affair.

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THE "TIMES" OF SWAZIELAND.

BREMERSDORP, SATURDAY, APRIL 30, 1898.

A WORD OF ADVICE.

WITHIN recent years a distinctly American innovation has crept into old world journalism in the form of open letters addressed to prominent personages who, in the opinions of the writers, are not treading in the paths which their self-constituted mentors would have them go. Like most radicalisms, this innovation has its advantages and its abuses. It enables the fair critic, with freedom and enticing colloquialisms, to approach the subject of his criticism and, as it were, chat with him of his faults and foibles; but it also serves as a cloak to many writers who, surfeited with venom, are only too happy, under a *nom de plume*, to inject the poison into the object of their spite, though disguising themselves in the garb of the candid friend and ingenuous adviser. Releasing ourselves therefore from the approved medium of open-letter writing, we desire to address a few words to that ill-advised and reckless young man enthroned at the Mampondweni, who, by his callous indifference to the recognised courtesies of native-etiquette, is rudely exercising the patience of his white neighbours, and is damaging a fair cause by the utter disregard he is showing for the simplest attributes of kingship, and the performance of the very ordinary conditions laid down for his observance in the Convention of 1894.

Mahlogodhlo, the Paramount Chief of Swazieland, is now about 22 years of age. This year he builds his own kraal, and in it will surround himself with all the departments of a huge household, as befitting the head of the nation. Up to the present he has, by custom, had his principal hut, his official residence, as it were, in the kraal of his mother, which kraal is still the head kraal of the country. At the Mampondweni in the kloof on the Umdimba he recently built himself a country retreat, to which he could retire when his presence was not required at the Zombodi, but this winter he will relieve himself of the last link binding him to his eight years' novitiate, and will assume the full position of father of a household, head of a kraal, a chief of the country. On the threshold of his assumption of a position in which dignity is an essential quality, he has involved himself in a complication which, apart from the indignity attached to his glib acceptance of all responsibility, awakes in the minds of his white friends in and out of Swazieland a feeling of revulsion such as the taking of life under particularly revolting circumstances must ever occasion. Never since the killing of Nondwandwa has a tragedy been perpetrated which is so much without the pale even of the always arbitrary methods of native "justice," and the circumstances of the two instances show no analogy, inasmuch as the one was almost a matter of necessity at a time when the whole country was on the verge of civil war, whilst the killing of Umbapa took place within the kraal of the Queen mother and without the knowledge of the head of that kraal. At one time in the history of Swazieland it was permissible for a Swazie king to launch his impis on a sea of rapine and murder without the least notice being taken of such sanguinary proceedings. For years past, and to-day, such a policy has been, and is, impossible. Mahlogodhlo can no more be allowed to disturb the elements of peace in Swazieland than he can expect to receive consideration at the hands of any white government if he fails to use the powers which have been conserved to him with justice, moderation and decency. Umbapa was killed by a clever *ruse*; the King accepted responsibility for the deed. He must be much less intelligent than we give him credit for if he did not know that such an act, carried out in such a manner, would lead to an explanation being demanded; and yet, while the whole matter is *sub judice*, it is reported that he calls up his impis to eat the *Umbenga*, and thereby most indiscreetly, whether intentionally or not, implies a threat which no native potentate of equal strength to himself would tolerate, and which it takes a very good-natured white man to swallow.

What we have frequently pointed out to Mahlogodhlo, and what we again would desire to draw his attention to, is the fact that, living in this country are a number of white men who, having acquired concessions from his father, are desirous of developing them, and for the privilege of using those rights they pay to his Paramountcy the handsome sum of £12,000 per year. They also have to pay to the Government taxes and tolls, and in return for the faithful fulfilment of their contracts they expect Mahlogodhlo, on his part, to consider *them*. Is he doing so? Certainly not, up to the present. The powers, which, in the most sympathetic and friendly manner have been preserved to him, he is using without the least consideration for the white people in his country, or even, as a matter of fact, in the interests of his own kith and colour. At the present moment his policy is calculated to exasperate every interest-holder in the country. Instead of assisting to find labour for the mining properties in the country, which are paying him heavy rentals, and which he, on his own part, as the clause goes, "undertakes to secure in the full enjoyment of all their rights and privileges," the wild schemes and wilder rumours, which are all traceable to the Mampondweni Kraal, set up a state of unrest in the country, and a feeling of disquietude outside its borders, which cannot be much longer tolerated, and must be put an end to. Mahlogodhlo must learn to show as much consideration for the interests of the whites in Swaziland as the Convention has shown for him. The great mass of his people manage to live on terms of utmost friendship and goodwill side by side with the white residents, and there is no reason whatever why he, with the great powers and authority vested in him, should not follow the example of those who are his own immediate subjects, and relieve Swaziland of the impression that his ideas of Kingship tend more towards the building up of a bravado reputation than consideration for the welfare and contentment of the natives and whites in his vicinity.

In concluding, we cannot refrain from entering a solemn protest against the apparent laxity of the Government in facing the position which is now thrust before them. Pretoria is not so far from Bremersdorp that interminable delays must arise on every occasion of emergency. It is our firm opinion that had the Government promptly and determinedly protested against the tragedy of the 9th and instituted an immediate investigation with a view to the punishment of the offenders, the King would never have sent in his messengers to say that he was responsible for the assassination, and had the authorities even then taken definite steps to show their disapproval of the methods employed, the call for *Umbenga* would never have been authorised. Three weeks ago a clear and distinct understanding should have been arrived at between the Government and the Paramount Chief, whereas 21 days have passed during which no authoritative declaration has been made to show that the position is understood. Such grave dilatoriness is only encouraging people who ill-understand the possible utility of delays, and leading them to conclusions which are neither flattering to the Government nor conducive to the effective administration of the country. It is the old story of the rinderpest, which has not been forgotten, nor can be forgiven. Delay can only serve to increase now, as then, the difficulties of the future, and, in this instance, mislead the ill-advised boy who at the present moment more than ever requires a strong hand and wise head to save him from misusing the powers which are his for good or for evil.

Though sincerely desirous of refraining from any suggestion which may embarrass the Administration, we cannot refrain from expressing the hope that before another week has passed we will be able to record the fact that a definite understanding regarding the position has been arrived at between Mahlogodhlo and those placed in authority over the people in the country.

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#### THE POLITICAL POSITION.

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Since our issue of last week inquiries in official quarters have not elicited any information that points to an explanation being demanded by the White authorities in Swaziland from the Swazie Paramount Chief with regard to the killing of Umbapa. The gravity of the position was accentuated at the beginning of the week when it became known that Mahlogodhlo had sent out his messengers to call up the headmen of the nation, together with the impis, for the express purpose of eating *Umbenga*; nor is it believed that in threatening to mass his men for the war ceremony, at this most unpropitious moment, he has condescended to give any explanatory reason to the local authorities. Under these circumstances a most serious view must be taken of the position. Whether the authorities are alive to the position and intend demanding an explanation, or whether they are content to sit down under the apparently humiliating phase which, as far as they are concerned, the political position appears now to present, remains to be seen. A few days will develop matters sufficiently to enable the whites to form a definite idea as to what course events may take. A perfectly clear understanding, and that to be arrived at at once, between the authorities and the Paramount Chief is an absolute necessity.

Friday.—We are informed on reliable authority that the Commandant of Police has been instructed to immediately increase the Police Force by 200 men.

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#### Enclosure 2 in No. 9.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

#### TELEGRAM.

12th May.—As Special Commissioner not in receipt of instructions from Government of the South African Republic as yet, do you approve my informing him that I propose to pay visit to Paramount Chief to hear explanation unless for good reason he can raise objection. Early reply having been promised to Paramount Chief, I do not wish to break my word.—SMUTS.

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## Enclosure 3 in No. 9.

From the HIGH COMMISSIONER, Cape Town, to the BRITISH CONSUL, Swaziland.

## TELEGRAM.

13th May.—Your telegram of 12th instant. I approve your proposal *re* paying visit to Paramount Chief.

## Enclosure 4 in No. 9.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

(Extract.)

13th May, 1898.—I have been told privately by Special Commissioner, who gives me permission to repeat it privately to Your Excellency, that it is the intention of his Government to give the Paramount Chief an opportunity to explain or defend his action. I said that practically is what he has offered to do. Commissioner said that his Government has not yet decided as to how, when and where this should be done. In view of delay in announcement of decision and the preparations being made, I am inclined to think that either an attack upon the Chief or some action or demand calculated to lead to his taking up offensive or to be backed up by force is in contemplation. In view of inevitable disaster that would be result of fighting to natives of Swaziland and possible consequence of unrest in Zululand, I should be glad to know if I may ask Commissioner to stay action until you have been acquainted with it, or as an alternative offer mediation in order to avoid hostilities in which it is possible that proposed course of action will culminate even if such a course be allowable under the Convention.—SMUTS.

## Enclosure 5 in No. 9.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S CONSUL, Swaziland.

## TELEGRAM.

14th May, 1898.—Sent 11 a.m.—You may tell the Special Commissioner, with reference to your telegram of yesterday, that I am glad to hear that the Government of the South African Republic propose to give the Paramount Chief an opportunity of explaining his action, and that I hope this will be done promptly. You may add that I have carefully abstained from any action in this matter as the Government of the South African Republic is responsible, under the Convention, for the administration of Swaziland, and I wish to avoid suspicion of interference with its position under the Convention. At the same time I feel great anxiety as to the future, because any action on the part of the Government which led to a conflict with the Swazis would not only be disastrous to the country, but might result in differences between Her Majesty's Government and the Government of the South African Republic, which I am most desirous to avert. Any change in the political constitution in Swaziland, as established by the Convention, would require the sanction of Her Majesty's Government, and great difficulties might arise. It is therefore most desirable to maintain the political *status quo*, and for that reason I am quite willing that you should exercise your personal influence in the direction of bringing about a settlement which, without upsetting the compromise of 1894, may avoid a conflict, and prevent a recurrence of the late deplorable events. But you should make it perfectly clear that any advice tendered either to the Paramount Chief or to the Special Commissioner, and any mediation you may undertake, is in your private capacity, and that, though you are acting with my knowledge, you are not intervening officially as the representative of Her Majesty's Government, as nothing has yet occurred which would make such official intervention justifiable.

## Enclosure 6 in No. 9.

From the BRITISH CONSUL, Bremersdorp, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

14th May.—Referring to my telegram of 12th May, Special Commissioner informed me yesterday by semi-official note that he has received instructions to call up Bunu, in order to learn from him what he had to say in connection with the death of Imbaba and others: seventeenth has been fixed for Bunu's appearance before Special Commissioner in Bremersdorp. Message to Paramount Chief which will be sent this morning was shewn to me in private, and I will send copy after it has been delivered. It states in effect object is to enable Government South African Republic to judge what further steps should be taken, also guarantees Paramount Chief quite safe conduct to Bremersdorp and back to Zomboti. Mr. Krogh has no objection to my attending the meeting, which will probably be public. In view of above-mentioned action of Government of South African Republic, propose to send message to Paramount Chief, in reply to his invitation to come to Zomboti to hear explanation, that I hope to meet him in Bremersdorp, 17th May, when he comes to Special Commissioner. May I respectfully request reply to-day. Ends.—SMUTS.

## Enclosure 7 in No. 9.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

16th May, 1898.—Special Commissioner's message to Paramount Chief—after reciting that report having from time to time, and especially lately, reached him that white as well as native inhabitants of Swaziland have been brought into a state of unrest, the Government, recognising the seriousness of this state of affairs, have decided to put an end to this unrest, so as to ensure the prosperity and development of the country; further, that Paramount Chief has accepted entire responsibility for killing of Mbaba and others, and that the unrest amongst whites and natives has been increased by this deed, and that Government is desirous to hear what he has to say on the subject, proceeds—"Now, therefore, you are hereby called upon to appear personally before me at my office here on Tuesday, the 17th day of May, 1898, so as to give me the opportunity of hearing all you have to say in connection with the murder of Mbaba and others, and what had led up to it, in order to be able to decide what further steps ought to be taken in this matter." Then follows clause promising safe conduct Bremersdorp and return to Zomboti after enquiry. Ends.

I hear Paramount Chief was not at kraal when message was delivered on Saturday. As time was pressing, I sent message to Paramount Chief yesterday, in reply to his invitation, that I hoped to meet him in Bremersdorp on Tuesday, when he comes to Special Commissioner, and that I shall be present at meeting. Chief was not at Zomboti.—SMUTS.

## Enclosure 8 in No. 9.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

16th May, 1898.—No. 2.—Following is reply to Special Commissioner's message as given me by Mr. Krogh: Begins:—Received refusal of Ngwani to come in by his Mother and Raad. Excuse, he is sick. Raad takes entire responsibility of death of Mbaba upon itself, saying they killed Mbaba without the knowledge of either Ngwani or his Mother, knowing at the same time that they acted against the Convention by shedding blood. The Raad would come in in response to the message, Bunu would not. Ends.

Mr. Krogh has communicated this to the Government. I told Mr. Krogh I had sent message yesterday saying I hoped to meet Ngwani in Bremersdorp on Tuesday. He was not at Zomboti, but promise was made Indunas will be sent to me to day. Men in uniform of South African Republic Field Artillery here. It is said that they bring over light guns and supplies of ammunition.—SMUTS.

## Enclosure 9 in No. 9.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

(Extract.)

16th May, 1898.

I read this morning to the Special Commissioner a paraphrase of your telegram of 14th May, calling it note of what I wished to say. He made notes and asked for a copy. May I comply with this request?

If I am notified by Indunas that Chief refuses to come to town, I think that a recommendation to alter decision cannot be regarded as an unsolicited interference.—SMUTS.

## Enclosure 10 in No. 9.

From the HIGH COMMISSIONER, Cape Town, to the BRITISH CONSUL, Swaziland.

## TELEGRAM.

17th May, 1898.—Referring to your telegram of 16th May, you may give the Special Commissioner a copy. You may, acting in the spirit of my instructions, use your influence to induce Paramount Chief to comply with the summons to come to Bremersdorp, if assured that he will be allowed to return to Zomboti unmolested.

## Enclosure 11 in No. 9.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

17th May, 1898.—Three Swazi Indunas and interpreter came to Consulate yesterday afternoon and reported message sent by Special Commissioner on Saturday, and reply given similar to version already telegraphed, except admission that Council knew they acted against Convention in killing Mbaba. I asked if Paramount Chief had received my message of Sunday and what is reply. Induna said Paramount Chief had received message, and after receiving it said: You, the Council, are responsible, you must first go. I finally said: "I have read in the paper and elsewhere the message sent to the Paramount Chief by the Special Commissioner on Saturday. It is a message which seems to be based on the first report of the Paramount Chief that he is responsible for the death of Mbaba, but now this answer brings in another and a new version. The calling of the Paramount Chief is not my work, but the words and promises are known to me and have been notified by telegraph to the High Commissioner. I can see no reason why the Paramount Chief should not come in with the Council, and I need not have said this now, for I have already expressed a hope that I will meet him in Bremersdorp. When he comes in town morning, it will be complying with the wish of the Government. I hope to hear again from you very early to-morrow morning. Of course don't know what other arrangements Mr. Krogh may have to propose in consequence of the Chief's refusal sent to him on Saturday." In the course of interview Alpheus informed me, though not in his official communication, he would like to know what I think on subject of Paramount Chief coming to meet Special Commissioner.—SMUTS.

## Enclosure 12 in No. 9.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

18th May.—Queen Mother and Council had meeting with Special Commissioner yesterday afternoon. Paramount Chief was not present. Responsibility of Council for death of Mbaba reaffirmed, and Mr. Krogh's reply requested. Mr. Krogh said he had heard everything, but it was not sufficient. He wished to see Bunu himself, and hear from him *re* death of Mbaba. He reiterated this guarantee of safe conduct, and said he would await Paramount Chief on Saturday. He commanded Council to tell him to come.—SMUTS.

## Enclosure 13 in No. 9.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

18th May, 1898.—I told Alpheus after the meeting that I would pay visit on Thursday to Zomboti to see Paramount Chief. I shall then use my influence to induce him to come in on Saturday.—SMUTS.

## No. 10.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received June 11, 1898.)

(Extract.)

Government House, Cape Town, May 25, 1898.

IN continuation of my despatch of the 18th instant,\* I have the honour to transmit, for your information, a copy of further correspondence, respecting the position of affairs in Swaziland.

## Enclosure 1 in No. 10.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

20th May.—I paid visit yesterday to Zomboti. Paramount Chief was absent, the Councillors who were sent to call him saying he came part of the way but was too ill to come further. I had interview with Queen and some of principal Councillors and strongly advised compliance with summons. The Queen promised to communicate to Paramount Chief my words, but I doubt whether he will accept advice as Council also apparently mistrust presence of large police force in the village.—SMUTS.

## Enclosure 2 in No. 10.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

May 21st, 1898.—Paramount Chief came in to-day. Had interview with Special Commissioner. Chief placed responsibility on Council and Council accepted it. Special Commissioner said further steps would be taken by judicial enquiry and Paramount Chief must answer any summons sent by Landdrost or Public Prosecutor. Further particulars Monday.—SMUTS.

## Enclosure 3 in No. 10.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

23rd May:—Went to village Saturday morning to attend meeting between Special Commissioner and Paramount Chief. About 10.30 Queen, some councillors and about 400 men arrived and remained outside village. At about eleven I received message from Consulate that a Councillor had arrived to announce Paramount Chief was coming there, as he had something to say to me before going to village. I told Mr. Krogh and said I would not insult his Government by giving Paramount Chief my protection should he ask for it, as I knew that even without promise given the Paramount Chief was quite safe, but that acting in the spirit of the statement I had made I had used my influence to get Paramount Chief to answer the summons, and that I would continue to use it by offering to ride down with him to the village. Paramount Chief arrived at Consulate about one o'clock with principal Councillors and about 500 men. He said he was unwell on Thursday, and was still ill to-day; he had come to ask me to be his spokesman, to apologise to the Special

\* No. 9.

Commissioner for the act of his Council, and to hand the Special Commissioner what he proposed to apologise with. I said Paramount Chief had been summoned by Special Commissioner to come and speak for himself. I explained that he was perfectly safe in going to village and strongly advised his doing so. I could not offer protection, for I believed the promises of Special Commissioner really unnecessary in such a case, but I would ride down with him. He said he would go to village with me but would not promise to see Special Commissioner till he consulted his mother. We then rode down at head of councillors and impi, and after Paramount Chief had spoken to his mother and councillors for about ten minutes outside Court House the meeting commenced. Prior to leaving Consulate I told Paramount Chief to instruct his impi to behave well in village, this he did and both his and Queen's impi drawn up on square near Court House remained perfectly orderly during whole of proceedings. Before meeting, I told Special Commissioner purport of what Paramount Chief had said and my reply. Following are my notes of meeting :—

*Special Commissioner* :—It is well that Bunu here to-day, that he has given effect to my calling him to appear here to-day, I trust he will always be obedient when he is called up, and give hearing to same when he does so, it will simplify matters. The Government wishes to hear from you, Bunu, what you have to say about the death of Mbaba and others, and has instructed me to call you up to appear before me so that you can say what you have to say respecting his death and what has led up to it. It is therefore I sent Commandant Botha, Mr. Emmett and Mr. Koevoort eight days ago to Zomboti with a written message to you to call you to appear here. To my disappointment they reported that you were not present at Zomboti, notwithstanding I sent Dinane a day before to warn you of the coming of my messengers. It was told that you were ill at Mpondweni, secondly that not you but the Swazi Council could come ; this was not as it ought to be for I called you up and not your mother and the Council, and it was expected you would come. Your mother and the Council came on the day fixed, last Tuesday, and they spoke, but that was sufficient neither for the Government nor for me, therefore to-day was fixed by me for your appearance to hear from you personally what you have to say about Mbaba's death and what is connected therewith. You also had expressed the wish to speak about his death before me ; now you have the opportunity to do so, and I am ready to hear you. I wish you, however, to understand that I do not sit here as a judge to pronounce judgment on this case, I am here alone as the mouth and ears of the Government, to whom I shall report everything said here. I am now prepared to hear what you have to say. *Zimbokwana* : He is come here because you said he must come here to-day. Last Tuesday the Council was here about this case, the Council acknowledged it was their matter for the Council complained of the condition in which the King is, he was not always in that condition they said, they cannot let things continue till he is dead. The Council said we will break the law and then go to our father the Special Commissioner, we know the Special Commissioner will punish us. We heard the Special Commissioner say and it is against the Convention that we must not shed blood. This is not the King's case, it is the case of the Council, the King said it dare not shed blood, you are guilty if you do so, that's all ! *King* ( ? *Queen* ) : I have nothing to say about this case, it is a case of the Swazi Council respecting the two others killed. They were two of his servants who were sent to get medicine and the Council said how can they be spared. The Council was sorry because of two other councillors who had died, this is all I have to say that you are very pleased King has come to day, we are also very glad Bunu is here, we hope the King will always come. *Re* death of Mbaba it was after the Council saw the King was not in good health, it was not a private matter, the offence is that we did not give notice that were going to kill him for his repeated offences. When Mashbana reported the death of Umbandine the President said now you have put up a new King will he not also die, wish to see him as old as you Mashobana, this is all, that is why they killed the induna, therefore we said if we kill him now they can kill us afterwards ; it is the truth I speak. The Council acknowledges it before this office ; that is all I have to say. We ask to be allowed to go now as it is getting late. *Special Commissioner* : Has Bunu nothing more to say ? *Bunu* . I have something to say, but it is not about this matter, I am waiting for Special Commissioner to reply.

*Special Commissioner* : I have heard what has been said by you, by Queen and by Zibokwana respecting the death of Mbaba. From other sources I have also obtained information respecting the circumstances of this matter ; by reason of all this I am convinced it is necessary that the matter should be taken into further consideration, but I am

not competent to do so. Thus you and the others concerned with you in this case may expect to be called upon by the Landdrost or Public Prosecutor for a judicial enquiry. I wish therefore in all earnestness to advise you, Bunu, to directly obey any summons you may receive that is from the Landdrost or Public Prosecutor for Swaziland, and you also Swazi Council here present I wish with greatest emphasis to warn you to see that such summons is not disrespected, but on the contrary that an immediate hearing be given to it, that is all I have to say. I wish once more to warn you that when Bunu is summoned he must obey such summons, viz., if the Landdrost or Public Prosecutor calls him up for a judicial enquiry *re* death of Mbaba.

*Queen* then suggested that further proceedings should take place at kraals.

*Special Commissioner*: "I do not sit as judge in this matter, I have only held an administration enquiry. What must be done further in the matter will be a judicial, not administrative enquiry, that is not held before me it is done by the Landdrost." *King*: "You say there are others who will enquire, I only recognise you to say to you what I have to say. I am angry with the Special Commissioner, so angry that I would like to swallow him because when he has a case he does not call me but calls armed people because I called my people, but it is customary for me to do that, there are so many armed people here that I will be afraid to appear here. I may be frightened away on seeing so many armed people." This speech was jocularly delivered. Paramount Chief and Queen then shook hands with Special Commissioner and myself and left the village shortly afterwards.—SMUTS.

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Enclosure 4 in No. 10.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

23rd May, 1898.—I called on Special Commissioner this morning, and said in order to avoid misunderstanding I would like to know whether judicial enquiry to which he had referred on Saturday had been decided on. Mr. Krogh said no. He would report to his Government, and it would be for them to decide. His opinion was that further steps must be judicial. I asked what was meant by judicial enquiry. He said he spoke for himself only, but he thought it might be a preliminary examination or a judicial investigation by persons appointed by the Government, and he had therefore said Paramount Chief and others might expect summonses from Public Prosecutor or Landdrost. I asked whether the holding of a Criminal Preliminary Examination had not been prejudiced by Paramount Chief and Council being asked to speak without being warned that what they said might be used in evidence against them. He said no, as what had been held was not a judicial enquiry. I pointed out that practically no enquiry had been held seeing that no questions were asked. Mr. Krogh said he had purposely refrained from asking questions as he did not sit as the judge, he merely gave Paramount Chief an opportunity to speak. He said he was anxious to avoid conflict. I replied I thought that holding of criminal preliminary examination might lead to conflict with Swazis, pointing out that this was only Protectorate, and the semi-independent position of Paramount Chief. He said he thought he could quote instances of such action having been taken. I enquired if in Protectorate. He said he could not say with regard to Protectorate. In view of a version of Paramount Chief's last speech on Saturday appearing in local papers, I asked him how he personally viewed it. He said seriously he thought the Paramount Chief and indunas were serious. I said my view of speech was jocular. He said Paramount Chief had said he might have to act on defensive. I said my interpreter had checked the words I had noted. Mr. Krogh said Queen had smoothed over words of Paramount Chief. I said I considered there was nothing in Paramount Chief's words or manner which was defiant. Ends.

I have since asked my interpreter, who says he never heard Paramount Chief say anything about acting on defensive. The very last sentence in my report attributed to Paramount Chief and numbered as such by Alpheus may have been the Queen's, but the rest was Paramount Chief's. It is well to note that the "Times" of Swaziland "Argus," "Star" and Reuter reports all emanate from same source. Ends.—SMUTS.

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No. 11.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received June 18, 1898.)

Government House, Cape Town,  
June 1, 1898.

SIR,

IN continuation of my despatch of the 25th ultimo,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

Enclosure 1 in No. 11.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

British Consulate, Swaziland,  
May 18, 1898.

SIR,

I HAVE the honour to enclose a copy of the Special Commissioner's message to the Paramount Chief, summoning him to Bremersdorp to explain his action in connection with the death of the Induna Mbaba and others. I also enclose a translation of the message, the purport of which has already been telegraphed to Your Excellency.

I further transmit a copy of a statement made by me to the Special Commissioner, relative to Your Excellency's position in the matter, and your willingness to allow me to act in the direction of bringing about a settlement.

I hope to send by next post a report of the Special Commissioner's meeting with the Queen Mother and Council last evening.

I have, &c.,  
J. SMUTS,  
Her Majesty's Consul.

His Excellency the High Commissioner,  
Cape Town.

P.S.—Notes of my meeting with three Indunas at the Consulate on the 16th instant are also attached.

MESSAGE from the SPECIAL COMMISSIONER for SWAZILAND to UNGWANA, *alias* UHILI, *alias* UBUNU, Paramount Chief of the Swazis in Swaziland.

Whereas from time to time, and especially of late, reports have reached me, from which it appears that the inhabitants of and in Swaziland, whites as well as natives, have been brought to a state of unrest, and the Government, recognising the seriousness of this state of affairs, has decided to put an end to this unrest so as to ensure the development, prosperity, and welfare of the country.

And whereas it appears to me, from various messages received by me from you, that the chief Induna, Umbaba, and the Swazis Mzenhlela, and Umpanzane, were killed at Zombodi during the night between the 9th and 10th April, 1898.

And whereas you, according to messages received by me from you, have taken the entire responsibility thereof upon yourself.

And whereas the unrest amongst the whites and natives has increased on account of this deed.

And whereas the Government is desirous to hear you upon this matter.

Now, therefore, you are hereby called upon to appear personally before me at my office here on Tuesday, the 17th day of May, 1898; so as to give me the opportunity to hear all you have to say in connection with the murder of Umbaba and others, and what had led up to it; in order to be able to decide what further steps ought to be taken in the matter.

It may possibly be superfluous to inform you, and it is, therefore, solely to prevent wrong impressions which may be maliciously communicated to you to your detriment, that I wish to tell you you may come to Bremersdorp and no harm will befall you here, and after the interview you will be able to return to Zombodi in safety. Or should you, by reason of all kinds of alarming rumours, desire it, you may without fear entrust yourself to the care of the bearers of this message from Zombodi to here and back.

Given under my hand at Bremersdorp, Swaziland, this 13th day of May, 1898.

J. C. KROGH,  
Special Commissioner for Swaziland.

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*Notes of Statement made by the British Consul to the Special Commissioner for Swaziland, on 16th May, 1898.*

The High Commissioner has heard with pleasure that Your Honour's Government proposes that an opportunity should be given to the Paramount Chief to explain his action, and His Excellency has expressed a hope that this will be done promptly. His Excellency has now been made aware of your message to the Paramount Chief of the 13th instant. There has been careful abstention on the part of the High Commissioner from any action in the matter of the death of Mbaba, for the Government of the South African Republic is under the Convention responsible for the administration of this country, and avoidance of the suspicion of interference in the tenour of the position under the Convention is the wish of His Excellency. Great anxiety is at the same time felt by the High Commissioner as to the future, because any action which led to a conflict with the Swazis on the part of the South African Republic Government would not only be disastrous to the country, but differences which the High Commissioner is most anxious to avert might result between our two Governments. The sanction of Her Majesty's Government would be required for any change in the political constitution in Swaziland as established by the Convention, and great difficulties might arise. It is therefore most desirable to maintain the political status. The High Commissioner is for that reason quite willing that I should exercise my personal influence in the direction of a settlement being brought about by which a conflict may be avoided and a repetition of the late deplorable events prevented without the compromise of 1894 being upset. I wish Your Honour to clearly understand that any advice I may tender, either to you or to Ngwani, and any mediation undertaken by me, are in my private capacity, and that though it is with the High Commissioner's knowledge I am acting, I am not, as the representative of Her Majesty's Government, intervening officially, seeing that nothing to justify such official intervention has yet occurred.

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*Notes of British Consul's Interview with Indunas Zibokwana, Mashobana and Hlonitshwa and Alpheus Nkosi at British Consulate on Monday, 16th May, 1898.*

*Dyer Macebo, British Consul's Interpreter, also present.*

ZIBOKWANA : Do you know the Queen's words ?

BRITISH CONSUL : When ?

ZIBOKWANA indicates about three-and-a-half years ago.

BRITISH CONSUL : Yes.

ZIBOKWANA : What did she say ?

Before British Consul answered, Zibokwana said I will tell you the message.

We are sent by the King and Queen to come and tell the British Consul of the messages to and from Pretoria. The King and Queen have been waiting, and whilst waiting the Commandant of the Police came last Saturday.

The Swazis had not forgotten the British Consul. Their intention was to come and tell him all that was said in Pretoria. It was reported in Pretoria that the Swazis wanted to hear from the Government as well as from the Special Commissioner. The Swazis wanted to know about the hut tax. Is it true that the message was from the Government, and the Government said all that the Special Commissioner said we said ? After all that was repeated the deputation said the Swazis wished to be reported to the High Commissioner by the South African Republic Government, and they also reported that

they wished to send a deputation to the High Commissioner to inform the High Commissioner that they had been asked to pay hut tax.

Now to-day the Swazis say it is good to go to Her Majesty's Government to tell them, because they are the people who told the Swazis the South African Republic would treat them well. The Governor of the Cape said, what I am saying is the truth; and he also said the present Dutch are not like the former Dutch. The present Dutch cannot spoil anything which is in the law, and the Government said we hand you over to these people but not an egg will be broken—you will have all your rights. Former Dutch people were cruel, but the present Dutch are so nice that they will treat you well. Tell the two Queens that I have bound myself to this Government, and ask the Queen to take this. If they follow this the Swazi nation will stand. I am bound by the Convention made without agreement with the Swazis. Tell the Queen to be steady and quiet. What we are saying the British Consul knows. I shall always be there to see the South African Republic keep the Convention. I shall send my representative to the country to see justice is done you, and you must look upon the man as the Queen. He will see what is right and wrong. That is all. We are come to remind you of all. You can correct us.

BRITISH CONSUL: I do not remember the words you have spoken about the Dutch, but the fact that the Queen made a Convention with the South African Republic shows that she trusted them. The Convention was fully explained to you—the rights of the Swazis, the rights of the South African Republic, and you were also told of some of your old practices, which were to be discontinued; the appointment of an officer here, and his duties, were also explained.

ALPHEUS: The chief message we have come about is (and we would have come yesterday, but thought you might not be at home), that last Saturday a message from the Government was brought to the kraal by the Commandant, to ask the King to come to the village on Tuesday, 17th May, to give his explanation of the killing of Mbaba, so the King invites you to be present at the meeting with the Government. The Council said the King cannot go on Tuesday, but the headmen, who are responsible for the death of Mbaba, can go.

ZIBOKWANA: The Paramount Chief is blaming the Council—that was not said on Saturday, but it was said the Paramount Chief does not know anything of the killing of Mbaba, that he is not responsible, but that the Council is responsible. What we said last Saturday is what we said at Pretoria—it is not one man—the Council is responsible for it.

MASHOBANA: After the death of Umbandine I was sent to the South African Republic to report it, and also the appointment of the late King. The President said, you have appointed Umswazi, Ladonga and Umbandine, and they are dead, and now you have appointed the present King Bunu. If he dies we will destroy you, and now the Council has said as the late man Mbaba is killing the King we should kill him.

ALPHEUS: The Government, in receiving the report of the death of Mbaba, said they thanked the Swazis for speaking openly, as they had heard from the Special Commissioner before the deputation reached Pretoria. They said they heard from the report of the deputation that the Induna was putting himself higher than the King, so they said the Special Commissioner will enquire and settle it, and will report to the Government what he has done and what he finds out of the matter.

The Queen Mother will probably be present at the meeting to-morrow.

BRITISH CONSUL: The Paramount Chief sent to tell me definitely some time ago he was responsible for the death of Mbaba, now I hear another story. I sent a message yesterday to say I hope to meet the Paramount Chief in Bremersdorp to-morrow when he comes to the Special Commissioner, and that I would attend the meeting. Did the Paramount Chief receive that message, and what is his answer?

ZIBOKWANA: He received your message, and after receiving it said, you, the Council, are responsible, you must first go.

BRITISH CONSUL: I have read in the paper, and elsewhere, the message sent to the Paramount Chief by the Special Commissioner on Saturday. It is a message which seems to be based on the first report of the Paramount Chief that he is responsible for the death of Mbaba, but now this answer brings another and a new version—the calling of the Paramount Chief is not my work, but the words and promises are known to me, and have been notified by telegraph to the High Commissioner. I can see no reason why the Paramount Chief should not come in with the Council, and I need not have said this

now for I have already expressed a hope that I will meet him in Bremersdorp when he comes to-morrow. It will be complying with the wish of the Government. I hope to hear again from you very early to-morrow morning. Of course I do not know what other arrangements Mr. Krogh may have to propose in consequence of the refusal sent to him on Saturday.

NOTE.—During the interview Alpheus informed me that, though not included in the official communication he had been instructed to make, the Swazis would like to know what I thought about the Paramount Chief's coming in to meet the Special Commissioner. He also said Mr. Mordaunt was trying to persuade him to come.

J. SMUTS,  
Her Majesty's Consul.

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Enclosure 2 in No. 11.

From HER MAJESTY'S CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

British Consulate, Swaziland,  
May 20, 1898.

SIR,

I HAVE the honour to enclose, for Your Excellency's information :—

(1.) Mr. A. M. Miller's shorthand notes of the Special Commissioner's interview with the Queen Mother and Council on 17th instant.

(2.) My own report of a portion of the proceedings.

(3.) Notes of my interview with the Queen and some of the principal Councillors at Zomboti Kraal on the 19th instant.

I have, &c.,  
J. SMUTS,  
Her Majesty's Consul.

His Excellency  
The High Commissioner,  
Cape Town.

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There were present Special Commissioner Krogh, Landdrost Tengbergen, Secretary Koevort, Commandant Botha, Lieutenant Townsend, Mr. W. Emmett, J.P., Mr. J. H. Nuns, Interpreter Howe, and others ; and of the natives, Nabatibeni (Indhlovukuzi)\*, Nococo (Regent), Isibukwane, Nongcangu, Beli, Kitja Untiti, Masuka, Matshobana, Masipula Lutuli, Hloutshwa, and about 30 others.

SPECIAL COMMISSIONER : I am sorry you came so late,

INDHLOVUKUZI : Yes, Inkosi, I am sorry we are only here when the sun is under. But we waited thinking the rain would pass. But it did not. We wished to be here on the appointed day, and so we came, though it was late. We are sorry it is late, but we did not wish to disobey.

SPECIAL COMMISSIONER : I will say a few words to you. Tell her that from time to time I have informed the Government in Pretoria what has been reported to me by Bunu messengers with regard to the death of Umbapa and others.

ALPHEUS : Please speak louder so that all can hear (to interpreter).

SPECIAL COMMISSIONER : And in accordance with the message of Bunu, namely, that he was the cause of the death of Umbapa, the Government wishes to know what he has to say. The Government has, therefore, instructed me to ask Bunu to appear before me to-day, so that he may have an opportunity to say what he has to say with regard to the death of Umbapa, and what has been principally the cause and reason of the occurrence. On Saturday last I sent Commandant Botha, Vrederechter Emmett, and Mr. Koevort with a message to Bunu to call him up to appear before me to-day. These gentlemen have delivered their message and they reported to me the message from the Mother of Bunu and the Council, namely, that she and the Council would appear before me to-day but that Bunu would not come. I am sorry that notwithstanding I have called up Bunu, and on account of the troubled reports I guaranteed his safety—I say I am sorry he is not present, but I will listen to what you have to say, and I am now prepared to hear your statements. I may remark that according to messages received by me from Bunu he has expressed a desire to speak to me, but he is not here. I am now prepared to hear what you have to say.

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\* *i.e.*, the Queen Mother.

The INDHLOVUKUZI : Yes, Chief, I have to thank you very much for the words which you have spoken. We, the people of Swaziland, have heard what you have said, and I reply. But, Chief, I have only a little to say, for you see before you a woman without a husband, one who has had a lot of small children whom she has looked after and brought up. But now those children are grown up; they do what they like, and I am satisfied with what they do, for I do not now control them, and they are responsible for their actions. I cannot interfere with what they do now. I have not much to say, being a woman without a husband, but I will speak a few words later as I must wait for the words of the Swazi Council.

ISIBUKWANE was then called upon by the Queen, and after a little delay came forward and said I will now speak. My words in reply are that the killing of Umbapa is the case of the Swazi Council. I say it is the case of the Swazi Council because the Swazi Council saw and said "It is not going well with the King." So the Council said "We will kill him. We will kill him and then report it to the Special Commissioner." So the Council killed him. We killed him, but we knew that the Special Commissioner had said to us "You must not shed blood." We knew that. We knew that the Special Commissioner had spoken those words according to the Convention made by the President. It was said in the Convention "Nothing must go wrong, even though it might be a very small matter." We knew that. The Council knew it. So it was the Council said "We must appear to-day, for this is not the case of the King, but the case of the Council." We spoke of the matter and said "Let us go and report ourselves to our father, the Special Commissioner, then he can kill us." Thus said the King to us, "Go, my fathers, go, it is your case. You know the Special Commissioner has told us we must not shed blood. Go and report your case to him." That is all I have to say. We must wait for the answer.

The SPECIAL COMMISSIONER : I have nothing to say.

The INDHLOVUKUZI : The Chief sees us before him to-day. We have come because this day was named. I think he is compelled to give us an answer. I think he must answer me because I represent the King. The Chief can see I am a woman. Though it was raining I came. I tell you I represent the Swazi Council, and as we are here I think it is good we should talk everything out straight. I say the Swazi nation is responsible for the killing of Umbapa, and I say I represent the Swazi nation. The King has said, "It is you who must go and talk about the case." We are here. Did not the Chief hear a little whisper? Did not a little whisper reach him that when the King was at the kraal one day Umbapa was killed at a fire one day by a madman. I have nothing more to say.

A pause ensued for some time, when the Indhlovukuzi said : We admit we have done wrong.

At this point the British Consul arrived and the minutes of the proceedings were read over to him, after which

The BRITISH CONSUL said : May I explain to the Queen how it was that I was not here at the commencement of the proceedings.

The SPECIAL COMMISSIONER : Yes, certainly.

The BRITISH CONSUL : I wish to thank His Honour for reading over to me what has taken place before my arrival here. I waited until a quarter past three for the Queen to come on, and was then called away on important business, and rode out to the Consulate and back as fast as I could.

The SPECIAL COMMISSIONER : Say I am still listening.

ISEBUKWANE : We have spoken all we can say at the present moment.

INDHLOVUKUZI : Yes. We have finished. We have spoken all we have to say ; we ask that we shall not go back without an answer.

The SPECIAL COMMISSIONER : Are there no others who wish to speak ?

The INDHLOVUKUZI : I have no long words to speak. I have finished.

The SPECIAL COMMISSIONER : The Queen said I am obliged to give them an answer to what has been said. Say I am not sitting here as a Judge, but am only listening to what they have had to say. I called up Bunu, but he has not come, and I only see the Council before me. They notified me that they would come and I sit here only to listen. I must say nothing more than I am going to say now. I have listened to everything that has been said, but it is not satisfactory to me. I wish to see Bunu himself, and to hear what he has to say personally about the killing of Umbapa. He need not be afraid. I guarantee him before all who are present here his safety to this place, and his safety as long as he remains here and when he wishes to go, and I give him this guarantee

because there are so many rumours in circulation ; for instance, one rumour that I want to get him to Bremersdorp and arrest him. That is why I refer to this matter and give him my guarantee, and will allow him to go back to Zombodi or wherever he likes. And now I tell you all I shall await him here on Friday. I trust he will come, and that he will listen to what I am saying now, and that he will come early that we can finish our work. And I command all of you of the Council to advise him to come in. You, his Mother, as well. That is all I have to say.

The INDHLOVUKUZI : The Council is present and they must reply. Why do you want the King ? The King is not afraid to come, but he says the Council must first answer, and when the Council has answered then he will come in. He does not refuse to come because he wishes to disobey you, but because the Council must first answer.

The SPECIAL COMMISSIONER : I ask no reply to what I have stated. All I have to say I have said, and that is, I want to see Bunu here on Friday.

The INDHLOVUKUZI : We must first come together we of the Council, and talk the matter over amongst ourselves. And we must then see the King. The time is very short. We must first speak to the King as he holds the Council responsible for what has happened. The time is very short.

The SPECIAL COMMISSIONER : Ask her will Saturday suit her.

The INDHLOVUKUZI : Yes. That will give us time. We must have time to talk it over.

The SPECIAL COMMISSIONER : Very well. On Saturday Bunu must be here.

The INDHLOVUKUZI : But the King holds the Council responsible.

The SPECIAL COMMISSIONER : I have nothing to do with that. Tell the King Saturday is the day on which the King must be here.

The SPECIAL COMMISSIONER then rose and the indaba terminated.

A true transcription of my shorthand notes.

18th May, 1898.

ALLISTER M. MILLER.

Special Commissioner's interview with Queen Mother and Council in Government Buildings, Bremersdorp, 17th May, 1898.

British Consul had awaited in village until 3.15 p.m. arrival of Swazis when he was obliged to go to Consulate on urgent official business. On the Consul's return to Bremersdorp about 4.35, Special Commissioner's introductory remarks and statements of Queen Mother and Zibokwana had been made. The Special Commissioner directed his secretary to read Minutes of proceedings. Consul explained to Swazis cause of his absence, and thanked Commissioner for having directed the reading of the Minutes.

Following is translation of the secretary's notes of statements by Queen and Zibokwana.

QUEEN : I thank the Special Commissioner for the words spoken by him. All that the Special Commissioner says, he has said before. I have long said that I am a woman without husband. The three children were small. I took care of them. Now they can do as they wish. What they do now I do not understand. I have not much to say. I am a woman without husband.

ZIBOKWANA : Respecting the death of the Induna Mbaba. It is a matter of the Swazi Council for the Swazi Nation noticed it was not going well with the King and the condition (state of health) in which the King is. He used not to be in the condition in which he is now. Then the Swazi Council said we cannot allow it to remain thus till the King dies. The Swazi Council then said we will kill him, but we will ourselves report to the Special Commissioner, and thus the Swazi Council killed him. We said the Special Commissioner has said we must not shed blood, according to the Convention made by the President, and the Convention says that nothing must go wrong, not even a little thing. Now the Swazi Nation says we must appear here to-day as it is not the King's, but our affair. Let us go to our father, the Special Commissioner. Let us report our matter to the Special Commissioner, then he can kill us, punish us. The King says, now, my fathers, it is your affair, go now to the Special Commissioner for I know well the Special Commissioner has told me I must not shed blood. That is all we can say, and now await your reply.

SPECIAL COMMISSIONER : I have nothing to say.

QUEEN : I think the Special Commissioner is obliged to give me an answer as I represent the King. The Special Commissioner and every one else can see that I am a woman. It is raining, but I have come as a witness, to say that the Swazi

Nation is guilty of the murder (offence). The King said we must first come and talk over the matter. Has not the Special Commissioner heard that it happened at a fire, and that he was killed by a madman?—That is all I can say.

Following are British Consul's own notes.

SPECIAL COMMISSIONER : I am still listening.

ZIBOKWANA : That is all we can say at the present moment.

QUEEN : That is all we have to say.

SPECIAL COMMISSIONER : The Queen said I was obliged to give an answer to what was said. I am not sitting as a judge. I have said I called up Bunu, but he has not come, but I see the Council, and they had also notified that they would come. I sit here only to hear. I have nothing to say, but what I am going to say now. I have heard everything said here, but it is not sufficient. I wish to see Bunu himself and to hear from him re death of Mbaba. He need not be in the least afraid to come here. I guarantee him his safety here, and so long as he is here and again back to Zomboti or wherever he wishes to go. I give this guarantee solely because there are so many rumours going about, namely, one that I wish to get him here to arrest him. Therefore, I give him my guarantee that he may come here and go where he will ; and now I tell you that I shall await Bunu on Friday. I trust he will listen to what I have to say, and come early, so that we may finish our business. I command you, the Council, to tell him to come. That is all.

QUEEN : The Council, which are present, must reply that they are responsible for the death, and why do you want Bunu. Bunu is not afraid, but he says the Council must first reply. After the Council have replied to the matter, then he will come. He does not refuse to come because he wishes to disobey.

SPECIAL COMMISSIONER : I ask no reply to what I said. All I say is that I expect Bunu on Friday.

QUEEN : We want to talk about the matter.

SPECIAL COMMISSIONER : Will Saturday do ?

QUEEN : We wish to talk the matter over amongst ourselves, and to see Bunu as he holds these (the Council) responsible for what has happened, and we do not want the time made too short.

SPECIAL COMMISSIONER : I fix on Saturday.

QUEEN : He holds the Council responsible.

SPECIAL COMMISSIONER : I have got nothing to do with this. Saturday is the day I say he must be here.

*British Consul's Interview at Zomboti Kraal. May 19th, 1898.*

PRESENT : Queen, Zibokwana, Gitja, Mbhili, Nococo, Masuka, and Nkundhla ; also Nonganga and Hlonitshwa, during latter part of proceedings.

British Consul said he had come to read over to them notes given him of the words spoken by the Queen and Zibokwana at the meeting with the Special Commissioner on Tuesday evening, so that he might regard them as having been spoken in his own hearing.

The South African Republic official notes were then interpreted. The Queen and Zibokwana agreed to their accuracy, subject to the following explanation by the Queen :—

She did not say the Paramount Chief is now out of her hand. She thanked the Special Commissioner for what had been previously said, viz., a promise that the Paramount Chief would grow as old as Mashobana. Since the death of the late king she took care of him, as she had been promised he would grow old. To-day he has grown up. He is more like a husband. He can stand and help her. (She looks to the Chief and the British Consul for assistance). British Consul said he would now regard the words as though he had heard them.

BRITISH CONSUL : That is the first reason why I came here to-day. The second is perhaps of more importance. I gave notice through Alpheus on Tuesday evening that I was coming to-day, and I asked that the Paramount Chief and the Queen should be present. I do not see the Paramount Chief. Zibokwana was at my house on Monday afternoon, and in the course of what he told me he said that the Governor of the Cape had told them that they must look to the man placed in this country as the Queen herself. I am therefore very sorry that when the Queen's representative invites the Paramount Chief he does not answer, especially when, as always, I come to speak for his

good. I heard the Special Commissioner say he expects Bunu in Bremersdorp on Saturday, and I know that the Paramount Chief did not come last Tuesday when invited by the Special Commissioner. I wanted therefore to see the Paramount Chief and tell him that the summoning to Bremersdorp is not my work, but that I know of it. I have seen the summons and the promises it contains. I have sent a copy of it to the Queen's Government. It has been published in the newspaper, and it will therefore be known to the whole world. Amongst white nations when such a summons is sent there is no question as to the safety of the man sent for,—the man sent for is always safe. If such a man were hurt under such conditions the whole world would be against such a nation. Therefore I say the promises made by Mr. Krogh were unnecessary, but to reassure you and to obviate the harm that other people may be doing, the Special Commissioner has put his promises in writing, and has told you in writing and by his mouth. Therefore there can be no doubt as to the safety of the Paramount Chief. I now say if the Paramount Chief does not come on Saturday it will be shewing disrespect to the Government. I therefore say: Queen and Councillors, send the Paramount Chief a message, tell him what I have said to-day. Tell him I speak as his friend. Tell him I am the man sent here by the Queen's Government, and though I have to look after the interests of the Queen's white subjects, my chief work is to represent the Queen in native matters. I have no more to say. I finish by saying that I expect to see the Paramount Chief in Bremersdorp on Saturday morning. I will be there, and it will be a great grief to me if I have to tell the Queen's Government that the Paramount Chief did not come. Why did the Paramount Chief not come to-day?

QUEEN: There is nothing wrong. No ill-feeling in his heart.

CONSUL: Why is he not here.

QUEEN: There is nothing wrong. We have nothing against the British Consul. He is as good as Colonel Martin.

CONSUL: I am sorry at not finding him—I gave two day's notice.

QUEEN: As we left the Court House the British Consul shook hands with me, and the British Consul told Alpheus the Paramount Chief must be at Zomboti on Thursday. It was dark and raining. We did not get home till late. The Paramount Chief had taken medicine before he heard the British Consul's message. He said "Tell the British Consul I am sorry I have taken medicine, I am sorry I cannot come down. I would come if I was well. I would not keep away."

CONSUL: I do not think I can say anything more—I have a long way to ride home—I have spoken words to-day about the meeting, and I have spoken them from my heart as a friend. Send the Councillors to tell the Paramount Chief what I say, and let me see him in Bremersdorp on Saturday.

QUEEN: We say we run to the Queen's representative when we are in trouble. We reckon the Consul is able to take us all.

CONSUL: Will you send to tell the Paramount Chief what I have said?

ZIBOKWANA: We quite understand.

CONSUL: Will you tell the Paramount Chief I came to talk to him?

QUEEN: The words will be repeated.

ZIBOKWANA: For what are they armed?

CONSUL: You have got a promise for Saturday.

ZIBOKWANA: We are afraid of the guns. Why do they run for their guns when they see us coming?

(The British Consul is informed by his interpreter that when the Swazis arrived in the village on Tuesday afternoon, a number of the police fetched their guns and revolvers from the Court House. This was probably done to clear the room for the meeting, but was sufficient to alarm the Swazis. The British Consul did not know of this at the time of his interview at Zomboti.)

CONSUL: The Special Commissioner has given a promise that nobody need fear the guns on Saturday. It is a promise to the world that the Paramount Chief will be quite safe on Saturday.

ZIBOKWANA: It was said in Pretoria that the Special Commissioner will come to the kraal.

CONSUL: The Paramount Chief has offered to give an explanation, and the Special Commissioner has now called on him to do so.

ZIBOKWANA: We have not killed a white man.

CONSUL: It is no good going into that now.—It is about the Paramount Chief's coming and the Special Commissioner has promised safety there, back, or to wherever he

likes. You said the Council are responsible. You were not hurt. Why should the King be hurt when he is promised safety ?

At this stage Nonganga and Hlonitshwa arrived from the King's Mountain kraal and said he had come down the mountain as far as Shepstone's house, but was ill and could not come further. Perhaps he would be well enough to come, to Zomboti to-morrow if Consul returned.

CONSUL : No, it is no use my coming back to-morrow. If you want to know anything more, you know where my house is. Send my message to the King. Tell him I hope to see him on Saturday. I have spoken to you to-day not as British Consul but as your friend.

QUEEN : But we look to you as the British Consul. We are not many. You can take us all under your arms.

Enclosure 3 in No. 11.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

26th May, 1898.—I shall be much obliged for Your Excellency's views of position of affairs referred to in my telegram of 23rd May.—(SMUTS.)

Enclosure 4 in No. 11.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S CONSUL, Swaziland.

TELEGRAM.

(Extract.)

26th May, 1898.—Your telegram of to-day. I agree with you in thinking attempt to hold a judicial inquiry will probably lead to conflict. In my opinion case should be dealt with administratively and promptly, Paramount Chief being let off with stiff fine, if he at once sends his people home and abandons defiant attitude. Do anything you can to bring this about without official interference.

Enclosure 5 in No. 11.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

28th May, 1898.—I had long friendly conversation with Special Commissioner yesterday in which it was clearly understood opinions expressed were personal. I strongly urged that the matter of death of Mbaba should be dealt with administratively and not by judicial enquiry or prosecution, pointing out that latter course would, in my opinion, lead to a conflict with, at all events, a portion of the Swazie nation, which would be disastrous to country and might create difficulties between Her Majesty's Government and South African Republic. I suggested that imposition of a stiff fine coupled with a strong remonstrance and warning would meet the case. Mr. Krogh could not see how difficulties on subject between two Governments could arise. He had nothing against the Swazie nation, but he wished to punish the man or the men responsible for murder of Mbaba and he thought proceedings could be taken without conflict arising. I pointed out that though the Paramount Chief had at first taken responsibility the later statements had made the matter an affair of himself and his Council, and thus almost a political rather than a purely personal criminal one. I said I wished to see the matter settled promptly and adhered to my opinion that the arrest of and proceedings against Paramount Chief would lead to conflict. Mr. Krogh said he also wished for prompt settlement, but the deed could not be overlooked. I said I did not wish it overlooked and in no way defended it, as it was inconsistent with civilised laws and customs, but I considered my views of a settlement a good one. Mr. Krogh asked whether I could guarantee that a warning and a fine would prevent a repetition of such occurrences. I said I could as little guarantee it as I thought he could that the punish-

ment of the Paramount Chief by imprisonment would ensure a final settlement, for we were dealing with a superstitious people. I assigned reasons in which he acquiesced. I asked what was proposed as to a Paramount Chief in the event of Ngwani's imprisonment or possible execution. He said the nation would elect a successor to be approved by South African Republic Government. I replied there could be no change of Paramount Chief without the consent of Her Majesty's Government, as Ngwani is guaranteed under the Convention. Mr. Krogh asked whether I thought that a fine and warning would meet the ends of justice. I said in the present case I thought they would, seeing that though killing off had been going on previously no steps to check it had hitherto been taken by the Government. I said that I am prepared to ask Your Excellency, in the event of my suggestion being acted upon, to allow me in the name of Her Majesty's Government to also strongly warn Paramount Chief. Tell him that in case of repetition he would be liable to stronger measures being taken against him. I pointed out with reference to the ends of justice being met, a case of Europeans who had killed a Swazi going unpunished. It is true they were brought to trial, but I had my own opinion as to proceedings. Mr. Krogh said, for protection of Europeans and natives, end must be put to such practices as killing of Mbaba, and that a European company had applied to him for arms, whilst interference by natives with concessionaires' workings had previously been complained of. I said I thought the opportunity might be taken to make clear the position of concessionaires, whilst I pointed out that though some Europeans were despised by the natives, there had never, to the credit of the nation, been a case where any European had suffered personal injury from them. As for the application for arms, I did not wonder at it, as the present position is practically one of armed peace and Europeans are wholly ignorant of the intentions of the Government. I finally repeated my views as to a solution, and said I am prepared to use my personal influence, if necessary, to bring about a peaceful settlement. Mr. Krogh has not yet received decision of his Government, but will inform me when it reaches him.—SMUTS.

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Enclosure 6 in No. 11.

From The HIGH COMMISSIONER, Cape Town, to the BRITISH CONSUL, Swaziland.

TELEGRAM.

(Extract.)

30th May, 1898. I have received your telegram of the 28th instant. I quite agree with and approve all you said to Special Commissioner. I think that for the present you have done all that can be done.

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Enclosure 7 in No. 11.

From HER MAJESTY'S CONSUL, Swaziland, to The HIGH COMMISSIONER, Cape Town.

TELEGRAM.

31st May, 1898. Queen Mother sent two Indunas on Sunday to inform me that Paramount Chief is ill and has now returned to his kraal on Mdimba Mountain, also that Special Commissioner has been similarly informed.—SMUTS.

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No. 12.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received June 18, 1898.)

Government House, Cape Town.  
June 1, 1898.

(Extract.)

WITH reference to my other despatch of this day's date,\* I have the honour to inform you that the state of affairs in Swaziland is still the cause of considerable anxiety. Events are moving very slowly.

You will observe that Mr. Smuts has, under my directions, been attempting to bring about a settlement which might avoid a war. As to the way in which this can best be

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\* No. 11.

done, I entirely agree with the suggestions of Mr. Smuts, contained in the correspondence which is forwarded in my despatch of this date.\*

It may be thought that the mere infliction of a fine is an inadequate punishment of the Paramount Chief for so grave an offence as the killing of 'Mbaba. But there are many considerations on the other side :—

(1.) The actual degree of responsibility attaching to the Paramount Chief himself is not clear, and probably never can be made clear.

(2.) The "killing off" of a leading induna because he was superstitiously believed to be responsible for the illness of the King—to be, according to Swazi notions, guilty of treason—was no doubt a barbarous act, inconsistent with "civilised laws and customs," but it was essentially a political and not a private crime. The Government is entitled, indeed it is bound, to put down the system of "killing off." But it is not bound to regard the first act of this character of which it has ever taken cognisance (having thus far abstained from interference in the purely tribal affairs of the Swazis) as an ordinary murder, which it certainly is not, or to have it tried as such in a Boer Court—even if it has the right, which is doubtful, of summoning the Paramount Chief to appear before such Court.

(3.) It is almost certain that the Paramount Chief will not submit to such trial. In that case the Government will be obliged to try and seize him, and it is quite likely the whole Swazi people may unite in defence of his person. A war would thus ensue in which the Swazis must be beaten, and which, whatever ultimate settlement were arrived at, could not fail to involve heavy losses to them. The tribe, as a whole, would thus suffer severely for a crime which—whether the Paramount Chief himself or his Council are responsible for it—can certainly not be laid at the door of the Swazis as a body. They would suffer for defending their chief, which they could not be blamed for regarding as their duty. I cannot think that the destruction of the Swazis for the crime of loyalty would appear, when consummated, a very satisfactory manner of vindicating the principles of civilisation in Swaziland.

On the other hand, if a fine is imposed, and a sufficiently heavy one, the heinousness of the offence which has been committed will be brought home to the Paramount Chief and his Council in a very practical manner, for all native chiefs are very fond of money. At the same time it is very unlikely that the imposition of a fine would be resisted, as the attempt to bring the Paramount Chief before a Court would almost certainly be. The innocent tribe would consequently not be involved in the affair at all. And lastly, if the fine were accompanied, as it ought to be, by a distinct warning, that in future acts like the "killing off" of 'Mbaba, being contrary to civilised laws and customs, would be dealt with as ordinary crimes, and tried by the European Courts of Swaziland, the chiefs and the people alike would have the fair notice, to which I think they are entitled, of the limits now imposed upon their right to deal with their own inter-native disputes in their own way—of which they have never been clearly made aware. I think that this warning, which it is desirable to make as impressive as possible, would be greatly strengthened, if it were given to the Swazis not only by the Government of the South African Republic, but also, and independently, by Her Majesty's Government through the British Consul. The Swazis would then clearly understand that, if they indulge in acts of barbarism, even though they be confined to the field of their own tribal politics, they cannot look to the Convention or to the British Government to protect them from the consequences. I shall accordingly, if the method of settlement which I am now advocating be adopted, instruct Mr. Smuts to give a very clear message in this sense to the Paramount Chief and his Council and to make the substance of it as widely known as possible.

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No. 13.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 4.15 p.m., June 22, 1898.)

TELEGRAM.

22 June.—British Consul in Swaziland reports Paramount Chief now at his mountain Kraal where he usually resides a few miles from Zomboti. Exact number of his followers difficult to estimate as they come and go, probably about one thousand with him at present. Bremersdorp has been put into a state of defence and there is of course much local excitement, but so far no acts of hostility have been committed on either side.

No. 14.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received June 25, 1898.)

Government House, Cape Town,  
June 8, 1898.

SIR,

WITH reference to my other despatch of this date,\* I have the honour to transmit for your information a telegram which I have addressed to Her Majesty's Agent at Pretoria, respecting the attitude of the Government of the South African Republic in regard to the present crisis in Swaziland, giving him instructions as to the representation to be made to that Government on the subject.

I have, &c.,  
A. MILNER,  
High Commissioner.

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Enclosure 1 in No. 14.

From HIGH COMMISSIONER to HER MAJESTY'S AGENT at Pretoria.

TELEGRAM.

(Extract.)

(June 2.)

Swaziland.—Please see State Secretary. Say I suggested interview, as I think frank exchange of views may help solution. He knows, I assume, what passed between Smuts and Krogh. Add that course recommended by Smuts indicates as far as I can judge a means of putting speedy end to present trouble.

I state my views fully for your guidance but not to fetter you. I am most anxious that you should not feel bound to follow either my exact line of argument or precise words, but that you should be guided by the course which the conversation may take. My present position is this: I entirely disclaim sympathy with the proceedings resulting in the death of 'Mbaba or any wish to hamper Government South African Republic in administration of Swaziland in accordance with Convention. I fully appreciate difficulty they feel about appearing to condone crime. At same time it seems to me main object is to prevent its recurrence, and to put prompt end to present state of unrest.

The objection to bringing Paramount Chief to trial is fourfold. First, there is, as I am aware, no Court in existence competent to try him. Second, it is very doubtful whether death of 'Mbaba can be brought home to him individually. Third, killing of 'Mbaba, though barbarous act and contrary to civilized customs, was, probably in eyes of Swazis, a political execution and not murder in our sense of word. They must be taught so to regard such acts in future, but it is reasonable to apply civilized standard to their actions gradually and after full warning, which they have not hitherto had. Fourth, if Paramount Chief is summoned before a Court he will probably not appear, not from contumacy, but from pure fright. Government will be obliged to insist on his appearance, if once it has summoned him. But if they attempt to seize him, Swazis very likely to resist, which will lead to a war certain to end disastrously for them. Whole tribe will thus be made to suffer for crime of a few individuals. Many people who have no sympathy at all for murderers of 'Mbaba will feel sympathy for Swazis if killed in defending their Chief. For these reasons judicial procedure seems undesirable and case should be dealt with administratively. I suggest that if Paramount Chief and Council petition Government expressing contrition, and promising in future to abstain from similar acts, Government should settle matter by infliction of fine accompanied by warning that in future acts of this character will be dealt with according to European law and perpetrators liable to be put to death. I believe, if this course were approved, Her Majesty's Government would be prepared to use all its influence to procure submission of Swazis and make them realize repetition of offence would involve most serious consequences to them. Her Majesty's Government earnestly desire well-being of Swazis, but will give no countenance to resistance to authority conferred upon South African Republic Government by the Convention.

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\* No. 15.

Their desire is to assist South African Republic Government in administering Swaziland in accordance with the terms of that instrument. In conclusion, my suggestions are advanced simply in spirit of friendly advice. I have no desire to dictate to the South African Republic in the matter, but we are entitled to be informed what is their plan for meeting the difficulty, if they are not prepared to accept that advice.

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No. 15.

HIGH COMMISSIONER; SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received June 25, 1898.)

Government House, Cape Town,  
June 8, 1898.

SIR,

IN continuation of my despatch of the 1st instant,\* I have the honour to transmit, for your information, a copy of a further despatch respecting the position of affairs in Swaziland.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

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Enclosure 1 in No. 15.

Her Majesty's Agency, Pretoria,  
June 4, 1898.

SIR,

I HAVE the honour to state that, in obedience to the instructions contained in your Excellency's telegram of the 2nd instant, on the crisis in Swaziland, I yesterday called upon Mr. van Boeschoten, the Acting State Secretary, and spoke to him in the sense of the arguments advanced in your message.

I need not trouble your Excellency with a report of the language in which I stated the above, beyond saying that I particularly called attention to the dilemma in which the Government would find themselves in the event of their bringing the Paramount Chief either peaceably or by force to a judicial enquiry, and then finding that the Court had no jurisdiction. I thought it was better to press this point, as I was aware that Judge du Toit had already expressed his conviction that he had no jurisdiction in the case.

The substance of the Acting State Secretary's reply was that the Government had repeatedly warned Bunu in the past; that they did not consider that the administrative settlement by a fine would deter him from similar acts in future; that they had no security that the fine would be paid; that it was necessary to make an example once for all, and put an end to the present unrest; that the body of the Swazi tribe detested Bunu; and that the Government anticipated little or no resistance from the few members of the tribe who would support him.

In reply, I, of course, combated those arguments, and pointed out the grave responsibility which the Government would assume, in the eyes of the world, if they adopted a course of action which must, in all probability, lead to the shedding of much innocent blood, without having in the first instance exhausted every means of finding a peaceful solution of the crisis, such as was suggested in your Excellency's telegram.

At the end of our interview, at which Mr. Schalk Burger of the Executive Council was also present, Mr. van Boeschoten promised to lay your Excellency's views before the President on Tuesday next, on his Honour's return from a trip into the country. In the meantime he undertook that no decision would be taken. He at the same time asked me for a pro memoria of the points raised in your Excellency's telegram, in order to refresh his memory in speaking to the President. I accordingly sent him a short summary of the points in question in an unofficial letter this morning. I am not without hope that your Excellency's arguments may carry some weight, for I was careful to make it clear that, although your Excellency spoke in a friendly spirit only, it was well that

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\* No. 11.

the Government should pause before undertaking the grave responsibility of setting aside your advice, and resorting to a settlement which might involve them in the charge of having shed the blood of innocent persons.

I telegraphed in the above sense to Consul Smuts to-day, for his information.

I have, &c.,

CONYNGHAM GREENE.

His Excellency

Sir Alfred Milner, G.C.M.G., K.C.B.,

&c., &c., &c.

No. 16.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 9.50 a.m., June 30, 1898.)

TELEGRAM.

[*Answered by No. 17.*]

29th June. Yesterday a Proclamation was issued at Bremersdorp announcing preliminary judicial enquiry by Landdrost, and intimating that the Paramount Chief will be summoned to appear before him. The Acting British Agent at Pretoria was simultaneously informed by the State Secretary that the Government of the South African Republic were of opinion that the case of Mbaba must not be treated otherwise than judicially, at the same time in strict accordance with the Convention. The State Secretary expressed his conviction that the Government would take the circumstance of dealing with uncivilized people into consideration in case the Paramount Chief were sentenced by the Court, and be ready to exercise the power of pardon. The Paramount Chief, he added, must be arrested, if he would not obey the summons. I may observe on all this that I do not know the meaning of the words "the Court," used by the State Secretary. I have instructed Fraser to give the following reply:—

One of my reasons for dissuading the Government of the Republic from the course now being followed, as the State Secretary will remember, is that I personally cannot find in the Convention any authority for such jurisdiction. I shall be glad, as they are acting under legal advice, to know, for the information of Her Majesty's Government, by what provisions of the Convention, and to what Court, they consider such jurisdiction to be given. *End of reply.*

I shall be glad to know your views on jurisdiction question, on which, while expressing my own doubts, I have been careful not to commit Her Majesty's Government.

Terror has been struck into the Swazies by the arrival at Bremersdorp of volunteer corps with Maxims and artillery. The Paramount Chief I still think will not come in, but he may run away to Zululand, or commit suicide, if he thinks that his people will not fight to defend him. I have instructed Smuts carefully to abstain from attempting to influence his decision as regards obedience to the summons of the Government.

No. 17.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 7.45 p.m., June 30, 1898.)

TELEGRAM.

30th June. In answer to your telegram of 29th June.\* I am advised that there is no power in the Swaziland Convention of 1894 to try Bunu in any Court created under that Convention for the murder of Mbaba.

\* No. 16.

No. 18.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received July 1, 1898.)

(Extract.)

Government House, Cape Town,  
June 15, 1898.

IN continuation of my despatch of the 8th instant,\* I have the honour to transmit for your information a copy of further correspondence respecting the position of affairs in Swaziland.

Neither to the British Agent at Pretoria nor to the British Consul at Bremersdorp have the Government of the South African Republic yet communicated what they propose to do. While they have left the Paramount Chief for nearly four weeks without definite orders or communication of any kind, with the vague threats of the Special Commissioner at the interview of the 21st May hanging over his head, they have ostentatiously mobilised a considerable body of volunteers, some of whom are now on their way to Swaziland, have sent a large quantity of arms into the country, and are fortifying Bremersdorp. The almost certain consequence of this policy will be that the Paramount Chief, who is naturally frightened, who is unable to make submission to the Government by complying with its demands because there are no demands to comply with, and who sees an overwhelming force being prepared against him, will take the initiative by some act of violence. It is indeed already reported that his people have looted some European store. All this mischief might have been avoided by a firm, moderate, and open policy.

Enclosure 1 in No. 18.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S AGENT, Pretoria.

Government House, Cape Town,  
June 10, 1898.

SIR,

I HAVE the honour to acknowledge your despatch of June 4th, informing me of what took place at an interview which you had with the Acting State Secretary with reference to the present critical situation in Swaziland.

I approve of your language on that occasion, and I shall await with interest the further communication which, I presume, that the State Secretary intends to make to you, now that the President has returned, and that the Executive have presumably decided what course they intend to adopt.

For the present, and until the intentions of the Government of the South African Republic are made apparent, I do not think that it would be advisable to make any further representations. At the same time, I feel that the turn which affairs are taking is more and more disquieting. As far as I am aware, no communication has been made to the Paramount Chief since his interview with the Special Commissioner, in which the latter, though holding out the prospect of judicial proceedings, made no definite demand upon the chief. In the meantime, the Government of the South African Republic seem to be actively pressing on their military preparations. The position, therefore, is this, that the Paramount Chief, having so far complied with the orders of the Government, is left in a state of uncertainty as to what more is expected of him, while, at the same time, he must be seriously alarmed by the military activity of the Government. I cannot conceive any combination of circumstances more likely to cause him to take some violent step. In fairness, not only to the Paramount Chief, but to the tribe who may be unwillingly involved in a conflict with the Government, which, I believe, they have not the slightest wish to provoke, it appears to me that no time should be lost in making known to them what the Government requires, whether by way of reparation for the death of Mbaba, or in order to put an end to the prevailing unrest.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

His Honour  
Her Majesty's Agent, Pretoria.

\* No. 15.

## Enclosure 2 in No. 18.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

11th June, 1898. Swaziland affairs. I called to-day on new State Secretary and asked if the Government had arrived at a decision in regard to manner of dealing with the Paramount Chief. I added that I considered we had the right to be consulted, or at any rate informed of the steps that might be taken. State Secretary admitted this right and promised to acquaint me with the nature of the action to be taken, which he said was still under consideration, no decision having been arrived at. The calling out of volunteers, he said, was not for military but for police purposes, and to inspire confidence in the European population.

I have repeated this to Her Majesty's Consul, Swaziland.—GREENE.

## Enclosure 3 in No. 18.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

14th June, 1898. Special Commissioner has just informed me that he has not yet received decision of his Government as to further steps in 'Mbaba affair. I asked *re* newspaper reports of increase of forces. He said 300 volunteers under Melt Marais were coming to strengthen police. Barbed wire and sandbags fortification is in process of erection round the Government buildings here.—SMUTS.

## No. 19.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 9.10 p.m., July 1, 1898.)

## TELEGRAM.

1st July. Summons to attend preliminary judicial inquiry served on Paramount Chief. Date fixed is 5th July. There is now more chance of Bunu appearing. Have instructed British Consul to be present, but to take no part in proceedings. I am anxious to know your views as to question of jurisdiction raised in my telegram 29th June.\*

## No. 20.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 7.58 p.m., July 5, 1898.)

## TELEGRAM.

5th July. Bunu did not appear when case called. Case postponed *sine die* at request of Public Prosecutor in order to take further steps. This will doubtless consist in attempt to seize him. His people may fight, but more probably he will run away. Government of Natal has been warned that, if he escapes there, he is not to be given up without reference to me.

## No. 21.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 3.19 p.m., July 8, 1898.)

(Extract.)

## TELEGRAM.

[Answered by No. 22.]

Urgent. 8th July. Swaziland. The question has entered a critical phase. On Bunu's flight I sent a message to Government of South African Republic warning them against attempting to force him to submit to a Court the competence of which was doubtful. I recognized, I added, that something must be done, and I thought

\* No. 16.

that if the South African Republic would seek to come to an understanding with Her Majesty's Government as to a way of dealing with the exceptional situation, the crisis might be terminated. The South African Republic replied this morning as follows :—

Bunu in all probability has fled. Such being the case, it would be desirable to make a provisional arrangement for the purpose of maintaining order in Swaziland. The Commandant-General reports from Swaziland that he is of opinion that it would be advisable to confer certain authority on some Indunas, but [?] that Government of South African Republic is of opinion that it is desirable to make known this proposal to the High Commissioner. In case any permanent arrangement has to be made the Government of the South African Republic will consult his Excellency beforehand. *Ends.*

My reply begins :

The course suggested by General Joubert is open to the objection that it would virtually abrogate Article II., sub-section 1, of the Swaziland Convention, 1894. This cannot be done even provisionally without the consent of Her Majesty's Government. I am prepared to lay before Her Majesty's Government any proposals of South African Republic, but pending receipt of and consideration of such proposals I cannot concur in any change in the constitution of Swaziland as laid down in the Convention. There is nothing in the situation to justify a hasty modification of that Constitution. The Swazis have shown no disposition to disturb the peace, and there are ample forces on the spot to maintain order. *Ends.*

Please let me know your views.

My own view is that it is premature to treat Bunu as non-existent. The mere fact of his not having appeared before a Court of doubtful competence should not destroy him, and his original guilt has never been established. Before agreeing to a radical change of the position, Bunu should I think be examined by an impartial Commission representative of both parties to the Convention. The question submitted should be administrative rather than judicial, that is rather whether Bunu is fit to continue to be Paramount Chief than whether he is guilty of murder. In the event of an unfavourable verdict we could better assent to the necessary modification of the Convention of 1894.

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No. 22.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 1.25 p.m., July 9, 1898.)

(Extract.)

TELEGRAM.

9th July. I have received your telegram of yesterday.\* With regard to either a temporary arrangement or a permanent one not strictly in accordance with the Swaziland Convention of 1894 Her Majesty's Government must be consulted, and I approve your language to the Government of the Republic. I think you should agree with the Government of the South African Republic as to some temporary arrangement, as near as may be in accordance with native law and custom, pending a final decision with regard to Bunu, in which the concurrence of Her Majesty's Government must be obtained.

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No. 23.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 8.35 p.m., July 9, 1898.)

[Answered by No. 25.]

TELEGRAM.

9th July. Rathbone reports to Resident Magistrate at Ingwavuma 7th July that Bunu has arrived at the poort with a few followers. Rathbone brought advance message from him, substance being that Boers have driven him out, that he does not

wish to shed blood, and that he seeks protection of Her Majesty the Queen. British Consul in Swaziland reports that in reply to inquiry yesterday as to rumoured issue of Proclamation Special Commissioner placed in his hand notice signed 7th July calling on specified list of chiefs and headmen to meet Special Commissioner 14th July, to hear advice of South African Republic Government, and to discuss future administration of Swazi nation, and warning absentees of consequences of abstention.

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No. 24.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received July 11, 1898.)

(Extract.)

Government House, Capetown, June 22, 1898.

IN continuation of my despatch of the 15th instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

The actual situation has changed little since my despatch of last week. A considerable force of Volunteers are under orders for Swaziland, and a portion of them are by this time probably across the border. I do not anticipate that they will meet with resistance on the way to Bremersdorp. The Paramount Chief has made no move, the reported looting of a European store to which I referred in my last despatch having, as would appear from Mr. Smuts's telegram of 21st, turned out to be an ordinary case of theft. Under the circumstances I think you will agree with the opinion expressed by Mr. Smuts to the Special Commissioner (*see* the same telegram) that the Swazis have behaved with great moderation.

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Enclosure 1 in No. 24.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

June 17, 1898. Two Indunas visited Consulate yesterday, sent by Queen Paramount Chief still ill. Queen sent to ask for what purpose the Boers are coming into this country. Joachim Ferreira, at interview with Queen and council nearly three weeks ago, said "Cannot Swazis see what is going on? They are not children." Queen said: "Swazis had never killed white men or their servants. They did not know what Boers wanted to do." Joachim Ferreira said that Government of South African Republic angry at Paramount Chief coming to British Consul before going into village, also that the Government are going to arrest him. Commandant of Police force was present. I asked whether Joachim Ferreira said any more. Induna said that I had better ask Queen, and subsequently urged me to do so. Queen said to Joachim Ferreira she will not fight but will go away or kill herself in case of an attack upon Paramount Chief. I replied that "if J. Ferreira told them Government of South African Republic are going to arrest King he knows more than I do. I make inquiries daily and even yesterday the Special Commissioner informed me decision of Government not yet received. So we cannot say if what J. Ferreira said is true or no. Till I know decision of Government South African Republic, I cannot answer the question of the Queen." I promised to report conversation to you. Indunas also reported small-pox has broken out in kraal near junction of Mponoto and Mgwempest rivers. If you see no objection I propose to pay visit to Zomboti and also call attention of Special Commissioner to (alleged) statement of Joachim Ferreira.—(SMUTS.)

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Enclosure 2 in No. 24.

FROM THE HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S AGENT, Pretoria.

TELEGRAM.

June 20. Please inform me by telegraph exact number of volunteers going to Swaziland, also as nearly as possible how many have crossed the border. Secretary of State requires this information.

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\* No. 18.

## Enclosure 3 in No. 24.

From the HIGH COMMISSIONER, Cape Town, to the BRITISH CONSUL, Swaziland.

## TELEGRAM.

June 20. Please telegraph to me information as to present state of armed forces in Swaziland. How many fighting men, police, or volunteers have Government in the country? And what is force of Swazis under arms in immediate neighbourhood of Paramount Chief. Is he still at Zomboti? Secretary of State requires this information.

## Enclosure 4 in No. 24.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

June 20. The volunteer forces are stated to be as follows:—550 infantry, 466 cavalry from here, Johannesburg, and from Krugersdorp, with a detachment of field artillery, 20 men with two quick-firing guns, field telegraph and with ambulance. Above will be supplemented by 200 from the border district, making a total of about 1,300 volunteers who were on Saturday about four days distance from border proceeding from Carolina to Bremersdorp.

It is stated, though there are as yet no details, that a contingent of burghers will be commandeered.—(GREENE.)

## Enclosure 5 in No. 24.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

June 21. In conversation with Special Commissioner yesterday I mentioned statement imputed to Joachim Ferreira referred to in my telegram of 17th June. Special Commissioner had heard something of it and though, when he questioned Indunas they would not repeat what was said to them, Special Commissioner thinks that threatening language was used. I referred to exaggerated and false newspapers reports of state of affairs, pointing out that Europeans alarmed and unrest amongst natives increased by them—instancing reported looting of Adcock's store and deaths in action 60 volunteers. Special Commissioner agreed with me occurrence at Adcock's ordinary case of theft. I said subsequent to Mbaba affair, which I do not defend, conduct of Swazis in view of increase of police force and rumour of intentions of Government has been most moderate, and reports therefore very unfair. Special Commissioner said that some people appeared to be bent upon bringing on conflict which he most anxious to avoid. I could not think what object they have in view. Special Commissioner said that unfortunately for Paramount Chief case of killing off has occurred lately in Mkwakweni district. Men, women and children killed and cattle seized. He thought Paramount Chief responsible, but in this as in other cases it is difficult to obtain evidence. He however admitted that in some cases of killing off, Paramount Chief not to blame. Would you wish me to go over or send interpreter to Zomboti to endeavour to ascertain information respecting the matter?—(SMUTS.)

## Enclosure 6 in No. 24.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

June 21. Referring to your telegram of yesterday. Police force was 110, and has been increased by 200 men; majority here, remainder at stations of Justices of the Peace. This does not include small artillery detachment with Maxims. Volunteers have not yet arrived; 300 are due here at end of week and it is said some more artillery men. The 50 native police distributed amongst various stations are unarmed.

It is difficult to estimate what force of Swazis is with Paramount Chief, as they are at his mountain kraal, a few miles from Zomboti, where he usually resides. He was reported by Indunas to be there last Friday; men go and come constantly. Estimates vary from 1,000 to a number much larger, but I doubt if there are at present more than 1,200, though they could soon be reinforced. The kraal is not easily accessible.—  
(SMUTS.)

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Enclosure 7 in No. 24.

From the HIGH COMMISSIONER, Cape Town, to the BRITISH CONSUL, Swaziland.

TELEGRAM.

June 22. With reference to your telegram of 21st instant. I approve your remarks to Special Commissioner, but I think it would be better that you should neither go nor send to Zomboti at present. Please inform me by wire of any change in situation

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No. 25.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 2.56 p.m., July 13, 1898.)

TELEGRAM.

13th July. Your telegram of 9th July.\* British Consul in Swaziland should attend meeting of chiefs and headmen 14th July, and report what chiefs were not summoned, and whether meeting is large and thoroughly representative and competent to express wishes of nation.

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No. 26.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received July 15, 1898.)

Government House, Cape Town,

June 29, 1898.

SIR,

IN continuation of my despatch of the 22nd instant,† I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,

A. MILNER,  
Governor and High Commissioner.

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Enclosure 1 in No. 26.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

British Consulate, Swaziland,

June 17, 1898.

WITH reference to my telegram of to-day's date I have the honour to enclose a memorandum of my conversation with the Indunas Zibokwana and Hlonitshwa respecting the intentions of the South African Republic Government in the Mbaba affair, and an interview which Mr. J. J. Ferreira had at Zomboti about three weeks ago.

I think the action of Mr. Ferreira, if correctly reported to me, was most mischievous and calculated to accentuate the unrest amongst the natives. It was, in my opinion, quite sufficient to make the Paramount Chief increase his impis, which would be quoted as evidence of his contumacy. My reason for wishing to visit Zomboti was to have the opportunity of learning whether Mr. Ferreira had said anything more of a similar tenour, for I inferred from Zibokwana's words that all that had taken place had not been told me.

I have, &c.,

J. SMUTS,  
Her Majesty's Consul.

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\* No. 23.

† No. 24.

*Memorandum of Interview between British Consul and the Indunas Zibokwana and Hlonitshwa, at Consulate, 16th June, 1898.*

Zibokwana said they had been sent by the Queen. The King is still ill. The Queen sent greetings, and wished me to tell her for what purpose the Boers are coming into the country.

CONSUL : I do not know for what purpose they are coming, and therefore cannot tell her.

ZIBOKWANA : J. J. Ferreira came to Zomboti and spoke to the Queen, Hlonitshwa, myself, and other members of the Council. He said—Are you Swazis fools? Do not you see what is going on? Are you buried here? You are not children. The Queen said I do not know. Sopusuza never killed a white man, nor a white man's sheep, nor a white man's kafir. Umswazi never killed a white man, nor his sheep, nor his kafir. Ludonga the same, and Umbandine the same. Here in Swaziland I am afraid of a white man. I do not know what you want to do. The King is only a child who is just being brought up by you. Ferreira said we are angry with you because instead of coming straight to us you went to the Consulate.

CONSUL : What do you mean with regard to going to the Consulate?

ZIBOKWANA : The King came to the Consulate, and you told him to go to the village. Ferreira said the Government was going to arrest Ngwani. Commandant Botha was present. Both of us and other members of the Council were present, and heard Ferreira say the Government are going to arrest the King. It was on the day we came here to report the illness of the King.

CONSUL : What more did Ferreira say?

ZIBOKWANA : It would be better to send to the Queen and ask what more he said.

CONSUL : Is this all you have to say?

ZIBOKWANA : Small-pox has broken out in the country near the junction of the Mponono and Imgwempesi rivers.

CONSUL : Many cases?

ZIBOKWANA : Many cases. Some are dead. It was reported at Zomboti the day before yesterday.

CONSUL : If Ferreira told you the Government are going to arrest Ngwani, he knows more than I do. I am daily making enquiries, and even yesterday afternoon Mr. Krogh told me he had not yet received the decision of the Government, so I cannot say whether what Ferreira told you is true or not. Until I hear the decision of the Government I cannot answer the Queen's question as to what these police are doing in the country. I shall report our conversation to the High Commissioner.

ZIBOKWANA : The Queen said to Ferreira she won't fight. She objects to fighting. If they attack she will go away somewhere, or hang herself, so as not to be killed by them.

CONSUL : Are you, Zibokwana, living at Zomboti or at Mpondweni?

ZIBOKWANA : At Zomboti.

CONSUL : Which of the Indunas are at Mpondweni?

ZIBOKWANA : Mhlaba and Boxaludaka. You ought to send to the kraal about what took place between Ferreira and the Queen.

CONSUL : I shall first consult the High Commissioner.

ZIBOKWANA : If you send you will have more to report to him.

J. SMUTS,  
Her Majesty's Consul.

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Enclosure 2 in No. 26.

From the BRITISH CONSUL, Bremersdorp, Swaziland, to the HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

June 24, 1898. I learn from Special Commissioner that he estimates the force with the Paramount Chief at less than I do. He adds, however, that men are being called up. This is very probable. He says that the Swazis working at Barberton in the mines are leaving, about 100 having gone already.—(SMUTS.)

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## Enclosure 3 in No. 26.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

June 24. Following is substance of information respecting reinforcements given me by Special Commissioner, June 23. Volunteers notified officially 300 strong, but he hears that another 130 are waiting arrival near border, and will join in with them. Detachment Field Telegraph Corps and Field Artillery with Krupp guns. He has not official notice of latter, but he believes report correct as to no burgher force coming. As far as he is aware, force 100 strong has been sent to Barberton. Commandant-General is not coming here, officer probably referred is Commandant Carolina. Mordant, storekeeper at Zomboti, left his store Wednesday. I gather news of advent of forces having reached Paramount Chief Mordant fears he may take initiative. I hear that sandbag fortifications are being erected at Mdimba and Embabaan.—(SMUTS.)

## Enclosure 4 in No. 26.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

Urgent—June 25. Zibokwana came to Consulate yesterday, sent by Queen to report she had at request of Special Commissioner paid visit to him 23rd June, and she has been informed by him object of men coming in the country. Queen wished to inform me of what Special Commissioner said to them, and to consult with me on subject. She originally intended coming to Consulate, but carriage has broken down. In accordance with native customs, Induna would not go beyond his message, but he said that I might infer what had been said to them from Queen's answer that she would not shed white men's blood. In accordance with instructions from Your Excellency, I replied that I am ready to receive visit from King, Queen, or Induna at any time, but (they) cannot go over to Zomboti without permission from you. Promised to let him know your reply Sunday or early Monday. Will Your Excellency please reply to-day? If reply in the negative, please telegraph reply to be transmitted to Queen. Ends.—(SMUTS.)

## Enclosure 5 in No. 26.

From the HIGH COMMISSIONER, Cape Town, to the BRITISH CONSUL, Swaziland.

## TELEGRAM.

Urgent—June 25. I think that there can be no objection to your going to Zomboti for purpose stated in your telegram of to-day.

## Enclosure 6 in No. 26.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

June 27. Reinforcements of Volunteers, Staats Artillery, with guns, burghers, &c., arrived at Bremersdorp yesterday afternoon. Queen and some Indunas visited forces when halting near Zomboti in morning at invitation of Commandant.—(SMUTS.)

## Enclosure 7 in No. 26.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

June 27, 1898. The following are main points of conversation I had with Queen yesterday :—

After recounting statement of Ferreira, she told me that Special Commissioner informed her Piet Joubert says he is coming, not to fight, but to talk to and advise King. He wishes latter to be present when he comes. He says he is only coming to advise King in a friendly way. She told Special Commissioner that she wished to say good-bye

to him and British Consul, as she cannot keep on with this. She wished me to know that if the Transvaal came to kill her son she will run away, white men's blood never having been shed in Swaziland, and she will not be the first to do so. She continued, "should you hear that King has run away and is somewhere you need not be startled, as he has to run away if they try to arrest him, he will not shed the blood of white men, he will only hide even if he shoots himself. I will come to you and you must receive me. You must tell High Commissioner that King will not fight even if called a fool for not doing so." The Queen asked me for advice, to which I replied, "I am not able to advise to-day, because I have not yet heard from Special Commissioner exactly how the matter is to go on. When I hear I shall be in better position, and if I can help by a word to bring about a satisfactory settlement I shall gladly give it. My house is known to you, and the road is open to come and ask me if you wish. I should also like to tell your words to High Commissioner before I speak."

The Queen was, I think, not quite clear as to result of meeting at the Volunteers Camp, especially in regard to mention of Commandant-General, which appears to be a mistake. If the King does run away, Zululand seems likely to be destination.—  
SMUTS.

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Enclosure 8 in No. 26.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING-AGENT,  
Pretoria.  
TELEGRAM.

June 28. I think the time has come when you should see State Secretary *re* Swaziland. You should refer to conversation reported in British Agent's telegram of the 11th instant, when State Secretary admitted our right to information respecting steps to be taken, and promised to give such information. He should be informed that Her Majesty's Government are anxious to receive such information. In view of the promise referred to, they are bound to assume that Government of South African Republic have not yet decided on course of action, and they are apprehensive as to effect on the Paramount Chief and Swazis of further delay in indicating what Government expect them to do. You should add that Her Majesty's Government wish it to be understood clearly that, whatever may be the result of the present crisis, the position, under the Convention, of Swazis cannot be modified without their consent.

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Enclosure 9 in No. 26.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

June 28. Following notice has just been publicly read :—(Translation.) Whereas a preliminary enquiry will be held by the court of justice of Swaziland, concerning the crime of murder of Mbamba and others, and the Paramount Chief Ungwane, alias Uhili, alias Ubunu and others, also, will be summoned to appear on that occasion before the Landdrost for Swaziland ;

And, whereas Swaziland is in a state of unrest through all sorts of rumours ;

And, whereas the Government of the South African Republic is bound by the Convention of Charlestown of 10th December, 1894 (Swaziland Convention), and is always resolved to prevent in a decisive manner, robbery and murder in Swaziland and to grant protection for the lives and property of the inhabitants, that rest and peace shall prevail whereby prosperity and welfare shall increase ;

Now, therefore, I, Johannes Christoffel Krogh, Special Commissioner for Swaziland, hereby most earnestly warn the Swazi nation and all other inhabitants of Swaziland to conduct themselves quietly and peaceably and to refrain from any armed or warlike demonstrations, more especially during the steps to be taken by the Government to allow justice to have its course. During the further conduct of the above-mentioned case moreover the assembling of armed persons, otherwise than authorised by the Government, whether at Bremersdorp or elsewhere in Swaziland, and meddling or interfering with the carrying out of any lawful orders in connection with this case is most strictly prohibited. Those acting in a contrary manner will do so at their own responsibility and risk.

(Signed) J. C. KROGH,  
Special Commissioner for Swaziland.

Mr. Krogh promises me information to-morrow as to further measures to be taken.—SMUTS.

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## Enclosure 10 in No. 26.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

(Extract.)

June 28.—Urgent. I was told yesterday afternoon by Special Commissioner that no decision received. Proclamation was ready at noon to-day, and no previous notice was given to me, but the local newspaper published it as an advertisement, at the same time also making comments upon it. This action is a distinct breach of the promise made to me by the Special Commissioner and also, unless British Agent informed, of the promise made to him by State Secretary.—SMUTS.

## Enclosure 11 in No. 26.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

28th June, 1898. This morning State Secretary handed me short Proclamation to be issued to-day by Special Commissioner in Swaziland, announcing to Swazi nation and inhabitants that a judicial preliminary enquiry is to be held respecting the murder of Mbaba and others, and that the Paramount Chief and others will be summoned to appear in this connection before the Landdrost. Further, that Government is determined to fulfil its duty according to Convention and maintain order. Inhabitants are warned, especially during present case, against assembling in arms. I have been informed by Mr. Reitz that Government wished you to know that they fully appreciate friendly spirit of your recommendations, which they have carefully considered, but that they are nevertheless of opinion that the case of Mbaba must not be treated otherwise than judicially, at the same time in strict accordance with Convention. However, in case accused should be sentenced by the Court, State Secretary expresses conviction that the Transvaal Government will take into consideration circumstance that an uncivilized people is being dealt with and will be ready to exercise power of pardon.

The above is substance of written memorandum which was handed to me by State Secretary after being read over to the Executive Council within my hearing.

Mr. Reitz, during interview, added that this decision had been taken after careful legal advice. The Government desired to impress on Paramount Chief that not only Swazis but their chief must be amenable to law in cases where their conduct was not in accordance with civilization, and the chief must be arrested if he would not obey summons. I asked him for terms of summons and probable punishment and was informed that former was being drawn up by State Attorney and would probably accuse Bunu of being an accessory before the fact, but the punishment must be entirely left to the Court, with the reservation of probable pardon. The Government, he could assure me, had no desire to deal hardly with the accused, but only wished to assert their authority. I said that even if Your Excellency thought above assurance sufficient any advice now given by British Consul, if asked by the chief, must be necessarily unofficial and vague, inasmuch as the Transvaal Government could not itself state more definitely the ultimate issue of trial.

State Secretary said that visit to the mountain kraal by Her Majesty's Consul might be misconstrued, but concluded "I should be grateful if any advice which may be privately tendered by Consul could help us to avoid actual arrest of the chief, for we are most anxious to settle the matter without force." This has been repeated to Consul.—(FRASER.)

## Enclosure 12 in No. 26.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

TELEGRAM.

29th June, 1898. Referring to your telegram of yesterday, I assume that you have given to the State Secretary the message of Her Majesty's Government contained in the last sentence of my telegram of yesterday. If not you should, I think, now do so. The remainder of that telegram should now be withheld, if not already

communicated. With regard to the communication made by State Secretary to you yesterday, please inform him that I have received it and observe that it appears to have been made simultaneously with the publication of proclamation in Swaziland giving notice of Government's intentions to the general public. Add that the policy adopted seems to assume that some Court exists having right to try and to punish the Paramount Chief. State Secretary will remember that one of my reasons for dissuading Government South African Republic from the course now being followed is that personally I am unable to find in the Convention any authority for such jurisdiction. In view of the statement that they are acting under legal advice, I shall be glad to learn, for the information of Her Majesty's Government, what provisions of the Convention they consider give such jurisdiction, and also to what Court.

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No. 27.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 5.30 p.m., July 18, 1898.)

[Answered by No. 28.]

TELEGRAM.

18th July. The Queen and leading chiefs attended Indaba on Thursday, but it was by no means thoroughly representative. Its result was the practical recognition of the Queen as Regent *pro tempore*. I see no reason for objecting to this.

A lively controversy is going on meanwhile between Transvaal and me. They still maintain that Court is competent to try Paramount Chief. I demur to this. They ask, further, that I should intervene to bring Bunu before a Court. They promise in that case, not to punish him with imprisonment or death. To this course I object, as it admits competence of Court. I have suggested (1) As to jurisdiction generally—a Protocol to Convention of 1894 recognizing the right of Swaziland Court to try cases of serious crime among natives, with special safeguards to insure that accused natives shall have their case properly presented to the Court. (2) As to Bunu—a special agreement between the two Governments, by which he should appear before judge of Swaziland, sitting as special Court of Inquiry on Mbaba's death, not in his ordinary character. Bunu to be allowed to consult about the conduct of his defence with British Consul. The Judge to report to Transvaal Government, and the two Governments to consider on such report what penalty should be inflicted, if any. Punishment not to be death or imprisonment in any case. Transvaal Government to guarantee Paramount Chief's safety during trial, and to allow him to go home at the end of it pending the decision of the two Governments. Pending such decision Queen to remain Regent.

I hope this meets with your approval.

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No. 28.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 3.42 p.m., July 20, 1898.)

TELEGRAM.

20th July. Referring to your telegram of 18th July,\* Swaziland, I approve your action.

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No. 29.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received July 25, 1898.)

SIR,

Government House, Cape Town, July 6, 1898.

IN continuation of my despatch of the 29th ultimo,† I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

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\* No. 27.

† No. 26.

Enclosure 1 in No. 29.

From THE BRITISH CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

30th June. Following is text of summons which Special Commissioner informs me was served on Paramount Chief yesterday, and to which he replied that "He did not want to disobey it, but wanted a little time to get together the men who are concerned, and would be glad of an answer from me," that is, Special Commissioner. Special Commissioner says he has telegraphed to Pretoria. Summons begins:—"In the Court of the Landdrost of Swaziland. To James Henry Howe, messenger of the Court, or his lawful deputy.—You are hereby ordered to summon Ungwane, alias Uhili, alias Ubunu, Paramount Chief of the Swazis in Swaziland, that he appear personally before this Court at Bremersdorp, Swaziland, on July 5th, 1898, at eleven in the forenoon, to undergo preliminary examination on a charge of murder of native Embabain at Zombodi kraal, Swaziland, on or about the 9th day of April, 1898. Given under my hand at Bremersdorp, Swaziland, this 28th day of June 1898.—(Signed) CHARLES MEINTJES, Public Prosecutor for Swaziland."—SMUTS.

Enclosure 2 in No. 29.

From HER MAJESTY'S CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

(Extract.)

30th June, 1898. On Tuesday morning British Agent was told by the State Secretary that the summons "was being drawn up," while it was actually issued here that morning, for shortly after noon the Queen arrived in the village, and, as I gather, stopped the bearers of the summons. This morning Special Commissioner said, "That is all the information I can give you"; and he would not give me the summons without asking the Public Prosecutor, in whose hands the matter now is. I said: "I ask you for the information because, while Her Majesty's Government had refrained from dictation in the matter, they claim the right to know what is going on."

I shall attend the Court during the examination. Should I state in Court that I am watching the case in my official capacity, on behalf of Her Majesty's Government? I shall be glad to receive further instructions from Your Excellency.—SMUTS.

Enclosure 3 in No. 29.

From THE HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S CONSUL, Swaziland.

TELEGRAM.

1st July, 1898. Your telegram of yesterday. You should, I think, be present at the proceedings, and you may say, if necessary, that you are present in your official capacity. Unless, however, special occasion arises, I see no object in your making such a declaration. I think you ought not to take any part in the proceedings.—MILNER.

Enclosure 4 in No. 29.

From THE BRITISH CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

1st July. I omitted to report that Ermelo burghers who arrived with Volunteers Sunday left Tuesday or Wednesday. I believe they are returning home.—SMUTS.

Enclosure 5 in No. 29.

From THE ACTING BRITISH AGENT, Pretoria, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

30th June, 1898. This morning I read to State Secretary passages from Your Excellency's telegrams of 28th and 29th June. He admitted with regret that I had not been informed early enough, but he begged me to assure you that you would excuse

him if you knew how often ideas had been changed. I said in reply that I merely wished him to note that Her Majesty's Government, as parties to the Convention, considered themselves entitled to receive due notice of such important decisions.

His tone was very friendly, but showed clearly that the Executive had given orders to act without negotiating with Your Excellency. I then read to him the message from Her Majesty's Government. He stated that the Government of the South African Republic were most anxious to dispel the hopes of the Swazis that they could play off Her Majesty's Government against that of the South African Republic, but that they respected the Convention. The State Secretary said, with regard to the passages respecting jurisdiction, that he could not answer Your Excellency's questions without consultation with his legal advisers, and asked for a written statement for submission to them.

The interview closed by my expressing the hope that the Government of the South African Republic, having taken this decision, would find a satisfactory settlement without altering in any way the status quo either of the Swazi nation or of the Paramount Chief, as they had made no proposals to Her Majesty's Government. This remark appeared to make the State Secretary uneasy, but he said they had little fear of difficulties unless from the intervention of Her Majesty's Government raising the hopes of the Swazis for help. I thought he need not have any fear of Your Excellency giving advice to the Swazis without the knowledge of the Transvaal Government, to which he replied that the President would be glad if such assurance could be given.—FRASER.

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Enclosure 6 in No. 29.

From THE HIGH COMMISSIONER, Cape Town, to THE ACTING BRITISH AGENT, Pretoria.

TELEGRAM.

1st July, 1898. Referring to your telegram of yesterday, I approve the language used by you to the State Secretary. You might furnish him with memorandum of what you said. This would include the message from Her Majesty's Government and the inquiries made by me as to the jurisdiction which Government claim to exercise over the Paramount Chief.

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Enclosure 7 in No. 29.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

(Extract.)

Her Majesty's Agency, Pretoria, July 1, 1898.

I HAVE already given to Your Excellency, in my telegrams of the 28th and 30th ultimo, the substance of the two interviews which I have had with the State Secretary on the subject of the connection of the Swazi Paramount Chief with the death of the Chief Induna Mbaba.

At the second of these interviews I read to Mr. Reitz Your Excellency's telegraphic instructions with regard to the delay in communicating the intentions of the Transvaal Government for the information of Her Majesty's Government. Mr. Reitz, although apologetic, was, of course, unable to satisfactorily explain away my having been given the Government's proclamation only at the very hour at which it was being read publicly in Swaziland. From the whole tenour of his remarks, I gathered that the Transvaal Executive had evidently resolved that this matter of putting a stop to acts of "killing off," like the Mbaba case, should be carried out without consulting Her Majesty's Government as to the method, since the former consider that the terms of the Convention of 1894 confer such powers of dealing judicially with the Paramount Chief upon the Transvaal High Court in Swaziland.

To my request, by Your Excellency's direction, for the exact grounds for this contention, and in answer to the doubts I threw upon its possibility by reading to Mr. Reitz the Second Article of the Swaziland Convention, the latter replied that these were legal points which he was not competent to discuss, but which he would gladly lay before the Transvaal Legal Advisers, if I were to hand them to him in writing.

Apart from his own vague "conviction," not even an assurance, which the State Secretary expressed (and handed to me in his memorandum), that the Transvaal Government might, if Bunu were condemned by the Court, exercise a power of pardon, I could obtain no more definite statement of the possible result to Bunu.

Mr. Reitz explained away his not co-operating with Your Excellency in this case, by affirming the strong desire of the Transvaal Government to avoid any inference by the Swazis that Her Majesty's Government might come to Bunu's aid, and he alluded to Mr. Consul Smuts having ridden into the indaba on May 21st with Bunu and his impi, which, although the Special Commissioner had informed him was satisfactorily shown to have been almost inevitable under the circumstances, had nevertheless produced a bad impression on the Swazis from the Transvaal point of view. He then added that he trusted he might have the assurance I have already reported, that no advice would be given to the Swazis without the knowledge of the Transvaal Authorities. I said that Her Majesty's Government had nothing to conceal, and their message had made their position clear, as they were not parties to the present method of settlement, and that the Transvaal Government remained alone responsible for all that was happening.

Besides Mr. Reitz's memorandum and the proclamation, I enclose the summons to Bunu and an account of its service.

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PRO MEMORIA.

(Translation.)

Pretoria, June 28, 1898.

WITH reference to a memorandum received on the 4th instant from the British Agent, I have the honour to make known that we appreciate the friendly spirit in which His Excellency the High Commissioner offered his recommendations about existing circumstances in Swaziland, and have given these recommendations our careful consideration.

The Transvaal Government is nevertheless of opinion that the affair of the murder of Mbaba must not be otherwise dealt with than judicially, and intends to keep strictly, for the rest, to the Swaziland Convention.

In case the accused should be condemned by the Court, then I am convinced (houd ik my overtuigd) that, in such circumstances, the Government will doubtless take the fact into consideration that one has here to do with an uncivilized people, and would be ready to exercise the power of pardon.

(Initialled.)

F. W. R.

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Enclosure 8 in No. 29.

FROM HER MAJESTY'S CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

2nd July, 1898. Indunas have just visited Consulate, showed me summons and reply of Government to request of Paramount Chief for postponement, which is, he can inform Court of Law what he has to bring forward with respect to production of necessary witnesses, and that Judge has right of granting postponement if necessary. Indunas recounted serving of summons and Swazi King's reply to it, and also Commandant Joubert advised King to obey summons. He also wanted to pay a visit to mountain kraal. Paramount Chief willing to obey summons issued, but he strongly urged that, as it is case for Council, and not his, he cannot come without them. Message from Swazi King to me is: As far as he can see he is not called for trial of case, but to be killed. He is called into the forts. He could see they wanted to kill him, because they are in a hurry, and previous to this he has always spoken to Government without fortifications. If those connected with case not present, how can they proceed? Swazis are building their huts, indications they are not preparing for fighting. There is another impi coming with General Joubert. Indunas say messengers sent to summon Council day before yesterday. Indunas did not ask advice nor did I offer to express opinion, merely conveyed thanks for information, and said I would report to you.—SMUTS

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Enclosure 9 in No. 29.

FROM THE BRITISH CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

5th July. General Joubert and Colonel Trichard arrived yesterday. Government gave notice towards end of last week to some Europeans at out-stations that if they think they require protection they should move their goods and come to the Station of nearest Justice of the Peace. The notice expressed no opinion as to necessity for their doing so or not.—SMUTS.

Enclosure 10 in No. 29.

From THE BRITISH CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

5th July. Landdrost Court met about eleven. Case against Ngwani called. Public Prosecutor appeared for State, accused not present, name called. Public Prosecutor called James Howe, who declares: I am messenger of the Landdrost Court for Swaziland. This summons was handed to me for service. *Messenger reads summons.* I swear that the return is just and correct. The summons was personally served. It was translated by me to him in the Swazi language. I am also interpreter to the Landdrost Court in the Swazi language.

Public Prosecutor asks for postponement of case *sine die*. To take further steps in accordance with the request of Public Prosecutor, the Court was adjourned *sine die*.—SMUTS.

Enclosure 11 in No. 29.

From HER MAJESTY'S CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

5th July, 1898. Urgent. No. 2. It is freely rumoured in Bremersdorp that the King fled from his kraal last night, and was seen at daybreak this morning near the Bulungu, about twenty-five miles south-east of Bremersdorp, accompanied by about twenty horsemen. I repeat rumour for what it is worth. It may be incorrect. I personally have no information of it.—SMUTS.

Enclosure 12 in No. 29.

From HER MAJESTY'S CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

6th July, 1898. This afternoon I called on the Special Commissioner, and asked him whether he could give me any information as to the further steps which the Public Prosecutor had referred to. The Commandant-General, who was present, replied that a message had been received from the Queen. She is waiting for the King's arrival at Zomboti. He added that it was an open question whether efforts would still be made to get the Chiefs to induce Bunu to come in. The Government, he said, did not wish to deal hardly with the Paramount Chief, but it might become necessary to take steps which in such cases any civilised Government is bound to take.

No mention was made of Bunu's alleged flight.

I think it is not at all unlikely that the rumour is correct. If he should get into Zululand, could his extradition be refused, and negotiations be opened for his return on the basis of our recommendations for a settlement of the question?—SMUTS.

No. 30.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received August 1, 1898.)

SIR,

Government House, Cape Town, July 13, 1898.

IN continuation of my despatch of the 6th instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

2. The present position is that the Government of the South African Republic have been practically forced to admit that they cannot go on dealing with the question without reference to Her Majesty's Government. The state of things now existing in Swaziland amounts to a complete abrogation of certain fundamental provisions of the Convention of 1894. This cannot, of course, be allowed to continue. Either the system laid down in the Convention must be restored, or, if this is held to be impracticable, a new system must be established by agreement between the two parties to the Convention. There may be the greatest difficulty in applying this

\* No. 29.

principle. But the principle itself is clear. It has been laid down by you more than once, and more than once, as you will see from the enclosed correspondence, it has been clearly explained to the Government of the South African Republic. Their recent communications show plainly that, while they avoid any phrase that unequivocally admits, they do not feel able to traverse it.

3. I am at present awaiting the proposals of the Government of the South African Republic for dealing with the present irregular situation. These proposals, as I gather from Mr. Fraser's telegram of the 12th instant, have been communicated to him verbally, and will be immediately transmitted in writing. He will, no doubt, telegraph their substance, and it is almost certain that they will have formed the subject of telegraphic communication with you long before this despatch arrives. It would be vain for me to discuss proposals which, though their general tenour may be guessed, are not yet definitely before me.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

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Enclosure 1 in No. 30.

Her Majesty's ACTING AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, July 2, 1898.

I HAVE the honour to acknowledge receipt of Your Excellency's telegram of yesterday, and to enclose herewith copy of a memorandum which I communicated to the State Secretary to-day, in the sense of Your Excellency's instructions.

I have, &c.,

To His Excellency

Sir Alfred Milner, G.C.M.G., K.C.B.,  
&c., &c., &c.

EDMUND FRASER.

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MEMORANDUM.

Her Majesty's Agency, Pretoria, July 2, 1898.

THE policy now adopted by the Government of the South African Republic towards the Swazi Paramount Chief of summoning him judicially to appear before the Magistrate's Court at Bremersdorp, instead of holding an administrative enquiry to examine into the circumstances attending the death of the Induna Mbaba, appears—in the opinion of the High Commissioner—to assume the existence of some court of justice having the right to try, and to punish, the Paramount Chief.

As the State Secretary will recollect, one of the reasons advanced by the High Commissioner for dissuading the Government of the South African Republic from the course now being followed, is that Sir Alfred Milner, personally, cannot find any authority in the Swaziland Convention for such jurisdiction as this summons before the Magistrate's Court would imply. But, since the State Secretary has informed the Acting British Agent that the Government of the South African Republic are acting in this matter in accordance with legal advice, the High Commissioner would be glad to know, for the information of Her Majesty's Government as parties to the Swaziland Convention, what provisions of the said Convention are considered by the Government of the South African Republic to give such jurisdiction, and to what court.

Her Majesty's Government desire, in any case, that it should be clearly understood that, whatever the result of the present crisis may be, the position of the Swazi Nation and of its Paramount Chief, under the Convention, cannot be modified without the consent of Her Majesty's Government.

E. F.

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Enclosure 2 in No. 30.

From THE BRITISH CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

6th July. Queen had interview with General Joubert and Mr. Krogh this morning. She said she was sorry to say the King has run away. A warrant has been sent out to kraal to-day. Further particulars later.—SMUTS.

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## Enclosure 3 in No. 30.

From THE BRITISH CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

7th July. I attended meeting in Court Room yesterday morning between General Joubert, Mr. Krogh, Queen Mother, and few Indunas. Following is summary of proceedings, which were public. Queen stated that she had only to say she had come to greet General Joubert, and that she was waiting for the King at Zomboti. On Tuesday she expected him, but he did not come; she was sorry he had not done so after sending messages to Bremersdorp. She had heard King had run away; she had previously told the Special Commissioner that King had been frightened from coming to Bremersdorp by white people. She had advised King to come. General Joubert replied. He was glad to meet her; he assured her Government South African Republic still had same desire as when they made Umbandine King and Bunu Paramount Chief, viz., that there should be peace in the country, no bloodshed, murder, or robbery. He regretted and Government would regret that Bunu had not come to show before the Court that he is not guilty of charges made against him. Government would have been very glad if Court had found Bunu not guilty; he therefore regretted Bunu had run away. He could not yet believe Bunu has left country not to come before the Court, and that Swaziland is to-day entirely without a Paramount Chief. They have, as demanded by law, again sent to call him and to see where he is by a warrant, and this will be the last chance he will have that the Government can give him of coming before the Court. Queen said she had told Special Commissioner white people had frightened King by telling him he will be captured. He went to Bapana (*id est*, February, 1895), because he was not frightened. Now they have told him he will be caught if he goes to Bremersdorp. There were many white with the General at Bapana, but Bunu was not frightened. The King told the General at the Inkanini Kraal that if anyone came upon his head (literal translation) he would kill him, but Mbaba's case was case of Council. If the whites had not frightened him he would have come and proved it. General said if Bunu knew he was innocent he would not have been frightened, for the judge had to hear everything before pronouncing judgment. He reminded Queen of what he had said at Bapana that Mr. Krogh is the man to whose advice he must listen. Queen said Mr. Krogh had not advised King in this matter; he ought to have advised King, and if he would not accept this advice, then have called other big people to do so. Queen also said white people speak of Swazis murdering, but white people shoot Swazis. Is that lawful? General said any white man who killed a Swazi would be tried and punished with the utmost extremity of the law. General was reminded by officials of case of Boer who was tried; he said the case was not proved, and man set free. Queen replied they were not asked for evidence; they could have proved it. As outcome of question by General, Mr. J. J. Ferreira's visit to Kraal was discussed, Queen eventually stating that Ferreira had said, Are you asleep; cannot you see they will catch the King? General said that Ferreira's alleged statement was made a month ago. Was it not sufficient for the King to see it was not true? He was not caught, but called by summons. Queen replied, He did not say you will be caught to-morrow; they will send you a letter and catch you in the Dorp. In reply to General, Queen said, Ferreira was only white man she personally knew of who had frightened the King. General remarked they had believed one man as against the words of others. Queen said Mr. Krogh had been asked to come to Kraal, but did not do so. General said he was glad to have had talk, but it did not interfere with the case or the Court. Queen said that is true. I thanked the General for saying at Embapana that the King will grow old. I still hope he will come back and grow old.—SMUTS.

## Enclosure 4 in No. 30.

Her Majesty's ACTING AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, July 7, 1898.

I HAVE the honour to enclose a copy of the Note which I addressed to the State Secretary yesterday, in the sense of Your Excellency's instructions, as well as a translation of the memorandum handed to me this morning by Mr.

Reitz, after my interview with him in which he announced the intention of the Transvaal Government to consult Your Excellency as to the further settlement of the present crisis in Swaziland.

I have, &c.,  
EDMUND FRASER.

To His Excellency,  
Sir Alfred Milner, G.C.M.G., K.C.B.,  
&c., &c., &c.

SIR, Her Majesty's Agency, Pretoria, July 6, 1898.

I HAVE the honour, by direction of the High Commissioner, to inform you that His Excellency now desires to call the earnest attention of the Government of the South African Republic to the complications which may arise, should any hasty action be taken at the present crisis, in consequence of the Swazi Paramount Chief not having complied with the summons served upon him to appear before the Court of the Llanddrost at Bremersdorp on the 5th instant. The High Commissioner, as I have already had the honour to bring to your notice verbally and in the memorandum of my conversation dated the 2nd instant, cannot find in the Swaziland Convention any authority for the assumption that the Court of the Landdrost, or, indeed, any Court established under this Convention, is competent to try the Paramount Chief judicially. Moreover, as I have reported to His Excellency, the Government of the South African Republic has not, as yet, been able to advance any grounds for the view that such a Court of Justice exists, nor, in His Excellency's opinion, does it follow that any reasons which may hereafter be advanced will appear convincing to Her Majesty's Government. That being the case, the High Commissioner feels bound to point out that, in case the Government of the South African Republic were to make use of force, in order to compel the Swazi Paramount Chief to submit to a jurisdiction the legality of which, to say the least, is doubtful, very serious questions might arise. His Excellency further considers that there is all the less reason for precipitation now, in this matter, seeing that the Government of the South African Republic have at present in Swaziland a force that is quite sufficient to maintain order, even if any section of the Swazi nation were disposed to break the peace, a contingency of which up till now there has not been the faintest sign. On the contrary, their conduct so far, during the recent long period of suspense, under conditions which might, not unnaturally, have tempted the Swazis to some act of violence, has been perfectly orderly.

The High Commissioner has no wish to adopt an obstructive attitude. His Excellency recognises that matters in Swaziland cannot remain as they are; but he sees no reason why the present crisis should not be terminated without any injury to the authority of the Government of the South African Republic, as legitimately exercised, by means which need not involve any danger of a breach of the Swaziland Convention. Accordingly, His Excellency desires me to state that, if the Government of the South African Republic were to seek to come to an understanding with Her Majesty's Government, as to the way of dealing with the exceptional situation which has now arisen, the High Commissioner believes that there would be no great difficulty in arriving at such an understanding without delay, and that, personally, His Excellency would do all in his power to facilitate this end.

I have, &c.,  
EDMUND FRASER.

To the Honourable F. W. Reitz,  
&c., &c., &c.

#### MEMORANDUM.

Translation.

Pretoria, July 7, 1898.

IN all probability Bunu has fled, although the Government of the South African Republic has as yet no confirmation of this. In case such should seem to be the case, it would appear to be desirable to make a provisional arrangement (regeling), for the purpose of maintaining order in Swaziland.

The Commandant-General, who is at the present moment in Bremersdorp, appears to be of opinion that it would be advisable to confer a certain authority upon some of the Indunas; but the Government of the South African Republic is of opinion that it is desirable to make known this proposal to the High Commissioner. In case any permanent arrangement (regeling) has to be made, the Government will consult the High Commissioner beforehand in the matter.

F. W. R.

Enclosure 5 in No. 30.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

(Extract.)

Her Majesty's Agency, Pretoria, July 8, 1898.

WITH reference to my immediately preceding despatch, I have the honour to enclose herewith copy of the note, which I handed to the State Secretary this morning, conveying the answer of Your Excellency to the Transvaal Government's suggestions as to a provisional native government in Swaziland, owing to the flight of Bunu, the Paramount Chief.

As Mr. Reitz remarked that the language used by Your Excellency was strong, I was given an opportunity to animadvert upon the whole policy pursued towards the Paramount Chief by the Transvaal Government, since the act of "killing-off" complained of took place three months ago, and upon the extraordinary delay that had occurred in taking any action at all during the time that Dr. Leyds was still State Secretary. The Transvaal Government had apparently been under the impression that Her Majesty's Government were no longer concerned with what passed in Swaziland, and, if Your Excellency's language appeared forcible now, it was doubtless with a view to disabuse his Government of this idea.

As regards General Joubert's suggestion to entrust a certain authority to the Indunas during the Paramount Chief's absence, Mr. Reitz hoped that Your Excellency, although not concurring in such a step, would not actually object to a temporary measure which the Commandant-General considered necessary to the preservation of order. I replied that Your Excellency had pointed out that no such provisional action had yet been proved necessary, since the Swazis showed no signs of rising.

I may add, as a sidelight, that Mr. Reitz told me that the Chief Induna Mbaba had advised the Paramount Chief and the Council to pay the hut-tax, and that, if his death were in any way a "political execution," this distasteful advice might have been a principal cause.

SIR,

Her Majesty's Agency, Pretoria, July 8, 1898.

I HAD the honour to communicate to His Excellency the High Commissioner the message from the Government of the South African Republic which you were good enough to convey to me yesterday, namely, that it appeared to the latter desirable to make some provisional arrangement, in the supposed absence of the Paramount Chief, for the maintenance of order in Swaziland; and that the Government of the South African Republic desired to let the High Commissioner know that General Joubert had reported from Bremersdorp that he advised that a certain authority should be conferred upon some of the Indunas, but that the Government intend to consult the High Commissioner before taking steps for a more permanent arrangement.

His Excellency now desires me to inform you in reply, that the objection to the course now suggested by the Commandant-General is that such a proceeding would virtually abrogate the first sub-section of Article II. of the Swaziland Convention of December 10th, 1894. His Excellency further desires me to state that this cannot be done, even provisionally, without the previous consent of Her Majesty's Government.

His Excellency is prepared to lay before Her Majesty's Government any proposals which the Government of the South African Republic may have to make; but, pending the receipt and the consideration of such proposals, I have the honour to inform you that the High Commissioner cannot concur in any alteration in the constitution of Swaziland as laid down in the Convention of 1894.

His Excellency considers that there is nothing in the present situation to justify a hasty modification of that constitution. The Swazi nation has shown no disposition to disturb the peace; and there are ample forces on the spot to maintain order.

I have, &c.,  
EDMUND FRASER.

To the Honourable F. W. Reitz,  
&c., &c., &c.,  
State Secretary.

Enclosure 6 in No. 30.

FROM THE BRITISH CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

9th July. Following notice signed by Special Commissioner, dated 7th July, was handed to me yesterday when calling to ask Special Commissioner as to truth of rumour of its issue. Begins:—To all chiefs, indunas, and headmen of the Swazi nation, viz. (list of names), and all other chiefs, indunas, and headmen of the Swazi nation whose names are not mentioned herein:—Whereas Ungwane, alias Uhili, alias Mabunu, Paramount Chief of the Swazis in Swaziland, stands accused of murder of Mbaba, and was duly summoned to appear before the Landdrost for Swaziland on 5th July last, to undergo preliminary examination in this matter, to which call or summons he has given no heed, but, on the contrary, has fled and gone out of Swaziland, and seeing that the Swazie nation cannot remain rulerless and ungoverned, now therefore you are all hereby summoned in the name of the Honourable Government of the South African Republic to appear, putting aside all excuses or delay, at the office of the Special Commissioner for Swaziland at Bremersdorp on Thursday, the 14th July, 1898, at 11 o'clock in the forenoon, in order to learn the advice of the Honourable Government, and to discuss the future administration of the Swazie nation in Swaziland. Take note, therefore, those of you who give no heed to this summons and do not appear will have no right or claim to or will not be able to enforce the further recognition of their chieftainship, and will bear all other responsibility which may arise from this neglect and disobedience. Ends. Mr. Krogh informed me this notice was not intended as a threat, but merely to get the men together. A preliminary meeting between General Joubert, Mr. Krogh, and twenty-five to thirty indunas and heads of kraals, was held at 12.30 yesterday. General and Mr. Krogh thanked them for their attendance, and stated that as the matters to be discussed are of the greatest importance to the whole country, they strongly urged on them to secure the attendance of all chiefs and headmen next Thursday. Mbhili, speaking for those present, said, as the country is large, the time allowed is short. General said the various justices of the peace would know the people. Kundhla said they, the indunas would not warn the people, the Queen must do it. Alpheus said they wished the Queen to be present at the meeting. The General replied she was not excluded. Alpheus said they had followed the list of names in the letter; the Queen's name is not included in the list. General promised to present the men attending yesterday's meeting with an ox. This was done at the conclusion of meeting.—SMUTS.

Enclosure 7 in No. 30.

FROM THE ADMINISTRATOR, Pietermaritzburg, to THE HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

9th July. Urgent. Resident Magistrate, Ingwavuma, reports to-day that Bunu arrived 11 a.m. on 7th July. Bunu wishes to remain till Government decides what steps to take in answer to his representations. Bunu allowed to occupy kraal about one and a half miles from Magistracy for the present. I will telegraph Magistrate's report containing Bunu's statement in extenso to-morrow morning.—GALLWEY.

Enclosure 8 in No. 30.

FROM HER MAJESTY'S ACTING AGENT, Pretoria, to THE HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

9th July, 1898. Urgent. To-day State Secretary gave me following message for Your Excellency:—

Although the Transvaal Government is of opinion, with due deference, that they have under existing circumstances a right to make preliminary arrangements in Swaziland, yet in view of your friendly representations, directions have to-day been given to the authorities in Swaziland to take no further steps, preliminary or otherwise, until the receipt of further instructions from Pretoria. End of message.

I said I have received from Her Majesty's Consul to-day text of General's notice to the Chiefs to appear next Thursday, and was I to understand that this would be withdrawn? Mr. Reitz answered that no doubt General wished to talk matters over, and take opinion of Chiefs, not to take any further action. I replied he could not expect us to recognize terms of General Joubert's threat to deprive absent Chiefs of their jurisdiction, which would be a distinct breach of sub-section 3. State Secretary said he could not disavow General's words, which, however, (were ?) authorised before Your Excellency's representations, and he hoped I would not attach to them too great importance, as they are meant merely to bring Chiefs in.

It is evident that Government are nervous, but they have no proposal to make pending indaba.—FRASER.

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Enclosure 9 in No. 30.

From THE ADMINISTRATOR, Natal, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

10th July, 1898. Referring to my telegram of yesterday, following telegram received from Resident Magistrate, Ingwavuma. Begins:—

7th July. I have to report the arrival of Swazi King to-day, accompanied by following members of royal house of Swaziland: Sidukwana, Tshokova, Umhlaba, Matokoza, Nocauga, Ncubuyana, Ntamo, Ujilo, and ten followers. I held an interview with Swazi King and his followers in Courtroom at 10.30 a.m. Rathbone, King's agent, also present. Following is statement of Swazi King. Begins:—

"I have fled my country because Boers are invading it, and bringing in arms to kill me. I have seen their troops with my own eyes. I have stolen no sheep, and shed no white man's blood. Her Majesty the Queen has promised me protection (which will be), now have come to seek. This was promised my deputation when in England, and also when my country was handed over to Boers. I have now come to British Government, and ask them to find out what is the meaning of all these troops in my country, as I am blood king. I do not wish to fight white men." Ends.

Swazi King wishes to remain here until Government decides what steps to take in answer to his representations. In reply I informed him that I would at once transmit statement, but that in the meantime he must understand that I could only extend protection to him pending instructions from my Government, and that in the meantime he must remain in my charge, and not in any way interfere with or send messages to natives in Zululand, and that all his transactions while here must be approved by me; he must on no account bring in any arms nor allow any gathering of his impis in Zululand; that he and his followers while here must strictly obey laws of country.

Swazi King thanked me himself, and states that he quite understands these instructions, and assured me he would do nothing without my knowledge and consent. I have allowed him and his followers to occupy kraal situated about 1½ miles from this Magistracy. He brought eight of his guns with him, which I have allowed him to retain. Interview was well conducted, and Swazi King, who appeared very fatigued, and all his followers, behaved in a respectful and decorous manner. I trust my action so far will meet with approval of Government. I do not anticipate any difficulty at present, but think that immediate action should be taken to effect Swazi King's removal from here, as his delay might cause large influx of Swazis into district.

I am sending Saunders copy of this.—GALLWEY.

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Enclosure 10 in No. 30.

From THE HIGH COMMISSIONER, Cape Town, to THE ADMINISTRATOR, Natal.

TELEGRAM.

11th July, 1898. Your telegrams of 9th and 10th. Magistrate seems to have acted with great judgment. I fear there is nothing to be done for the moment but to keep Paramount Chief where he is. I do not think he will give trouble pending negotiations which must ensue between Her Majesty's Government and Government South African Republic. Further incursion of Swazis should, of course, be as far as possible discouraged.

Enclosure 11 in No. 30.

From THE HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

TELEGRAM.

11th July, 1898. Referring to your telegram of July 9th, following is my reply to message of South African Republic Government. Begins:—

I was happy to receive the message of South African Republic Government, as it relieves me from necessity of raising objection to certain passages in the notice issued by the Commandant-General, summoning Swazi Chiefs to meet him on Thursday, which passages seem to imply that it is competent for him, in concert with the Chiefs who attend that meeting, to modify the Swaziland Constitution as laid down in the Convention, and further that it is within his power to deprive the Chiefs who do not attend that meeting of the rights secured to them by Article II., sub-section 3, of the said instrument. I understand that the Government of the South African Republic fully recognise that all the provisions of the Convention remain in full force, unless modified by agreement between the two Governments which made it. That being so, I beg to point out to the Government South African Republic that, as the Paramount Chief is now a fugitive in British territory appealing to the British Government to protect his rights, and as in his absence there is no legitimate head of the Swazi nation, a state of things has arisen which is utterly inconsistent with the terms of the Convention, and that, in order to avoid serious complications, it is desirable that the two Governments should, as soon as possible, arrive at an understanding to put an end to the present irregular situation. I think it more courteous to await, in the first instance, the proposals of the Government of the South African Republic, and will only observe at present that, if the Government South African Republic think it desirable, I should be prepared to submit to Her Majesty's Government any proposals for a temporary *modus vivendi* in Swaziland, pending the negotiations which must take place as to the position of the Paramount Chief. Ends.

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Enclosure 12 in No. 30.

From HER MAJESTY'S CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

11th July, 1898. Urgent. On Saturday afternoon Induna and interpreter sent by the Queen reported to me that King has fled from the country, as they wished to catch him, and he did not wish to fight white men. As the Swazis have always said that whatever these people do to them they will go to Her Majesty, Swazi Queen requests me to ask Her Majesty's Government to receive King when they see him, for every child runs to his father when flogged. She hoped I would not be angry because King went without informing me; if he had had time he would have done so. She further asks me to open way to Her Majesty. King, who has gone to Dinizulu, will ask him to let Her Majesty's Government know through the Zululand officials, and obtain permission to go to England. They have not heard whether King has crossed border. Sitosi, Zibokwana, Nongana Jakovo, Mhlaba, Hlonitshwa, Enbuyana, and others, as also Rathbone, accompany King. I was asked whether King will be received over border, to which I replied that flight is a new phase of the question on which I am unable to reply; as, moreover, I am not an officer of Zululand Government, I shall report to the High Commissioner at once, and it will be for him to decide and communicate with Government of Zululand.—SMUTS.

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Enclosure 13 in No. 30.

From HER MAJESTY'S AGENT, Pretoria, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

11th July, 1898. The President and Executive have requested that I would see them this afternoon, and I have consented.—FRASER.

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Enclosure 14 in No. 30.

From HER MAJESTY'S ACTING AGENT, Pretoria, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

July 12th. Have had two interviews with State President, and proposals in writing will reach me this afternoon. I delivered note in terms of Your Excellency's telegram of yesterday and message to State Secretary to-day.—FRASER.

Enclosure 15 in No. 30.

From THE ADMINISTRATOR, Natal, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

13th July, 1898. Saunders has been instructed to give up his Maputa trip, and to take Bunu and his followers to Eshowe.—GALLWEY.

No. 31.

HIGH COMMISSIONER SIR ALFRED MILNER to Mr. CHAMBERLAIN.

(Received 8 a.m., August 2, 1898.)

[Answered by No. 33.]

TELEGRAM.

(Extract.)

August 1. Swazi negotiations. My telegram of 18th July.\* Though several communications have passed and tone continues amicable, little progress has been made. The present position of affairs is as follows:—

(1.) Protocol concerning jurisdiction. South African Republic have submitted a draft Protocol, but it is not acceptable, in my opinion. I have indicated this, and suggested deferring considering Protocol till Bunu's case has been settled. South African Republic have agreed to this.

(2.) As to the Paramount Chief himself, South African Republic insist that he should appear before the Landdrost, and be detained in Bremersdorp, not in prison, but under guard in a house appointed for his residence. The Landdrost to report the result of the enquiry to the State Attorney to be dealt with. If the report is unfavourable to the Paramount Chief, the Executive will inflict a fine, but are prepared to consider any representations which I may make, and to communicate to me at the same time papers containing result of enquiry.

The following is the substance of my reply. I cannot compel the Paramount Chief to appear before the Landdrost, but I will use my influence to induce him to do so on condition (a) that he shall be free after the conclusion of the enquiry to return to his kraal, though not exercising any authority as Paramount Chief until his case is finally settled. (b.) That no fine shall actually be imposed until the amount has been communicated to me, and I have had time to consider it in connection with the papers containing the result of the enquiry. (c.) That during the enquiry the British Consul shall be present, and that Bunu shall have every opportunity of consulting him both in and out of Court.

To this proposal I am now awaiting a reply. If proposal is accepted in effect Bunu's case will be dealt with administratively, as I in the first instance suggested, though the proceedings will begin with a judicial enquiry before the Landdrost. I think the compromise is acceptable, as I am anxious to get Bunu back to Swaziland, and also to have the charges against him fully investigated.

I therefore propose, if the South African Republic accept my conditions, to inform Bunu that though Her Majesty's Government will not compel him to return to Swaziland and to appear before the Landdrost, they strongly advise him to do so. A fair enquiry being insured by the presence and advice of the British Consul, and the safety of his

\* No. 27.

person being guaranteed by the South African Republic, it is incumbent on him to submit to an investigation of the charges brought against him. He cannot count on the further support of Her Majesty's Government if he will not do so, and the affair may end in his deposition.

I hope that my holding this language to Bunu, if the South African Republic agree to the terms proposed, meets with your approval.

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No. 32.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received August 5, 1898.)

SIR,

Government House, Cape Town, July 20, 1898.

IN continuation of my despatch of the 13th instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,

A. MILNER,  
Governor and High Commissioner.

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Enclosure 1 in No. 32.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

13th July, 1898. I have to-day sent the Queen Mother the following message :—

The British Consul has received through his interpreter the Queen's message, with the questions put by her. These are :—

What will the Government do at the meeting on Thursday? Will they set up another King? Can the South African Republic set up another King without the Government of Her Majesty? Are the Swazis forbidden to come to the British Consul, seeing that Bunu was blamed for doing so?

The British Consul sends to tell the Queen Mother in reply that he does not advise the Chiefs, Indunas, and Headmen how to act at Thursday's meeting, but that they know what is said in the Convention about the Paramount Chief and his Government in Swaziland, and that without the consent of the Queen's Government no new arrangements can be made respecting the government of Swaziland, whether permanent or temporary, which are not strictly in accordance with the Convention. No one can forbid the Swazis to come to the Consul upon any matter affecting the Convention. Article II. of the Convention will be read by the Consul's interpreter.—(SMUTS.)

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Enclosure 2 in No. 32.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, July 12, 1898

WITH reference to my two immediately preceding despatches, I have now the honour to enclose copies of notes, dated respectively the 9th and the 12th instant, which I have received from the State Secretary in answer to my notes of the 6th and 8th instant, chiefly on the claim of the South African Republic to exercise jurisdiction over the Paramount Chief and to summon him before their Courts in Swaziland.

The Government repeat the assurance already given that no steps are to be taken in Swaziland pending negotiations for a settlement.

I have, &c.,

EDMUND FRASER.

To His Excellency

Sir A. Milner, G.C.M.G., K.C.B.,

&c. &c. &c.

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\* No. 30.

(Translation.)

Department for External Affairs,  
Pretoria, July 9, 1898.

SIR,

WITH reference to your note of the 6th instant, respecting the summons to the Swazi Paramount Chief, Bunu, to answer for his conduct on account of the crime of murder, I have now the honour, by the direction of this Government, to inform you that this Government observes with regret, from your note, that His Excellency the High Commissioner is inclined to consider that, up till now, this Government has not been able to adduce any grounds for the existence in Swaziland of a Court of Justice, established under the Swaziland Convention, and empowered to deal with the Paramount Chief judicially; and, further, is of opinion that the reasons which this Government may be able to advance later in this connection will not be able to convince him.

This Government has, according to Article II. of the Swaziland Convention, all rights and powers of protection, legislation, jurisdiction, and administration over Swaziland and its inhabitants; and on Bunu are conferred the ordinary powers of a Paramount Chief, in so far as the same are not in conflict with civilized laws and customs; each act of the Paramount Chief in conflict with civilized laws and customs brings him under the jurisdiction of the Government of the South African Republic.

Moreover, it cannot be the aim of the High Commissioner to cast doubt upon the jurisdiction over Bunu that is competent to this Government, since this jurisdiction is conferred upon this Government in the second Article of the Convention, on the same footing as the right and power of administration; and His Excellency, according to the recent memorandum received, acknowledges that this Government possesses the right and power of administration over Bunu.

It can, therefore, only be the intention of His Excellency to cast doubt upon the existence of any competent Court of Justice. This Government is, however, of opinion that the Proclamation of March 15th, 1895, removes all doubt on this head; in fact, in the said Proclamation, all the laws of the South African Republic are declared, *mutatis mutandis*, in force in Swaziland, and the jurisdiction of the Courts in terms of Articles 4 and 5 of the Convention is thereby so extended that every power and jurisdiction is conferred upon these Courts, to hear and decide upon cases of murder and other serious crimes which are in conflict with civilized laws and customs.

Further, this Government begs to be allowed to observe, with reference to His Excellency's statement that the conduct of the Swazis was of a peaceful nature during a long period of uncertainty, that the Police Force at present stationed in Swaziland is only placed there as a precaution against further disturbance of the peace, and that its presence in Swaziland became imperatively necessary, because all sorts of rumours of unrest and disorder on the part of the Swazi nation had put the white population in a state of fear, through which many of them felt obliged to appeal to this Government for help and support. A deputation, consisting of Messrs. A. M. Miller, J. H. Johnson, V. M. Stewart, W. M. Miles, and F. S. Berning, called upon the Special Commissioner at Bremersdorp on May 27th of this year, asking for assistance and security from loss on account of the actions of the natives. The Paramount Chief was, at the time he appeared before the Special Commissioner, accompanied by an armed troop of about two thousand natives, and, if it did not come to acts of violence then—a circumstance that His Excellency would call not unnatural,—this is thanks to the peculiar tact and extraordinary moderation shown by the officials of this Government in Swaziland, and not in any way to the Paramount Chief and the Swazis under him.

The feeling of unrest and uncertainty in Swaziland owes its existence not to the acts of this Government, but to the Paramount Chief and to the Swazis who accompany him.

This Government considers that it may here repeat that they will abide entirely by the Convention of Volksrust, and that they have no intention of departing from the same in the slightest degree. Should, however, circumstances arise for which no provision is made in the said Convention, then this Government will certainly and willingly avail themselves of the offer of His Excellency the High Commissioner to enter upon negotiations on the subject, and endeavour to come to an understanding with His Excellency with regard to the arrangement and settlement of the state of affairs; and this Government appreciates to the fullest extent His Excellency's readiness to do what he can personally for the purpose of attaining that end.

To Edmund Fraser, Esq.,  
Her Majesty's Acting Agent,  
Pretoria.

I have, &c.,  
F. W. REITZ,  
State Secretary.

(Translation.)

SIR,

Department for External Affairs, Pretoria, July 12, 1898.

I HAVE the honour to acknowledge receipt of your note of the 8th instant, respecting preliminary arrangements which this Government desires to make in the absence of the Paramount Chief, Bunu, from Swaziland, and to inform you that this Government cannot concur in the opinion expressed by the High Commissioner, that this Government had not the right, under existing circumstances, to make temporary arrangements for Swaziland, and that thereby the 1st sub-section of Article II of the Swaziland Convention of December 10, 1894, would be nullified.

The Paramount Chief stands accused of perpetrating serious and barbaric crimes, and—after this Government had summoned him to appear before the Courts, which, in accordance with Article III. and IV. of the Swaziland Convention, have Jurisdiction in matters of crime which are in conflict with civilized Laws and Customs, both to hear them and to decide them,—by taking to flight, he has withdrawn himself from the jurisdiction of the Courts ; but, without wishing to point to the admission of guilt which might be inferred from such a flight, this Government stands before the fact that Swaziland is without a Paramount Chief, and that Bunu himself has nullified the provisions of the 1st sub-section of Article II. of the Convention by leaving his people to their fate.

This Government is, according to the Convention, obliged and bound to exercise protection, jurisdiction, and administration, subject, it is true, to the condition that Bunu shall be and remain Paramount Chief, with every power connected therewith, in so far as such is not in conflict with civilized laws and customs ; but by his flight the Paramount Chief has broken and set aside this condition, and the duty of this Government to defend the Swazis enters into full force ; and this Government had intended to take steps, through which the exercise of the power of the Paramount Chief, who is a fugitive, could be provided for in a preliminary way at any rate, so that all manner of small matters that belong to the competency of the Paramount Chief might be settled. The force that in His Excellency's opinion is amply sufficient to maintain order is a police force, which must keep order and quiet ; but this force cannot possibly be entrusted with the settlement of matters which belong to the competency of the Paramount Chief.

In view, however, of the friendly relations existing between the Government of the South African Republic and Her Majesty's Government, this Government has now given orders that no further steps should be taken, not even of a preliminary or temporary nature, until further instructions shall be given by this Government.

To Edmund Fraser, Esq.,  
Her Majesty's Acting Agent,  
Pretoria.

I have, etc.,  
F. W. REITZ.

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Enclosure 3 in No. 32.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

15th July, 1898. Meeting took place in Courtyard yesterday. Queen and her daughter were present, also interpreter Alpheus, about 150 men attending, but most were merely heads of kraals or petty chiefs, some only servants. Jakovo, Nonganga, Mtiti and Mhlaba represented by their respective men, and most of those mentioned in the summons were absent. Nococo, Gya, Makahlila, Masaka, Macanbana, Kundhla, Masipala, Mbhili, and Mashobana are amongst the principal men who attended, but the meeting was by no means thoroughly representative of the Great Council of the Nation. Some of those who are said to have accompanied Paramount Chief were named in summons, and I cannot at present think of any notables omitted from it except the Queen, Tekwana and Nomahasha's successor. Following are my notes of meeting :—

*Special Commissioner* : We regret [? are met] here. We have called up Bunu's mother and all the chiefs whose names we knew and all others to be here to-day. We trust all have come, and we are glad to see so many headmen of Swaziland here to-day. I do not know them all personally, though I know names, and therefore cannot say whether all names mentioned are here. I shall read names, and they must please answer.

After some discussion, names read.

*Special Commissioner*: We called them up to speak a word respecting the circumstances in Swaziland. The words I shall speak I have written, so that they may be seen at any time and not forgotten. Mother of Bunu and all you native chiefs, captains, and indunas, and others here present. You all know and see into what condition Swaziland has been brought by Bunu. Government South African Republic has, with the greatest patience and forbearance, endeavoured to make Bunu understand that it was his duty to do everything for good of Swaziland. Government regret that notwithstanding these repeated warnings, and even after death of Mbaba, continual complaints have come to the Government, and still come in, of robbery, plunder, &c., and that many Swazi men, women, and children under Bunu's control and by his orders have been murdered. Until now the open murder of one of his Chiefs, Mbaba, and of Mandaba and Panzana, was brought to notice of Government, and now that Bunu is called up for enquiry before Landdrost, what does he do? He does not come and show his innocence before the Judge. No. He does not do that. His mother tells us he has fled, and she does not know where he is. Come, say now to me, what is he to-day? Can he to-day do his duty as Paramount Chief, as he is a fugitive? His mother, who was formerly Queen of the country, says he had fled. She does not know where he is. Why has he fled? Did he see an enemy? No. He has fled from a Court where he could prove his innocence, or where it would have to be shown he is guilty of a brutal murder. Now I ask where is he, and who is to-day the Paramount Chief of the Swazi nation? In the name of the Government of the South African Republic I say there is no Paramount Chief to-day in Swaziland who fulfils the duties as such or can fulfil them, and people cannot remain so. The people and its internal affairs, including the laws and customs of inheritance and succession, must be dealt with by the Swazi headmen entitled to do so, and to act in so far as such laws are not inconsistent with civilised laws and customs. It is now thus to-day in Swaziland. Bunu is away, and the headmen who represent the people must make it known to the Government, and the indunas and all the people must assist the Government to bring the country into order, and police must maintain law and order and prevent further murder, robbing, and plunder. The fleeing evildoer or evildoers must be followed up, found out, and brought before the Court. I have told you all, and say now to all the people of Swaziland, white and black, Bunu has fled. I again point out to the indunas the notice already issued by the Special Commissioner, in which he warns you all not to assemble in armed force or do anything to disturb the peace. For above reasons you are called up to say to you all, in so far as each of you is induna or headman, each, in his division, preserve peace and order, pending further measures to bring Bunu before the Judicature, or until the Government, in accordance with the existing Convention, shall take further steps for the settlement of affairs in Swaziland; and whereas you are all now present with Bunu's mother, I wish to know from you what you propose in existing circumstances. You know the Convention, and all settlements and arrangements can only be made in accordance with that Convention.

*Queen* speaks: Ask Swazis to listen. I was frightened when I heard the following day the King had fled. On the third day I came here. I told the Special Commissioner it was white people who had frightened the King and driven him away, for they told him the day you go to Bremersdorp you will be caught. His crime is, first, killing Mbaba; secondly, bringing many people to the village; but the biggest wrong is his going to the British Consul. The greatest wrong is that he thought if he came with the British Consul it would be all right, but now he hears it was wrong. Therefore he ran away, because he considered it was right to come with the British Consul, but he was afterwards told it was also wrong. The King would not have fled, but you all, Special Commissioner also, made him flee. I am here to-day because the British Consul is still in the country. If not, I would have killed myself, for I do not know where the King is. I have often told the Special Commissioner to tell the President what the whites do to the Swazis here. I have only come to listen. I shall die soon. I have something more to say. The Special Commissioner told the chiefs to take care of the people and prevent murder. You all say the King did that. Who will murder now? The complaints made to Special Commissioner were of things done without the King's orders. The King said at Babana the people will not listen because there was to be no more killing. He did not run away from Babana because no one frightened him. Now the whites said you will be caught. He therefore fled.

*General Joubert*: Tell the Queen I have heard all read by Mr. Krogh. I will speak to her, but wish all to hear. The affair of Swaziland is very great and serious. The British and Transvaal Governments said the land could not remain as it was, and

therefore they made a Convention with stipulations as to laws of the Swazis. According to that Convention the Transvaal is to-day obliged to watch that such things as murder, robbing, &c., do not occur in Swaziland, and under that Convention Mr. Krogh was appointed to see that everything goes well in Swaziland. Also according to that Convention a judge was appointed to hear all cases. I have heard what was said against Mr. Krogh, I must almost say it is the complaint, when she accused Mr. Krogh of being the cause of Bunu's flight. She also said Bunu said he thought it was well he should go to the British Consul, and now he hears it is wrong. The Government never said to Mr. Krogh he must tell Bunu it is wrong, and Mr. Krogh has never complained to the Government about it, and the Government never heard that Mr. Krogh told Bunu he must run away. Mr. Krogh had clearly told him to come before the Court and show his innocence. Mr. Krogh always told Government he had advised Bunu thus. It was in the expectation of his coming before the Court that Government sent me here to see that all went quietly, according to law. When I arrived here Mr. Krogh said he thought Bunu would come. We were all under the impression he would come and bring witnesses to show his innocence. It was only when the day had passed that we knew he had fled, and now we are at this point. Bunu is accused. He is called. He has not yet come. He has gone, and to-day he is out of the country. The Government does not say to-day Bunu is dead. The Government says, you, Queen, headmen, &c.—what is to be done now? I do not wish to speak of white men frightening him, for if I ask who is the white man I do not get a name.

*Queen* : We say J. J. Ferreira.

*General* : We have heard that. We wanted to enquire. We called him to Zomboti, but nobody said Ferreira said this or that.

*Queen* : You did not send as a case, only as a friend.

*Special Commissioner* : Commandant Botha is my mouth and ears, and I said he would investigate. He always does that work. The fact that I called Ferreira back from Mdimba is a proof it was not friendly talk, but a case.

*General* : It will do no good to talk over this matter. I said the matter is now before her and the Swazi people.

*Queen* : Many thanks. We have heard all. You spoke rightly at Babana and also here. We went to Babana, and came home safely.

*General* : They have all heard what Mr. Krogh told them. Government will tell them further *re* Swaziland affairs. The Government and I look to Queen to-day to help Mr. Krogh. She and Nococo, they will see that things go right; that the Swazi people are not killed; no more murders till Bunu's case is finished and till they have heard from the Government what is to be done.

*Nococo* : The General says he looks to the Queen. I also look to her; she is my head. That is all I have to say. All the Swazis look to her as the head.

*General* : I am glad to hear it. I shall notify it to the Government.

*Gija* : We all agree to look to her as the head.

All present shouted approval.—(SMUTS.)

Enclosure 4 in No. 32.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, July 12, 1898.

I HAVE the honour to enclose a copy of the Note (dated July 11th) which I addressed to the State Secretary on receipt of Your Excellency's instructions, relative to the situation resulting from the flight of the Swazi Paramount Chief into British territory, as also a copy of the reply of the Government of the South African Republic, dated the 12th instant.

In the last-mentioned Note the State Secretary makes allusion to the interview which I held on the 11th instant, at the invitation of President Kruger, with the Executive Council, and the Note contains to a great extent the substance of the discussion which then took place; but I find from its terms that this Government still adhere to their desire to leave the question of jurisdiction for settlement by the Chief Court of Swaziland. I have already reported the remarks which I made to the President relative to a possible definition of the powers of jurisdiction by agreement between the two contracting parties to the Swaziland Convention, but this eventuality is not alluded

to in the present Note. Your Excellency will observe with satisfaction that, whatever the position of the Transvaal Government's jurisdiction may be, they have at length accepted the original suggestion of Your Excellency that the Paramount Chief should be punished by means of a fine.

I have, &c.,  
EDMUND FRASER.

His Excellency  
Sir Alfred Milner, G.C.M.G., K.C.B.,  
&c. &c. &c.

SIR, Her Majesty's Agency, Pretoria, July 11, 1898.

I HAD the honour to inform the High Commissioner that, in view of the friendly representations of His Excellency, instructions had been sent by the Government of the South African Republic, on the 9th instant, to their authorities at Bremersdorp, to take no further steps, preliminary or otherwise, until further orders from the Government; and I am now directed by His Excellency to inform you that Sir Alfred Milner was glad to receive this message from the Government of the South African Republic, as it relieves His Excellency from the necessity of raising objections to certain passages in the Notice which was issued by the Commandant-General on the 7th instant, summoning the Swazi Chiefs to meet him on Thursday the 14th instant, which passages seem to imply that it is competent for General Joubert, in concert with the Chiefs who attend that meeting, to modify the Constitution of Swaziland as laid down in the Convention of 1894, and further, that it is within his power to deprive the Chiefs who do not attend that meeting of the right secured to them by Article II., Sub-section 3, of the said instrument.

His Excellency understands that the Government of the South African Republic fully recognize that all the provisions of the Swaziland Convention remain in full force, unless modified by agreement between the two Governments who made it. That being so, His Excellency desires me to point out to the Government of the South African Republic, that, as the Paramount Chief is now a fugitive in British Territory, appealing to the British Government to protect his rights, and as, in his absence, there is no legitimate Head of the Swazi Nation, a state of things has arisen which is quite inconsistent with the terms of the Convention; and, although, in order to avoid serious complications, His Excellency is of opinion that it is desirable that the two Governments should, as soon as possible, arrive at an understanding to put an end to the present irregular situation, the High Commissioner thinks it more courteous to await, in the first instance, the proposals of the Government of the South African Republic, and wishes me only to observe at present that, if the Government of the South African Republic think it desirable, Sir Alfred Milner would be prepared to submit to Her Majesty's Government any proposals for a temporary *modus vivendi* in Swaziland, pending further negotiations which must take place as to the position of the Paramount Chief.

I have, &c.,  
EDMUND FRASER.

To the Honourable  
F. W. Reitz, State Secretary.

(Translation.)

SIR, Department for External Affairs, Pretoria, July 12, 1898.

IN view of the interview which the Executive Council had with you yesterday afternoon, I have now the honour to communicate to you the views of the Government of the South African Republic with regard to the present state of affairs in Swaziland, and more especially with respect to the fact that Bunu is at present in British territory.

(a) That this Government, with all deference, holds to the opinion expressed in its recent Notes, that the power and the right of jurisdiction, which it possesses according to Article II. of the Swaziland Convention, extend to all actions of all persons (and thus also to Bunu's) in Swaziland, when such actions are inconsistent with civilized laws and customs; and that this power of jurisdiction is conferred upon the Chief Court and on the Magistrate's (Landdrost's) Court in Swaziland, respectively, under Articles IV. and V., of the Convention, taken in conjunction with the Proclamation of March 15th, 1895.

(b) That, although this Government shares the opinion of His Excellency the High Commissioner, that, namely, the killing of Umbaba by Bunu should not be judged so strictly, since it was the act of a young and uncivilized Paramount Chief of a barbaric people, yet the Government still holds to its view that it would not be fulfilling its

duties towards the Swazi nation and the other high contracting party under the Convention, if such deeds should not be treated as misdeeds and punished according to law. These duties are the more seriously felt by this Government, in that the murder perpetrated against Umbaba is not an isolated case. Proofs are in existence that, both before and after the murder of Umbaba, other murders and cruel crimes, on an extensive scale, such as raids and robberies, were perpetrated by Bunu or instigated by him. What makes the matter the more earnest in the eyes of this Government is the fact that many of the murdered persons were law-abiding and well-disposed people, and that there is good reason to suppose that it was to this circumstance that they owed their death.

Under such circumstances, it is impossible for this Government to receive Bunu back in Swaziland without a proper trial before the competent Courts.

(c) That this Government, however, taking into consideration the extenuating circumstances in Bunu's case as these are expressed above (under letter *b*), is prepared, in case Bunu returns to Swaziland through the intervention of his Excellency the High Commissioner, in order to take his trial there, to give His Excellency the assurance that, in case Bunu should be found guilty, this Government will not treat him on this occasion with the utmost severity of the law, but will alter the sentence into the imposition of a fine in money, proportioned to the expenses occasioned to this Government by Bunu's actions.

In view of the circumstances of the case in question, this Government trusts that, notwithstanding the difference of opinion with respect to the interpretation of Article II. of the Convention between the High Commissioner and this Government, His Excellency may now exert his intervention in this case, since the existence of any jurisdiction under the Convention does not depend upon the view taken by either of the contracting parties, but is a matter for the decision of the Chief Court in Swaziland, which Court is established by the two contracting parties.

In conclusion, the Government of the South African Republic desires, with due deference, to inform his Excellency that there is reason to believe that Bunu expects help from Dinizulu, and it therefore trusts that Her Majesty's Government may see fit to keep a watchful eye upon affairs in his country.

I have, &c.,  
F. W. REITZ,  
State Secretary.

To Edmund Fraser, Esq.,  
Her Majesty's Acting Agent, Pretoria.

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Enclosure 5 in No. 32.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

16th July. In my telegram of yesterday *re* meeting, please cancel words Tekwana and Nomahasha's successor. I find Tekwana is dead, though district still bears his name. His son, Ndabazewe, and one of Nomahasha's sons, Mdibula, were summoned, and sent representatives.—(SMUTS.)

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Enclosure 6 in No. 32.

From The HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

TELEGRAM.

18th July 1898. Referring to your despatch of 12th July enclosing a note from the Government of the South African Republic, I wish to state that I am still quite unable to accept the view that the Convention gives to the Courts of Swaziland the jurisdiction which is claimed for them by the Government of the South African Republic. Legislation by the South African Republic under the Convention cannot confer powers which are not in accordance with the provisions of the Convention itself.

The last sentence of sub-section 3 of Article II. is conclusive on this point. Neither can the Chief Court of Swaziland, the creature of the Convention, arrogate to itself the right to interpret authoritatively, and to the exclusion of the two contracting parties, the extent of the powers exercisable by it under that instrument, as seems to be suggested by the last paragraph but one of the Note of the Government of the South African Republic.

On the other hand, recent events have, I think, shown that the Convention is inadequate, and that the Chief Court of Swaziland ought to have jurisdiction in all cases of serious crime, even where natives only are concerned, subject to special safeguards to ensure that the case of an accused native shall be fully presented to the Court.

This could be made clear by a Protocol to the Convention. If the Government South African Republic and I can come to terms upon such a Protocol I will do my best to obtain approval of Her Majesty's Government.

As regards Bunu, I cannot urge him to appear before a Court the competence of which I doubt, but I recognise the difficulties of the South African Republic Government, and I am prepared to do my best to bring him before the Judge of Swaziland, sitting not in his ordinary character but as a Special Court of Inquiry constituted *pro hac vice* by agreement between the two Governments for the purpose of enquiring into the circumstances of the death of Mbaba. This Court should have full power to compel attendance of witnesses, including any whom the Paramount Chief might wish to call on his side. The British Consul should be present and Bunu should be allowed to consult him as to the conduct of his defence. The Judge should not pass sentence, but should report to the Government the result of the enquiry, and if it was unfavourable to the Paramount Chief, the two Governments should then confer as to the nature and extent of the punishment to be inflicted, which, however, should not in any case be death or imprisonment. The Paramount Chief should remain in Bremersdorp during the enquiry with a small following, the Government South African Republic guaranteeing his personal safety and freedom from molestation, and he should be free to depart at the end of it and to return to his kraal pending the decision of the Governments as to what was to be done with him. Until this decision all his powers as Paramount Chief should remain in abeyance, the Queen being allowed to act in his place.

If this proposal is agreed to by Government of South African Republic, I will at once submit it for the approval of Her Majesty's Government by telegram.

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Enclosure 7 in No. 32.

From HER MAJESTY'S CONSUL, Swaziland, to the High Commissioner, Cape Town.

TELEGRAM.

19th July, 1898. General Joubert held further meeting with Queen, Chiefs, Indunas, &c. yesterday. I attended. A few who were absent last week were now present or represented. A representative of the important Chief Matja, who died last week, attended. Mr. Krogh said object of meeting was to give an opportunity [? for those who did not] attend last meeting to hear what had been said. He read same statement as at last meeting.

Kundhla replied: There is no other great one who can govern us but the Queen.

Makahleka said: it is true what Kundhla has said. If the King is dead the Queen is acknowledged as King. The meeting assented, saying, we all say the same. The Queen is our King.

General Joubert then addressed meeting in similar strain as on last occasion. He also said the Government made no Chief or Induna greater than the Swazis had made him. He was glad they looked to the king's mother. He told meeting Bunu and his followers are in charge of a British Magistrate, who has disarmed them; that correspondence is now going on between President and British Government, and that he could not say if Bunu will ever be Paramount Chief again, if he will be sent back to the Judge, or return next day as Paramount Chief, but there will never be peace and order in the country till Bunu has cleared himself of the crime with which he is charged. Queen replied, referring again to King being frightened and to his being scared from going to British Consul, so that he did not know what to do.

General said Special Commissioner had never forbidden him. British Consul had been present at all meetings with Swazis since he came here.

Queen said King had not been forbidden by Special Commissioner, but a word had come to them to that effect. Queen said she had previously warned Special Commissioner that Swazis who had stolen cattle on their own accord sold them in the village saying they were the King's.

Finally, General said they looked to Queen to keep peace till case is settled.

SMUTS.

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No. 33.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 2.20 p.m., August 5, 1898.)

TELEGRAM.

August 5. Your telegram of 1st August\* ; action is approved. Proposed message to Paramount Chief approved.

No. 34.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received August 16, 1898.)

SIR,

Government House, Cape Town, July 27, 1898.

IN continuation of my despatch of the 20th instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c,  
A. MILNER,  
Governor and High Commissioner.

Enclosure 1 in No. 34.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

22nd July, 1898. Nococo, Alpheus Nkosi, Mbhili, Gitja, Kundhla, paid a visit to me 21st July, sent by Queen Mother to ask latest news of Paramount Chief, and to ask that care should be taken of him, and also that he may not be handed over to Government South African Republic, who are asking for him, further renewing requests for permission for Paramount Chief going to British Government. Nococo said that Boers stated that now that he has gone away he has gone for ever, and therefore there must be some one to take place.

Swazis look to us to prevent it, for according to native law no one can take place. I am requested to inform you that though South African Republic want another Paramount Chief, Swazis do not agree.

Message received from Swazi King requesting me to take care of him.

In reply to question, Indunas said that provisional arrangements for management of native affairs by Queen Mother and Nococo is in accordance with native customs and wishes of Swazis, who wish that Paramount Chief on his return may find them over the Swazis.

I replied that communications passing between High Commissioner and Government South African Republic, and as you have promised to let me know anything that is important, and I have not yet heard, I conclude that no agreement as to Swazi King arrived at as yet.

I shall report their wishes, and ask whether you have any message to Queen Mother as to progress of events.

I again informed them that there cannot be any changes in Government without consent of Her Majesty's Government.

Alpheus Nkosi repeated message as to going to British Government. I replied that rested with you. Case of Paramount Chief the most important, and as Her Majesty's Government does not wish to break off friendship with Swazis, they will act as is right, as circumstances require, and in accordance with Swaziland Convention. Swazis do not want King to remain away for ever, and at present I cannot say how or when his return home will be arranged. Important question now is, not a visit to England, but the settlement of the question of accusation against the Paramount Chief. Indunas said that they all want return of Paramount Chief, but where will it be arranged. I replied by High Commissioner (and) South African Republic President. What tidings can I give to Swazi Queen Mother?—SMUTS.

\* No. 31.

† No. 32.

## Enclosure 2 in No. 34.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, July 20, 1898.

I HAVE the honour to enclose copies of my note to the State Secretary of the 18th instant, and of the reply, dated the 19th instant, which was handed to me by Mr. Reitz this morning. I enclose a translation of the latter note and its enclosure, with a copy of the original Dutch of the latter.

As I have already reported to Your Excellency by telegraph, I was unable, at my interview with the State Secretary this morning, to obtain further information respecting the intentions of this Government as to future dealings with the Paramount Chief. But, considering that the suggestion of adding a Protocol to the Swaziland Convention was made with a view, in the first instance, of coming to some understanding as to the present case against the Paramount Chief, I did not conceal my surprise at the postponement, in the present note, of any allusion to the acceptance or modification by the Transvaal Government of Your Excellency's proposal for his return to Swaziland to submit to an enquiry by a special court. President Kruger had, however, given me to understand that it was the affirmation of the Transvaal Government's claim to criminal jurisdiction over the whole Swazi nation to which he attached the most importance, although he desired most strongly that Bunu, should he return, should undergo a judicial trial. It appears to me, however, that the present note of the Transvaal Government asks for the signature of a Protocol, without proposing any *quid pro quo* to Her Majesty's Government in return. But Mr. Reitz seemed to have no authority to enlighten me as to the plan which this Government may be willing to adopt hereafter, relative to the position of the Paramount Chief under the Convention.

I have, &c.

EDMUND FRASER.

To His Excellency

Sir Alfred Milner, G.C.M.G., K.C.B.

&c., &c., &c.

SIR,

Her Majesty's Agency, Pretoria, July 18, 1898.

WITH reference to your note of the 12th instant, which I have had the honour to communicate to the High Commissioner, I have now the honour to inform you that His Excellency, after consideration of the opinions of the Government of the South African Republic, is still quite unable to accept the view that the Swaziland Convention of 1894 gives to the Courts in Swaziland the jurisdiction which the Government of the South African Republic claims for them. Legislation by the Government of the South African Republic under the Convention cannot, in His Excellency's opinion, confer powers which are not in accordance with the provisions of the Convention itself. The last sentence of sub-section 3 of Article II. of this Convention is conclusive on this point; this sentence reads as follows:—"Provided that no law made hereafter in Swaziland shall be in conflict with the guarantees given to the Swazies in this Convention."

Neither does His Excellency consider that the Chief Court of Swaziland, the creation of the Convention, can arrogate to itself the right to interpret authoritatively, and to the exclusion of the two contracting parties, the extent of power exercisable by it under that instrument, as seems to be suggested by the last paragraph but one of your note.

On the other hand, His Excellency thinks that recent events have shown the Convention to be inadequate, and that the Chief Court in Swaziland ought to have jurisdiction in all cases of serious crime, even where natives only are concerned, subject to special safeguards to ensure that the case of an accused native shall be fully presented to the Court.

This could be made clear by means of a Protocol to the Convention. If the Government of the South African Republic can come to terms with the High Commissioner with regard to such a Protocol, His Excellency will do his best to obtain the approval of Her Majesty's Government.

As regards Bunu, the High Commissioner cannot urge him to appear before a Court of which His Excellency doubts the competency. But, recognizing the difficulties of the Government of the South African Republic, His Excellency desires me to state that he will do his best to bring him before the Judge in Swaziland, sitting, not in his ordinary

character, but as a special court of enquiry, constituted, *pro hac vice*, by agreement between the two Governments, to enquire into the circumstances of the death of Mbaba.

This Court should have full power to compel the attendance of witnesses, including any whom the Paramount Chief might wish to call on his side. The British Consul should be present, and Bunu should be allowed to consult him as to the conduct of his defence. The Judge should not pass sentence, but should report to the Government the result of his enquiry; and, if it should be unfavourable to the Paramount Chief, the two Governments should then confer as to the nature and extent of the punishment to be inflicted, which, however, should not in any case be death or imprisonment.

The High Commissioner would further propose that the Paramount Chief should remain in Bremersdorp during the course of the enquiry, with a small following, the Government of the South African Republic guaranteeing his personal safety and freedom from molestation, and that he should be free to depart at the end of the enquiry and to return to his kraal, pending the decision of the two Governments as to what should be done with him.

Until this decision all his powers as Paramount Chief should remain in abeyance, the Queen-Mother being allowed to act in his place.

In conclusion, I have the honour to state that, if the Government of the South African Republic agree to this proposal, the High Commissioner is ready to submit it at once, by telegraph, for the approval of Her Majesty's Government.

I have, &c.,  
EDMUND FRASER.

To the Honourable  
F. W. Reitz.

(Translation.)

Department for External Affairs,  
Pretoria, July 19, 1898.

SIR,

I HAVE the honour to acknowledge receipt of your note on July 18th, and am directed to inform you that this Government, although holding to their view that the Courts of Swaziland have sufficient power of jurisdiction under the Convention to hear and to punish crimes such as have recently been committed, and of which Bunu is accused, yet, in view of the opinion of His Excellency the High Commissioner "that the Chief Court in Swaziland ought to have jurisdiction in all cases of serious crime, even where natives only are concerned," and that this can be arranged "by means of a Protocol to the Convention," sees no reason to make a difficulty about meeting the wishes of Her Majesty's Government in this matter, provided that the two Governments can come to an understanding regarding the terms of this Protocol; this Government has accordingly had a Protocol drafted for the Swaziland Convention which, this Government considers, entirely removes the difficulty that His Excellency believes to exist, as far as future cases are concerned, and which may thus be regarded as sufficient. I have the honour to transmit to you herewith a copy of this Protocol, for the consideration of His Excellency the High Commissioner, and with the request that the consent and co-operation of Her Majesty's Government may be obtained to the same.

As regards the words "subject to special safeguards, to ensure that the case of an accused native shall be fully presented to the Court," which occur in your above-mentioned note, this Government desires to point out that the Roman-Dutch Law, as applied in this State, gives sufficient surety for the circumstance of accused persons wishing to summon witnesses, and in case they may be unable to provide themselves with counsel for the defence. In both cases the Government provides for what is wanted, at its own expense, so that, on this score, no difficulty need exist.

With respect to the other points of your said note, this Government proposes to defer its answer until the two Governments shall have come to an agreement as to the terms of the said Protocol.

I have, &c.,  
F. W. REITZ,  
State Secretary.

To Edmund Fraser, Esq.,  
Her Majesty's Acting Agent,  
Pretoria.

(Translation.)

DRAFT PROTOCOL TO THE CONVENTION, entered into at Volksrust on December 10th, 1894, between the South African Republic and Great Britain.

THE rights and powers of jurisdiction conferred upon the Government of the South African Republic in Article II. of the Swaziland Convention shall be understood to extend to all natives who, within the boundaries of Swaziland, and in conflict with civilised laws and customs, shall commit crimes for which the Government of the South African Republic may consider that they, in the general interest, should be brought to trial before the competent Courts of Justice according to Articles IV. and V. of the said Convention.

COPY OF ENCLOSURE in the South African Republic State Secretary's Note to Her Majesty's Acting Agent at Pretoria, of July 19th, 1898.

*Concept-Protocol tot de Conventie. aangegaan te Volksrust, d.d. 10 December, 1894, tusschen de Z.A.R. en Groot-Brittanje.*

DE rechten en machten van jurisdictie in Art. 2 der Swaziland Conventie aan de Regeering der Zuid-Afrikaansche Republiek toegekend, worden verstaan zich uit te strekken tot alle naturellen, die binnen de grenzen van Swaziland en in stryd met beschaafde wetten en gewoonten misdaden plegen, waarvoor de Regeering der Zuid-Afrikaansche Republiek het noodig mocht achten ze in het algemeen belang te recht te doen stellen voor de bevoegde gerechtshoven volgens Artt. 4 and 5 der gemelde Conventie.

Enclosure 3 in No. 34.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, July 21, 1898.

WITH reference to my despatch of this series of the 20th instant, I have the honour to enclose copy of the note which I to-day handed to the State Secretary in terms of Your Excellency's telegram.

Without as yet having gone into details of Your Excellency's message, and in answer to my remark that the present note asked for further information as to the views of the Transvaal Government respecting Bunu before discussing the Draft-Protocol, Mr. Reitz observed that he was not himself surprised that Your Excellency desired to know their probable action towards the Paramount Chief before settling the terms of the Protocol, and that he had merely thought it best to submit the Protocol first, in case its prior consideration might suit Your Excellency's views. He added that General Joubert was expected back from Swaziland at the end of this week, and that the Government could not take any decision pending his arrival, for the General had asked that the question of Bunu's reinstatement might be postponed until he had had an opportunity of expressing his own views to the Executive Council. The volunteers were only remaining until the General had explained the situation to the President, and that, as all was quiet in Swaziland, and the Chiefs satisfied with the Queen-Mother's temporary headship, he had every reason to think that the General would at once advise their complete recall; Mr. Reitz made no allusion to any intention of collecting the proposed hut-tax.

I have, &c.,  
EDMUND FRASER.

His Excellency  
Sir A. Milner, G.C.M.G.,  
&c., &c., &c.

SIR,

Her Majesty's Agency, Pretoria, July 21, 1898.

I HAVE had the honour to communicate by telegraph to the High Commissioner the substance of your note to me of the 19th instant, as well as the text of the Draft-Protocol which formed an enclosure to that note. His Excellency has now directed me to inform the Government of the South African Republic that the proposed Protocol shall receive his careful consideration, although, as far as His Excellency is able to judge before

receiving the text of your note (which I have forwarded by post), the High Commissioner does not consider that he would be able to submit the Draft-Protocol to Her Majesty's Government in its present form.

But, I am to inform you, Sir Alfred Milner is unable to enter into a discussion of the terms of the Protocol until some understanding has been arrived at about Bunu.

His Excellency's object in suggesting the Protocol was to provide against the repetition of difficulties similar to the present one. But the High Commissioner considers that it is of more immediate importance to find a way out of the difficulty which already exists, and, as I had the honour to observe, by direction of His Excellency, in my note of the 11th instant, a state of things has arisen in Swaziland which is utterly inconsistent with the provisions of the Convention. In order to put an end to this irregular state of things, it is necessary, in Sir Alfred Milner's view, either that the Paramount Chief should be simply reinstated in the rights ensured to him by the Convention, or that the two parties to that Convention should come to some fresh arrangement, modifying the provisions of that instrument with respect to him.

If the latter course is to be adopted, it seems to His Excellency that it must be preceded by an enquiry which shall show how far Bunu's conduct has been culpable, or whether it has been culpable at all, since neither the fact of his guilt nor the degree of his guilt is yet established.

The High Commissioner further desires me to state that he has made this proposal with some object, and that he must await an expression of the views of the Government of the South African Republic on that proposal, bearing as it does upon an existing crisis which His Excellency considers urgent, before he can enter into the question of arrangements for the future, although the High Commissioner is anxious to settle this also as soon as possible.

I have, &c.,  
EDMUND FRASER.

To the Honourable F. W. Reitz,  
&c., &c., &c.,  
State Secretary.

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No. 35.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received August 22, 1898.)

[*Answered by No. 50.*]

(Extract.)

Government House, Cape Town, August 3, 1898.

IN continuation of my despatch of the 27th July,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

The sixth enclosure will be found to contain the latest proposals submitted by me to the Government of the South African Republic, a summary of which I telegraphed to you on 1st August.

To these I have as yet had no reply, but it would appear from the last enclosure that there is some likelihood of arriving at an agreement with the Government of the South African Republic as to the case of Bunu.

If my latest proposals should be substantially accepted, and Bunu can be induced to return, I think we can afford to be fairly content with the result of the negotiations up to this point. We shall have done for Bunu quite as much as he deserves, and the Government of the South African Republic will have abandoned the attempt to deal with a case not provided for in the Convention without reference to Her Majesty's Government.

There is another cause for satisfaction. I refer to the fact that, contrary to what I feared would be the case, the Swazi people have, so far at least, not been involved in a quarrel with the Government of the South African Republic, nor has the military expedition sent to overawe them been attended by acts of violence or oppression.

The business seems to me to have been very ably managed by Mr. Fraser. While reciprocating the conciliatory tone of the State Secretary, he has shown no lack of firmness, and has made the most of every point in his case, which it is evident that he has thoroughly mastered.

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\* No. 34.

I am quite aware that before this despatch reaches you the aspect of the situation may once more have completely altered, and even if it has not, and we succeed in getting over the personal question as to Bunu, we have to look forward to a still more troublesome problem in trying to come to an agreement with the Government of the South African Republic as to the extent of the jurisdiction of the Courts of Swaziland in native cases. I am firmly convinced that, to avoid future trouble, this question, which the language of the Convention leaves in hopeless uncertainty, ought to be clearly settled. But it is a difficult question in itself, and the difficulty is enhanced by the fact that there is a great difference of opinion between the two parties as to the existing powers of the Courts under the ambiguous provisions just referred to. Still, whatever difficulty there may be in the matter, its solution cannot but be rendered less improbable by the antecedent settlement of the case of Bunu, should such settlement be arrived at, and by the improved tone which has characterized the negotiations with regard to it. I have so often in the last nine months had to call your attention to the unreasonable attitude of the Government of the South African Republic in any and every question in dispute between them and Her Majesty's Government that I am glad to point to the recent communications on the subject of Bunu as forming an exception.

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Enclosure 1 in No. 35.

FROM HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR,

Her Majesty's Agency, Pretoria, July 26, 1898.

WITH reference to my despatch of the 21st instant, I have the honour to enclose a translation of the reply handed to me yesterday afternoon by the State Secretary, and dated the 23rd instant, to the note which I addressed to the Government of the South African Republic on the 21st instant, asking for an answer to Your Excellency's proposals with regard to the return of the Swazi Paramount Chief to Bremersdorp, before proceeding with the negotiations for the terms of a protocol in addition to the Swaziland Convention.

From this note, it appears that the Transvaal Government are still desirous of having a preliminary enquiry in Bunu's case held before the Landdrost in Swaziland, although the rest of the case would be placed in the hands of the Government, through the State Attorney's intervention, without going for trial before the Chief Court. And the Government are willing to submit these "papers in the case" to Your Excellency, and to consider any suggestions with regard to a fine, which it may be necessary to impose as a punishment, in case of Bunu's guilt being proved.

I have, &c.,

EDMUND FRASER.

To His Excellency

Sir Alfred Milner, G.C.M.G., K.C.B.,

&c.      &c.      &c.

(Translation.)

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Department for External Affairs,

SIR,

Pretoria, July 23, 1898.

I HAVE the honour to acknowledge receipt of your note of the 21st instant, in answer to my note of the 19th instant, and to inform you in further answer to your note of the 18th instant, respecting the protocol to be added to the Swaziland Convention, and the accusations against the Paramount Chief Bunu, of the following, by direction of this Government :—

(1.) The Government of the South African Republic very much regrets that the High Commissioner should be unable to negotiate regarding the terms of the said protocol, until some understanding has been come to about Bunu. It was not the intention of this Government to try Bunu under the said protocol, but the Government had hoped to draw from the terms of the protocol, when once settled, and before the punishment should be imposed, reason for making the punishment as light as possible, and desires to point out that the Government was, from the very beginning, of opinion that the existing Convention makes its jurisdiction, and the position taken up by the Government, quite clear, and, as His Excellency is aware, this Government did not consider the settlement of a protocol to the Convention as necessary ; but this Government is nevertheless ready to co-operate in arranging the same, solely in order to meet the objections raised by the High Commissioner.

(2.) As regards the case itself against Bunu, this Government wishes to propose that he should be brought with a guard to our borders by the Government of Natal, in which colony we understand that he now is, in order to be there received by a guard, sent thither for this purpose by this Republic.

This Government is prepared to give him every surety that he shall be free and untrammelled during his passage to and stay in Bremersdorp ; but he must appear before the Court of the Landdrost for Swaziland, where a preliminary inquiry must be held over him.

The Paramount Chief may be accompanied, during his passage from the border to Bremersdorp, and during his stay there, by ten to twenty followers, who, however, should of course be unarmed.

This Government entirely agrees with His Excellency the High Commissioner, that the guilt or innocence of the Paramount Chief, regarding the murder of Umbaba and others, has still to be proved ; but, for this very reason, the Government considers it desirable that a preliminary enquiry should be held before the Landdrost at Bremersdorp, and thinks that Bunu should not return to his kraal until the affair is over entirely, but should have to remain in Bremersdorp, where he should not be put in prison, but should stay in a house to be appointed by the Government for his residence, under guard and supervision.

This Government fears that, in case Bunu should be given the opportunity of returning to his kraal before the enquiry into the crime is ended, he may bring his influence to bear upon witnesses, and may kill or get rid of such witnesses or other persons, a thing which can be prevented so long as Bunu remains at Bremersdorp. Many witnesses have already begged and implored the Government for protection, being afraid that their giving evidence may cost them their lives.

After the preliminary enquiry is ended, the papers should, according to law, be sent in for the information of the State Attorney. And in case, from the evidence taken by the Landdrost in this preliminary enquiry, it should appear that the case against Bunu is a serious one, then the Government, for this occasion, is prepared to punish Bunu by means of a fine, accompanied by a warning that, should he in future commit any serious crime, he must be tried according to law, and punished to the full. In imposing this fine, the Government will be glad to take into consideration any friendly suggestions which His Excellency may make, and this Government proposes then also to send to you, for the information of the High Commissioner, the papers from the preliminary enquiry, before finally closing the affair.

The treatment of cases above described agrees with the suggestion in the Memorandum of June 4th last, in which Mr. Conyngham Greene stated, as the opinion of the High Commissioner, "that the Government should settle the matter by the infliction of a fine, the payment of which can be easily secured, accompanied by a warning that in future any acts of this character will be dealt with according to European law, and the perpetrators will be liable to be put to death."

This Government considers that the holding of a Special Court, as recommended by the High Commissioner, would be in conflict with the laws of this State as proclaimed in Swaziland, and also contrary to the Convention.

Further, this Government has no objection to the British Consul at Bremersdorp informally giving the Paramount Chief advice ; but it does not see its way to admit that the Consul, as such, should take part in the case in Court, since this might have as a result the lowering of the dignity of the Court.

The Government of the South African Republic considers that it has, up till now, shown its readiness to come to an amicable arrangement, and to meet the objections of His Excellency the High Commissioner, and believes that it may therefore express the hope that His Excellency may co-operate in coming to a speedy settlement, in order to put an end to a state of things in Swaziland which is undesirable for that country, as well as for the South African Republic, which has been caused a great expense thereby, a state of things which cannot have other than a bad effect upon the whole coloured population of South Africa.

To Edmund Fraser, Esq.,  
Her Majesty's Acting Agent,  
Pretoria.

I have, &c.,  
F. W. REITZ,  
State Secretary.

## Enclosure 2 in No. 35.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S AGENT, Pretoria.

SIR, Government House, Cape Town, July 29, 1898.

I HAVE the honour to acknowledge your despatch of July 26th, containing a reply to the note addressed by you to the Government of the South African Republic on the 21st instant.

With reference to that reply, I desire you to inform the Government of the South African Republic that I fail to understand how the procedure with regard to Bunu suggested in my telegram of the 18th instant, can be regarded as in conflict with the Convention. The existing state of things is in conflict with the Convention and the Convention itself does not provide any means of remedying that conflict, short of the simple reinstatement of Bunu in his position as Paramount Chief.

My suggestion was to deal by an exceptional procedure, concerted between the two parties to the Convention, with an exceptional and unforeseen difficulty.

And this is, in effect, what the Government of the South African Republic themselves now propose, though in a different form. While I prefer the original suggestion, I am so anxious to meet the Government of the South African Republic half way, that I am prepared to co-operate with them in dealing with the difficulty in the manner indicated by the State Secretary's note of July 23rd, provided that we can arrive at a clear understanding on all the material points of the procedure which is to be followed. With that object, I think it is necessary to give greater precision to some of the details of the suggested arrangement, and to supplement it by providing for some contingencies with which the State Secretary's note does not deal.

I propose, in order to avoid any subsequent misunderstanding, to enumerate *seriatim* the conditions on which I am prepared to co-operate with the Government of the South African Republic in bringing the Paramount Chief before the Landdrost, in order that the facts of the charge against him may be investigated. In doing so, I must point out that I have no power to compel the Paramount Chief to appear. All I can do is to use my influence to induce him to do so, and I should not be justified in making any such attempt unless I were perfectly satisfied that the course to be adopted with regard to him would be consistent with what I regard to be his rights.

For greater clearness as well as brevity, I have numbered the paragraphs in the State Secretary's note dealing with the case of the Paramount Chief, and I shall refer to them by these numbers. In communicating my remarks to the Government of the South African Republic, I desire that you should furnish them with a copy of the State Secretary's note similarly numbered for purposes of reference.

Paragraph 1. It follows from what I have already said, that the Paramount Chief in returning to Swaziland must not appear to be doing so under arrest. I do not, therefore, undertake to send a guard with him. If he returns, he will return of his own free will. He will be accompanied to the border of Swaziland by an officer of the Government, and, on crossing the border, the Government of the South African Republic will make such arrangements as they think fit for his safe conduct to Bremersdorp. The officer who accompanies the Paramount Chief should, if Bunu desires it, be allowed to remain with him till he arrives at Bremersdorp.

Paragraphs 2 and 3. I agree with the arrangements proposed in these paragraphs, but suggest that for greater precision it be agreed that the Paramount Chief, may have, during his journey to and stay at Bremersdorp any number of attendants he desires, not exceeding 20, who shall be unarmed. He should also be free during his stay at Bremersdorp to send or receive any messages through one or more of these unarmed attendants.

Paragraphs 4 and 5. These paragraphs leave me in some doubt whether it is intended to detain the Paramount Chief at Bremersdorp until the conclusion of the enquiry before the Landdrost, or for a longer period. I quite agree that as long as the enquiry is going on, he should remain at Bremersdorp, and this is all which the arguments advanced in paragraph 5 seem to require. But I can see no necessity for detaining him at Bremersdorp after the enquiry is completed, and while the report of the Landdrost and the action to be taken upon it are being considered. I fear that the attempt to impose such a condition would prove fatal to the whole scheme by causing the Paramount Chief to recoil from what he would regard as an indefinite period of confinement. On the other hand, I think that if he is allowed to return to his kraal, on the distinct understanding that, until the final decision of his case, all his powers are to be in abeyance, there is not the slightest reason to fear his abusing this indulgence, as any such conduct would evidently be most prejudicial to his interests.

Paragraph 6. It is desirable to make it quite clear in what manner the case is to be dealt with after the papers have reached the hands of the State Attorney. The Government of the South African Republic undertake that, whatever the result of the enquiry, the Paramount Chief shall not be punished except by the infliction of a fine. Beyond this, they promise to take into consideration any suggestions which I may make and to let me see the papers of the preliminary enquiry "before finally closing the affair." I appreciate the conciliatory attitude of the Government of the South African Republic as manifested in these proposals, but I must point out that their value would be greatly impaired if there were any possibility that though the affair might not be "finally closed" the amount of the fine should be determined without previous consultation with me. I do not believe that the Government of the South African Republic contemplates such a proceeding, but the point is of such essential importance that I must ask for an explicit assurance that no fine will actually be imposed until the intended amount has been communicated to me, and I have had time to consider it in connection with the papers containing the results of the enquiry.

As regards the fine, it is of course premature to discuss its amount, but, in order to avoid future misunderstanding, I wish at once to say that, in my judgment, that amount must depend entirely on the degree of culpability of the Paramount Chief, if he is proved to have been culpable. It is the more necessary to put in this *caveat*, as in a previous communication from the State Secretary, dated 12th instant, it seems to be contemplated that the fine should be made to cover the expenses recently incurred by the Government in Swaziland. But it seems to me obvious that in accordance with the most elementary principles of justice, the punishment to be inflicted on the Paramount Chief must be in proportion to the degree of his guilt—should he be shown to have been guilty—and that the expenses to which the Government of the South African Republic may have been put in consequence of the course of action recently adopted cannot possibly affect the matter.

As regards the warning to be given to the Paramount Chief with regard to his future conduct, I entirely agree that, whether or not he is found to have been responsible for the death of Mbaba, he cannot be too clearly made to understand that the practice of "killing off" must come to an end. The exact form of any warning given to him to that effect must, however, depend upon the agreement to be come to with regard to criminal jurisdiction in native cases in the future. I hope that this matter may be settled by the time that the question of warning the Paramount Chief arises.

Paragraph 8. I have already commented on this paragraph.

Paragraph 9. I quite fail to understand how my proposal that the Paramount Chief should be allowed to consult the British Consul as to the conduct of his case could have the result of "lowering the dignity of the Court." I am inclined to think, from the use of the words "take part in the case," that the Government of the South African Republic mistake the nature of that proposal, which I may not have sufficiently explained. All I desire is that the British Consul should be present during the enquiry in his official capacity, and that, whether in or out of Court, the Paramount Chief should be allowed to have the benefit of his advice, and the fullest opportunities of consulting him. I do not propose that the British Consul should have any right to address the Court or to interfere in the conduct of its proceedings. I hope this explanation may remove any difficulty felt by the Government of the South African Republic in accepting a condition which I regard as vital. •

In conclusion, I will only say that I cordially recognise the desire of the South African Republic to come to an amicable arrangement, and share to the full their anxiety to terminate as quickly as possible a state of affairs which is not only injurious to Swaziland but calculated to have a bad effect on the native population of South Africa generally. I think that on their part the Government of the South African Republic will admit that in dealing with their present proposal I have not shown any impracticable spirit, but an earnest desire to get over points of difference in a spirit of mutual compromise. I feel that I have gone as far as I am able to go in order to meet them, without sacrificing the interests which it is my duty to safeguard, and I hope I may receive such an answer as will enable me to proceed to carry out my part of the proposed arrangement without delay.

I have, &c.,

A. MILNER,

Governor and High Commissioner.

His Honour

Her Majesty's Acting Agent,  
Pretoria.

## Enclosure 3 in No. 35.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

SIR,

British Consulate, Swaziland, July 23, 1898.

WITH reference to my telegram of yesterday, I have the honour to enclose, for Your Excellency's information, notes of my meeting with Swazi representatives at the Consulate, on 21st instant, relative to the present position of the Paramount Chief, Ngwani.

I have, &c.,

J. SMUTS,

Her Majesty's Consul.

His Excellency  
The High Commissioner,  
Cape Town.

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NOTES OF BRITISH CONSUL'S INTERVIEW AT CONSULATE, ON 21ST JULY, 1898, WITH NOCOCO, GIJA, KUNDHLA, MBHILI, AND ALPHEUS NKOSI. CONSUL'S INTERPRETER PRESENT.

Mbhili : We have nothing of importance to say. We have come to hear the news, because it is you who can tell the news. The Queen says it is you who stand for her, who can give her drink and sleep. She told you it is through you that she is still here ; she would have hanged herself if it were not for you. She says it would be disappointing if she hanged herself whilst you are still watching over her and preserving her. She says, speak for her, and for the King, where he is. Take care of him. A message from the Paramount Chief for you has come. He says, take care of me ; I am now under Mr. Saunders. The Queen says we must enquire if you have heard anything of the King, and you must write to the Zululand Government about him. The Boers are sitting here, and asking for the King to be handed over to them. Do not let them have the King. From the first he was for the English, and he has gone to his father—as he was handed by Her Majesty the Queen to the Boers. If a son is given to another man to keep, and that man illtreats him, he runs back to his father and says, "the man to whom you handed me is illtreating me." They had better open the way for him to England, and not stop him here.

Nococo : The Boers say as he has gone away, he has gone altogether. There must be someone in his place. We look to you to prevent that. According to our customs, no one can take his place—even if he were dead, the Queen would remain Queen. You must write to the High Commissioner that, although they want another man, we do not. They say they are corresponding with the British Government. They might ask for another King, to which we do not agree.

Mbhili : What Nococo says, we want you to say to the High Commissioner, who will forward the words to the Queen.

Consul : Do I clearly understand that, until the matter of Ngwani is settled, it is in accordance with the law of the Swazi nation, and the wish of the Swazi people, that the affairs of the nation should be managed by the Queen, with the assistance of the King's uncle, Nococo ?

All agreed, spokesman saying, we wish it so that when Ngwani comes back, he will find the Queen and his uncle over the Swazis.

Consul : You have heard that the British and Transvaal Governments are corresponding about the Paramount Chief. That is true. The High Commissioner has told me that there are many communications passing, and that he will let me know of anything of importance. I have not yet heard, so I conclude there is no agreement as yet. I have told the High Commissioner that the management of the affairs of the nation by the Queen and Nococo, during the absence of the King, is the right thing, and I shall now say that you all say I am right, and that you do not agree to any other Paramount Chief. I shall also ask him if he has any message for the Queen, to show how matters are going. I have told you before, and I say again, that there can be no change in the government of the natives, without the consent of the Queen's Government. I shall report this meeting to the High Commissioner.

Mbhili : That is what the Queen sent us to enquire. You saw the Paramount Chief came here. Now they build laagers. The King came here because he relied on the British Consul. As he has now gone to the place where he belongs, the Queen must not hand him over, as she promised to preserve him. For what should he be handed over to the Boers? He has not killed a white man, only his servant, and reported it to the Special Commissioner. It is all right as he has not fought white people. He did not even kill their sheep. He only ran away to escape.

Alpheus then handed Consul the following letter :—

Zombode, King's Kraal, Swaziland, July 21, 1898.

Message to His Honour the British Consul, from the Queen Mother.

I am still requesting the British Consul to open the way to England for the King. As I sent Alpheus Nkosi and Mbhili the other day with the same message. If there (is) no way for the King, I will say you have cast me away.

A. NKOSI,  
p.p. Queen Mother.

Consul : The matter of the opening of the way to England is not with me, but with the High Commissioner. I have reported it. The matter of Ngwani's case is now a big one, but as you know the Queen's Government does not wish to break its friendship with the Swazis, and will therefore act as is right, as circumstances require, and in accordance with the Convention. You do not want the Paramount Chief to remain away for ever, and at present I cannot say how and when his return will be arranged. The big matter now is not so much a visit to England as the settlement of the charges made against the King.

Nococo : No, we want him back, but when will it be arranged.

Consul : Between the High Commissioner and the President.

J. SMUTS,  
Her Majesty's Consul.

Enclosure 4 in No. 35.

FROM HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

2nd August.—I delivered a note yesterday to the State Secretary in accordance with Your Excellency's despatch of 29th July.

He expressed much satisfaction at the terms of the note. He did not, from his point of view, attach much importance to any of the conditions, and said he now hoped he would have no difficulty in arriving at a settlement.—FRASER.

No. 36.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received August 26, 1898.)

SIR,

Government House, Cape Town, August 10, 1898.

IN continuation of my despatch of the 3rd instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

You will observe from the last enclosure that the Government of the South African Republic have now accepted my proposals in their entirety for dealing with the case of the Paramount Chief, whose return to Swaziland to attend the enquiry before the Landdrost, will, I hope, shortly take place.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

\* No. 35.

## Enclosure 1 in No. 36.

FROM HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

4th August, 1898. I have to-day received a note from this Government in reply to mine of the 1st instant.

The note expresses the thanks of the Government and accepts your Excellency's recommendations, except as to the Paramount Chief's return to his kraal. On this point they repeat their representation as to the danger of letting him go free before the imposition of fine and warning, seeing that they could not, as the Government, be responsible for the crimes he might commit against witnesses, and for his terrorism generally, if he returned sooner. Without the Protocol they would be in no better position for preventing his crimes while negotiations were proceeding, and they therefore suggest that the Protocol should be signed before he leaves the town, in case of his guilt being established. His detention for about three weeks would probably be sufficient.

The Government repeat their assurance to take into consideration your friendly suggestions as regards the fine, "so that there need be no fear of the amount being too high." They accept the Consul's presence, &c., on condition that it is not made a precedent for the future.

They accept all the other recommendations, and conclude by the hope that you will agree to let the Chief remain in town, and to his being fined, warned, and discharged simultaneously. They ask for an early reply as to when and where he may be expected at the border, and when the Protocol may be signed and take effect.

Translation of note follows.—FRASER.

## Enclosure 2 in No. 36.

The HIGH COMMISSIONER to the ACTING BRITISH AGENT, Pretoria.

SIR,

August 5, 1898.

I HAVE the honour to acknowledge your telegram of yesterday containing a summary of the reply of the Government of the South African Republic to my despatch of 29th July, with reference to Bunu. As a speedy settlement is so much desired by the Government of the South African Republic, as well as by myself, I am replying at once, although there is some awkwardness in dealing with a note of which I have not seen the full text.

As far as I can judge from the summary, the Government of the South African Republic and I are now in agreement on all points except one. Before dealing with that point, however, I wish to make an observation on another point, with regard to which the Government of the South African Republic, while accepting my proposals, think it necessary to guard themselves against such acceptance being urged as a precedent for the future. I refer to the position of the British Consul during the proposed enquiry. I can only say that I regard the whole arrangement with regard to Bunu as an exceptional proceeding intended to meet an exceptional emergency. I desire to keep it entirely distinct from the discussion of the general question of jurisdiction in native cases which must be settled by a separate agreement. It follows that, in my view, no item in the present arrangement can be claimed as a precedent by either party. It may be that in the separate discussion of the general question of jurisdiction I shall see fit to put forward proposals with regard to the British Consul which may be or may appear analogous to what I have asked for in the present case. But if so, they must be judged on their own merits. I disclaim formally any right to press them upon the Government of the South African Republic on the ground of their having consented to certain proposals made by me in the present—exceptional—case.

I now come to the outstanding point of difference, viz., the length of time for which the Paramount Chief may be detained in Bremersdorp. I am sorry to say that on this point I am, with all my desire to remove difficulties, unable to recede from the position taken up in my despatch of July 29th. I beg to point out once more that I may have to overcome great reluctance on the part of Bunu to return to Swaziland, and that I have no power to compel him to do so. It is essential that I should be able to assure him that he will suffer no injury to his person, and no restriction on his liberty, beyond detention

during the course of the necessary enquiry. Moreover, even if I could bring Bunu back without this assurance, I should not feel justified myself in removing him from a place of safety, even for such a desirable object as that of a full enquiry into the charge against him, unless I felt quite sure that my action could not by any possibility result in his being deprived of his personal liberty for an indefinite period, a result which, unless distinctly provided against in the manner I propose, might, under conceivable circumstances, come about, however little either party concerned intended or desired it. I hope, indeed, that the difficulty I foresee may never arise. If Bunu is found to be innocent, there can be no question of further detaining him, while, if the result of the enquiry is unfavourable to him, I think it is improbable that any prolonged controversy will arise on the subject of the fine. But I am bound in a case where my personal honour is involved to provide for every contingency. It is not impossible, though it is, I hope, unlikely, that the result of the enquiry may make a different impression on the Government of the South African Republic from what it makes on me : that discussion may consequently arise as to the degree of Bunu's guilt, and as to the fine to be inflicted on him. It is in view of such a contingency that I cannot agree to Bunu being involuntarily detained at Bremersdorp after the enquiry is concluded.

The only objection to this on the part of the Government of the South African Republic is, as I understand, that Bunu, having regained his liberty, and despite the fact that his case was still under consideration and his power in abeyance, might seize the opportunity to commit acts of violence, more particularly against persons who had given evidence against him. I own that I regard such madness on his part as more than improbable, but supposing it to occur, I foresee very little embarrassment from the resulting position. The Government of the South African Republic must bear in mind that it is part of my proposals that, until his case is finally settled, Bunu should, by the common consent of the two parties to the Convention, be suspended from the exercise of any power as Paramount Chief. If he chose to fly in the face of that agreement, which I undertake shall be clearly explained to him, I cannot conceive that the offended parties would have any difficulty in dealing with him.

I am the more anxious to put a clear limit to the length of time during which Bunu is to be liable to detention, as the Government of the South African Republic now apparently incline to making the final settlement of Bunu's case in some degree dependent upon the signature of the suggested Protocol. I cannot in any way agree to mix up the question of the Protocol with the question how to get out of the particular difficulty about Bunu. To my mind any attempt to deal with the two questions conjointly would be to hopelessly complicate both. I am as anxious as the Government of the South African Republic to arrive at a permanent agreement as to the question of jurisdiction. As soon as we have come to terms about the procedure in Bunu's case, I am willing to resume the consideration of it, and I agree that it would be highly convenient if it could be settled by the time that Bunu's affair is disposed of. But while I see no reason to delay the consideration of the Protocol pending the result of the investigation into Bunu's case, I hold most strongly that the two matters must be kept distinct. No single point in the arrangement with regard to Bunu must be allowed to depend upon the course of negotiations as to the Protocol. As I have already informed the Government of the South African Republic, the Protocol in the form in which it was originally presented is not such as I could submit to Her Majesty's Government with any hope of its being accepted. The settlement of its terms may take time, and important as despatch is in this case also, it is even more important that an agreement which is intended to be permanent and of general application should be carefully considered and unambiguously expressed.

I hope that with these considerations before them, the Government of the South African Republic will see fit to remove the only difficulty which stands in the way of my co-operating with them to bring Bunu before the Landdrost.

I have, &c.,  
**A. MILNER,**  
 Governor and High Commissioner.

His Honour  
 Her Majesty's Acting Agent,  
 Pretoria.

## Enclosure 3 in No. 36.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

5th August. My telegram of 4th August. I informed the State Secretary that I inferred that you would object to the long detention now proposed. I then suggested that if the Paramount Chief received a strong warning, both from the Special Commissioner and the British Consul, that he must live quietly at his kraal until the two Governments came to a decision, and that any violent act whatsoever on his part would involve losing confidence in him as Paramount Chief, he would be very unlikely to commit such an act.

The State Secretary said, in reply, that if I thought fit to submit this suggestion to Your Excellency, he would support any such plan instead of the detention proposed, and he thought that the President would not take objection to it.—FRASER.

## Enclosure 4 in No. 36.

From the GOVERNOR, Natal, to the HIGH COMMISSIONER, Cape Town.

## TELEGRAM.

6th August, 1898. Resident Magistrate at Ingwavuma reports that Mrupi, Paramount Chief's uncle, with three followers, arrived there 3rd August. Mrupi states that he had fled from Swaziland because Boers have demanded from him return of Paramount Chief and his brothers Japana and Novansi. Report ends.

Followers of Paramount Chief now in Zululand, 57 in number, are either at Eshowe or on the way there, except Mrupi and his three followers, who are at Ingwavuma Magistracy, pending further instructions from Government of Natal.—HELY-HUTCHINSON.

## Enclosure 5 in No. 36.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

## TELEGRAM.

8th August, 1898. I approve of the suggestions contained in your telegram of August 5th. I am prepared, if Government South African Republic agree, that Bunu shall be free to return to his kraal at the close of the enquiry, to instruct Her Majesty's Consul to support the Special Commissioner in giving him the strongest possible warning to await the decision of the two Governments quietly, not to attempt in the interval to exercise even legitimate powers as Paramount Chief, and of course not to commit any violent acts. Bunu should be told plainly by British Consul that by disobedience to this warning, he would forfeit support of British Government. I hope matter may be arranged on this basis at once. The difficulty of settlement will, I fear, be enhanced by any further delay.

## Enclosure 6 in No. 36.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, August 5, 1898.

WITH reference to Your Excellency's despatch of the 29th ultimo, I have the honour to enclose herewith copy of the note which, in accordance with Your Excellency's despatch, I addressed on the 1st instant to the State Secretary, as also of the reply (which I forwarded in translation), dated the 4th instant, and of which I have already communicated the substance in my telegram of 4th August.

While interviewing Mr. Reitz to-day upon another subject, I alluded to the difficulty which the Transvaal Government now raise in this last note, respecting the departure of the Paramount Chief from Bremersdorp to his kraal, before the two Governments should

be agreed upon the amount of his fine or the warning to be given to him for the future. I pointed out that Your Excellency had already gone very far in endeavouring to meet the wishes of his Government, and I should not be surprised if Your Excellency were to consider this continued detention of the Paramount Chief in the town, while the two Governments were negotiating the Protocol, as hardly justified by the fears of his misconduct expressed in this note. In reply, Mr. Reitz said that he did not himself attach any great importance to this condition, which had in fact been inserted by others than himself. I suggested that, if Your Excellency, through Her Majesty's Consul, and if the Special Commissioner or the Magistrate, were to warn Bunu, on the completion of the enquiry before the Magistrate, that he was to be allowed to return to his kraal, but solely on condition that his powers as Paramount Chief were to remain in abeyance till the two Governments had considered the result of the enquiry, and that any attempt on his part to cause further trouble by influencing his subordinates to acts which he now knew that both Governments could not tolerate, or himself taking any further part in native affairs than quietly awaiting the result of the pending negotiations at his mountain kraal, and that any derogation from this course would be visited by his abandonment on the part of the two Governments as being unfitted to again occupy the position of Paramount Chief, it appeared to me that there could be little fear that, with some such solemn warning from both parties to the Convention, Bunu would dare to attempt any of the acts now alluded to by this Government.

Mr. Reitz said that some arrangement of this kind would quite meet his own view, and that if I thought proper to submit such a suggestion to Your Excellency, he would promise to support its acceptance, in case I had instruction to put it forward in a formal note. Altogether, Mr. Reitz said that he was not for insisting on the letter of any of their latest suggestions, but hoped rather that a settlement might be come to at once, without further argument as to details, the retention of which on the part of the South African Republic he certainly would not himself insist upon.

I have, &c.

E. FRASER.

His Excellency  
The High Commissioner.

SIR,

Her Majesty's Agency, Pretoria, August 1, 1898.

I HAD the honour to communicate to the High Commissioner the proposals contained in your note of the 23rd ultimo, in answer to my notes of the 18th and 21st ultimo, respecting the present crisis in Swaziland; and I am to-day in receipt of His Excellency's views, in reply to the proposals made in your note.

I have the honour to inform you that His Excellency fails to understand how the procedure with regard to Bunu proposed to the Government of the South African Republic in my note of the 18th ultimo can be regarded as in conflict with the Convention. The existing state of things in Swaziland is in conflict with the Convention, and the Convention itself does not provide any means of remedying that conflict, short of the simple reinstatement of Bunu in his position as Paramount Chief.

The High Commissioner's suggestion was to deal by an exceptional procedure, concerted between the two parties to the Convention, with an exceptional and unforeseen difficulty.

And this is in effect what the Government of the South African Republic themselves now propose, though in a different form. While the High Commissioner prefers the original suggestion, His Excellency is so anxious to meet the Government of the South African Republic half-way that he is prepared to co-operate with them in dealing with the difficulty in the manner indicated in your note to me of the 23rd ultimo, provided that a clear understanding can be arrived at on all the material points of the procedure which is to be followed. With that object, His Excellency considers that it is necessary to give greater precision to some of the details of the suggested arrangement, and to supplement it by providing for certain contingencies with which your note to me did not deal.

In order to avoid any subsequent misunderstanding the High Commissioner desires me to enumerate *seriatim* the conditions on which His Excellency is prepared to co-operate with the Government of the South African Republic in bringing the Paramount Chief before the Landdrost, in order that the facts of the charge against him may be investigated. In doing so, however, I am desired to point out that the High Commissioner has no power to compel the Paramount Chief to appear. All that the High Commissioner can do is to

use his influence to induce Bunu to do so, and His Excellency would not be justified in making any such attempt unless he were perfectly satisfied that the course to be adopted with regard to Bunu would be consistent with what Sir Alfred Milner regards to be the Paramount Chief's rights.

For greater clearness, as well as brevity, I shall refer to the different paragraphs of your note by numbers, and so facilitate reference.

Heading II., paragraph 1. It follows from what I have already said that the Paramount Chief in returning to Swaziland must not appear to be doing so under arrest. His Excellency does not, therefore, undertake to send an escort with him. If Bunu returns, he will return of his own free will. He will be accompanied to the border of Swaziland by an officer of the Government in Zululand, and, on his crossing the border, the Government of the South African Republic will make such arrangements as they may think fit for his safe conduct to Bremersdorp. The officer who accompanies the Paramount Chief should, if Bunu desires it, be allowed to remain with him until he arrives at Bremersdorp.

Paragraphs 2 and 3. His Excellency agrees with the arrangements proposed in these paragraphs, but suggests that for greater precision it be agreed that the Paramount Chief may have during his journey to and stay at Bremersdorp any number of attendants he may desire, not exceeding 20, who shall be unarmed. He should also be free, during his stay at Bremersdorp, to send or to receive any messages through one or more of these unarmed attendants.

Paragraphs 4 and 5. These paragraphs leave the High Commissioner in some doubt whether it is intended to detain the Paramount Chief at Bremersdorp until the conclusion of the enquiry before the Landdrost or for a longer period. His Excellency quite agrees that, so long as the enquiry is going on, he should remain at Bremersdorp, and this is all that the arguments advanced in paragraph 5 seem to require. But Sir Alfred Milner can see no necessity for detaining Bunu at Bremersdorp after the enquiry is completed, and while the report of the Landdrost and the action to be taken upon it are being considered. His Excellency fears that the attempt to impose such a condition would prove fatal to the whole scheme, by causing the Paramount Chief to recoil from what he might regard as an indefinite period of confinement. On the other hand, the High Commissioner thinks that if Bunu is allowed to return to his kraal on the distinct understanding that, until the final decision of his case, all his powers are to be in abeyance, there is not the slightest reason to fear his abusing this indulgence, as any such conduct would evidently be most prejudicial to Bunu's own interests.

Paragraph 6. Sir Alfred Milner considers that it is desirable to make it quite clear in what manner the case is to be dealt with after the papers have reached the hands of the State Attorney. The Government of the South African Republic undertake that, whatever the result of the enquiry, the Paramount Chief shall not be punished except by the infliction of a fine. Beyond this, they promise to take into consideration any suggestions which the High Commissioner may make, and to let His Excellency see the papers of the preliminary enquiry "before finally closing the affair." The High Commissioner appreciates the conciliatory attitude of the Government of the South African Republic as manifested in these proposals, but must point out that their value would be greatly impaired if there were any possibility that, though the affair might not be "finally closed," the amount of the fine should be determined without previous consultation with me. His Excellency does not believe that the Government of the South African Republic contemplate such a proceeding, but the point is of such essential importance that His Excellency desires me to ask for an explicit assurance that no fine will be actually imposed until the intended amount has been communicated to me and His Excellency has had time to consider it in connection with the papers containing the results of the enquiry.

As regards the fine, it is, of course, premature to discuss its amount, but, in order to avoid future misunderstanding, His Excellency wishes me at once to say that, in his judgment, that amount must depend entirely on the degree of culpability of the Paramount Chief, if he is proved to have been culpable. It is the more necessary, in His Excellency's opinion, to put in this "caveat" since in a previous communication—which you made to me upon the 12th ultimo—it seems to be contemplated that the fine should be made to cover the expenses recently incurred by the Government in Swaziland. But it seems to the High Commissioner obvious that, in accordance with the most elementary principles of justice, the punishment to be inflicted upon the Paramount Chief must be in proportion to the degree of his guilt—should he be shown to have been guilty,—and

that the expenses to which the Government of the South African Republic may have been put, in consequence of the course of action recently adopted, cannot possibly affect the matter.

As regards the warning to be given to the Paramount Chief with respect to his future conduct, the High Commissioner entirely agrees that, whether or not Bunu is found to have been responsible for the death of Mbaba, the Paramount Chief cannot be made too clearly to understand that the practice of "killing-off" must come to an end. The exact form of any warning given to him to that effect must, however, depend upon the agreement to be come to with regard to criminal jurisdiction in native cases in the future. And His Excellency hopes that this matter may be settled by the time that the question of warning the Paramount Chief arises.

Paragraph 8. I have already given His Excellency's comments upon this paragraph.

Paragraph 9. The High Commissioner quite fails to understand how his proposal that the Paramount Chief should be allowed to consult the British Consul, as to the conduct of his case, could "have a tendency to prejudice the Court." His Excellency is inclined to think, from the use of the words in this paragraph—"take part in the case in Court,"—that the Government of the South African Republic mistake the nature of that proposal, which may not have been sufficiently explained in my note. All that the High Commissioner desires is that the British Consul should be present during the enquiry in his official capacity, and that, whether in or out of Court, the Paramount Chief should be allowed to have the benefit of his advice, and the fullest opportunities of consulting him. His Excellency does not propose that the British Consul should have any right to address the Court, or to interfere in the conduct of its proceedings; and Sir Alfred Milner trusts that this explanation may remove any difficulty felt by the Government of the South African Republic in accepting a condition which His Excellency regards as vital.

In conclusion, His Excellency only desires me to say that he cordially recognises the desire of the Government of the South African Republic to come to an amicable arrangement, and that he shares to the full their anxiety to terminate as quickly as possible a state of affairs, which is not only injurious to Swaziland, but calculated to have a bad effect on the native population of South Africa generally. Sir Alfred Milner thinks that, on their part, the Government of the South African Republic will admit that in dealing with their present proposal he has not shown any impracticable spirit, but an earnest desire to get over points of difference in a spirit of mutual compromise. His Excellency feels that he has gone as far as he is able to go, in order to meet them, without sacrificing the interests which it is the duty of the High Commissioner to safeguard, and His Excellency trusts that such an answer may be received as will enable him to proceed to carry out his part of the proposed arrangement without delay.

I have, &c.,  
EDMUND FRASER.

To the Honourable  
F. W. Reitz,  
&c., &c., &c.,  
State Secretary.

(Translation.)

Department for External Affairs,  
Pretoria, August 4, 1898.

SIR,

I HAVE the honour to acknowledge receipt of your note of the 1st instant, communicating the views of Sir Alfred Milner with regard to the method of dealing with the situation caused by the death of Mbaba and other Swazis, and to inform you that this Government desires to express its thanks and appreciation for the goodwill with which His Excellency the High Commissioner is ready, in conveying his reply to my note to you of July 23rd, to accept the treatment of matters connected with the enquiry into the murder of the said Swazis, which has been proposed by this Government, with the exception of certain modifications here and there which His Excellency considers it necessary to recommend.

(2.) This Government is able, under the circumstances, to assent, generally, to the recommendations of His Excellency, and is prepared, in order to meet the objections of His Excellency, to accept them, and to deal with the case accordingly.

(3.) The Government, however, considers that it is necessary to call Sir Alfred Milner's attention to the danger that may arise in case the Paramount Chief is allowed to

return to his kraal too soon, and, in fact, immediately after the conclusion of the preliminary enquiry. Murder, robbery, and other cruel crimes that have for some time past been committed in Swaziland, have awakened among the Swazis themselves a feeling of uncertainty, and a fear of their undergoing a similar fate to that of Mbaba himself, so that the knowledge that this Government would extend its protection and jurisdiction so far as to prevent the upper Chiefs and Chiefs from any longer being able to practise their barbarities unpunished, has given the Swazis a certain confidence, in so far that they are now ready, although still with fear and misgiving, to give evidence, which they have already done, and are willing to do further.

If now the evidence should show the Paramount Chief to be culpable, and he should be allowed his liberty before the affair is entirely settled, and, with the knowledge that he is to get off with a fine, this Government is afraid that he may make use of the period of time between the close of the preliminary enquiry and the decision to get rid of the witnesses, while this Government on its part is not placed, by the negotiations up till now, in any better position with regard to the punishment of such crimes, committed before the existing difference on the subject of criminal jurisdiction has been set aside, as regards the Courts in Swaziland.

If the Paramount Chief remains under the supervision of this Government at Bremersdorp until he is finally condemned to a fine, and is warned that any repetition will lay him open to the death penalty, this Government considers that he is not likely to attempt a repetition of actions which are quite in conflict with civilised laws and customs.

An earlier return to his kraal, even should he be suspended from his power as Paramount Chief, puts the Swazi nation in danger, and this Government, whose duty it is to protect the nation, could not regard itself as responsible by co-operating in such a dangerous state of affairs, through which the nation, which now already begs and prays for protection, would have to continue in uncertainty, unrest, and danger, for some time longer.

(4) His Excellency the High Commissioner remains of opinion that the jurisdiction in criminal cases over the Swazis must be arranged by means of a Protocol to the Convention ; and this Government, although of opinion that the Convention gives full jurisdiction in such cases, is nevertheless prepared—as I have already stated several times—to meet the views of his Excellency and to negotiate such a Protocol ; if, however, the warning to be given to the Paramount Chief must be based upon such a Protocol, then this Government considers it necessary to press for a speedy arrangement thereof, and when the Protocol is settled, so that the warning can be given simultaneously with the infliction of the fine and Bunu's being set at liberty, this Government has no objection to promising that the decision shall be given within a certain time, say three weeks, after the preliminary enquiry, and accordingly the fear of the Paramount Chief that he might be held under supervision indefinitely would disappear.

(5.) Further, as regards the arrangement of a fine, in case it is found that such a fine must be imposed upon Bunu, proportionate to the costs occasioned to this Government, the latter desires to point out that it has already declared itself prepared, in fixing the fine, to take into consideration the friendly suggestions of His Excellency thereon, so that there need be no fear that the fine will be reckoned too high.

(6.) The case itself is being treated at present in an exceptional manner, and this Government wishes therefore to consent to His Excellency's recommendation to admit the British Consul to advise Bunu both in and out of the Court, provided that he does not interfere with the case or its conduct in the Court,—with the understanding, however, that this permission shall never be brought up as a precedent, and that it is only given for this special occasion.

(7.) For the rest, this Government is ready to concur in the recommendations of His Excellency as contained in your note of the 1st instant.

(8.) Trusting that the High Commissioner may have no further objection to offer against the continued detention of Bunu in Bremersdorp until the decision ; and being of opinion that this Government and the High Commissioner are now entirely in agreement as to the treatment of the case, and with a view to the interests of the whole coloured population of South Africa, and to the great expense which this unfortunate affair continues to cause this Republic, the Government desires to be allowed to ask when and where the Paramount Chief may be expected at the Swazi border, and when the protocol to the Convention may be signed and be in force.

Edmund Fraser, Esq.,  
Her Majesty's Acting Agent.

I have, &c.,  
F. W. REITZ,  
State Secretary.

Enclosure 7 in No. 36.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

9th August, 1898. I have just heard from Mr. Reitz that Executive have agreed to all the suggestions made in note of yesterday. This note embodied both your despatch of 5th instant and your telegram of 8th August.—FRASER.

No. 37.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 3.19 p.m., September 1, 1898.)

TELEGRAM.

1 September. Bunu and party, accompanied by Gibson, arrived at Bremersdorp yesterday.

No. 38.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received September 5, 1898.)

SIR,

Government House, Cape Town, August 17, 1898.

IN continuation of my despatch of the 10th instant,\* I have the honour to transmit to you, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

A summary of the arrangements, as finally agreed upon, for the return of the Paramount Chief to Bremersdorp will be found in the last enclosure.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

Enclosure 1 in No. 38.

From the HIGH COMMISSIONER, Cape Town, to Her Majesty's ACTING AGENT, Pretoria.

TELEGRAM.

11th August. Referring to your telegram of 9th instant, I will telegraph to Natal to have steps taken to bring Paramount Chief to border as soon as I learn from you that Government South African Republic have officially informed you of their agreement to terms of your latest communication. The sooner this can be done the better. Please furnish British Consul with copies of recent communications between you and Government South African Republic respecting Paramount Chief in order that he may be accurately informed of details of agreement. Please thank State Secretary in my name for friendly spirit shown by him in helping to get over difficulties of negotiations.

\* No. 36.

## Enclosure 2 in No. 38.

From Her Majesty's ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

**TELEGRAM.**

11th August. Referring to your telegram of to-day I received an official note this morning formally concurring in last proposal. No exception is made by the note, but it adds by way of earnest observation that the knowledge that Bunu can return to his kraal after the inquiry, even when warned and suspended from powers, may so frighten witnesses that magistrate may not be able to bring crimes home to him, and the idea of suspension of powers would not be understood by Swazis.

Note regrets as regards the protocol that their draft is not acceptable, and requests new draft as soon as possible, as they concur it would be convenient to settle both matters at the same time. They conclude by a request to know as soon as possible when and where at the border Bunu may be expected.

The tone of the note is not controversial and I do not think Your Excellency need await arrival of the translation. I have also sent letter to British Consul together with the other notes to-day.—FRASER.

## Enclosure 3 in No. 38.

From the HIGH COMMISSIONER, Cape Town, to the GOVERNOR, Natal.

**TELEGRAM.**

12th August, 1898. I have come to an agreement with the Government of the South African Republic for the return of the Paramount Chief on the terms laid down in my despatch of July 29th, enclosed in my confidential despatch to you of 1st August. I must now invoke the promised assistance of your Government to carry out my part of the bargain. I suggest that the Magistrate at Eshowe should be instructed to see Bunu and give him following message from me. Begins :—"The High Commissioner desires that you should immediately repair to Bremersdorp to attend the inquiry before the Landdrost into circumstances of death of Mbaba. You need not be afraid of any violence, as the High Commissioner has come to a binding agreement with South African Republic that you shall suffer no injury to your person and shall not be put in prison, but merely detained at Bremersdorp till inquiry is over, when you will be free to return to your kraal. You may be attended on your journey to Bremersdorp and during your stay there by such Swazis as you choose to take, not exceeding 20 in number, who must be unarmed. You will have every opportunity of seeing and consulting British Consul during enquiry. He will take care that all you have to say in your defence is brought out in enquiry. After enquiry is over two Governments will consider whether any penalty is to be inflicted on you. If they decide that you have been to blame the penalty will take the form of a fine. Beyond this you have nothing to fear. You will be free to live at your kraal without restriction, but your powers as Paramount Chief will be in abeyance till the two Governments have decided on your case. The High Commissioner desires to impress on you most strongly that this arrangement is the best possible in your interests, and that you must fall in with it promptly or you will sacrifice all further support from Her Majesty's Government. If you now follow his advice he will continue to look after you, and you need have no fear of your life and freedom." Ends.

I shall be glad if your Government will give instructions to the Magistrate to use his discretion in supplementing my message by any arguments likely to induce Paramount Chief to promptly adopt course recommended. If he does, please let me know by what time he will reach the Swazi border, so that I may communicate with the Government South African Republic accordingly.

## Enclosure 4 in No. 38.

The HIGH COMMISSIONER to the ACTING BRITISH CONSUL, Swaziland.

SIR,

August 12, 1898.

I HAVE the honour to transmit to you a copy of a telegram from Her Majesty's Acting Agent at Pretoria, intimating that the Government of the South African Republic accept my proposals for the return of Bunu, and of one which I have in consequence addressed to the Governor of Natal on the subject.

2. Copies of my despatches to Mr. Fraser of the 29th ultimo and 5th instant have already been privately communicated to you, and they may be treated as enclosures to the present despatch. With these, and the correspondence referred to in the telegram from Mr. Fraser, of the 11th instant, you will, I believe, now be in possession of all material information as to the course of the negotiations with respect to both the return of Bunu to attend the Landdrost's enquiry and the proposed protocol to the Convention of 1894.

3. With regard to the conduct to be followed by you in the matter of Bunu, I do not think elaborate instructions are necessary, as the whole course of the negotiations must have shown you the general line which we ought to follow. I am not the least concerned to screen the Paramount Chief. Indeed, one of the chief reasons why I agreed to letting him come before the Landdrost is, that I think it most desirable to get at the true facts about his conduct. At the same time I am, of course, anxious that whatever can be fairly urged on the side of Bunu should be brought out, and that he should not be prejudiced by managing his case idiotically, as he probably would do if left to himself. Your position in the matter is a delicate one. You have to advise Bunu and do the best you can for him, but not as his advocate; for an advocate regards it as his duty to put the best face he can on his client's case, whereas you are not concerned to put Bunu's case in an artificially favourable light, but simply to prevent him from failing, through ignorance or ineptitude, to adduce such facts and arguments as may fairly and reasonably be adduced in his defence; and in doing so you must be careful not to interfere with the proceedings of the Court. Here, again, your position differs from that of an advocate, who has a right to address the Court, and to raise questions as to its procedure. But, delicate as the position is, I believe that with the guidance to be derived from the correspondence and from your personal knowledge of the situation, you will succeed in overcoming its difficulties.

4. I greatly hope that the enquiry may not be very prolonged, as it is only one step in the settlement of the Swazi difficulty, and my great object is to put an end to the present irregular situation as soon as possible. Though I have insisted that the Paramount Chief should be free to return to his kraal, as soon as the enquiry is over, I feel the force of the arguments advanced by the Government, South African Republic, as to the difficulty likely to arise during the period when he is once more free but not re-invested with authority. It is desirable that the final decision, both about him and the question of jurisdiction, should be made known as soon as possible after the conclusion of the enquiry. In order to save time, therefore, I propose at once to resume negotiations as to the Protocol, and I shall be glad to receive from you by telegram any suggestions you may wish to make which may guide me in discussing the subject with the South African Republic.

5. I will not ask you to repeat what you have said on this subject in a private letter, dated 2nd August, to the Imperial Secretary, which I have read, and with most of the contents of which I entirely agree; but I would invite your remarks, especially on two points:—

(1.) The nature of the crimes to be tried by the European Courts, or rather by the High Court, for I shall seek to confine jurisdiction to the High Court, though I do not think the Landdrost can be excluded from holding preliminary enquiries. I think the crimes among natives to which such jurisdiction is to be applicable, should be clearly defined, and should all be grave crimes. Those which occur to me are murder or culpable homicide, rape or attempted rape, robbery with violence, maiming or other serious injury to the person, arson, and, certainly, witchcraft. You may, however, be able to suggest necessary additions to the list.

(2.) The position of the British Consul. This is a point on which I should be particularly glad to have your views. My original idea was to propose that an accused native should have the right to consult the British Consul as to the conduct of his defence, just as the Paramount Chief is to be allowed to do in the present exceptional enquiry into his case. But I feel certain that such a proposal would be strongly resisted by the South African Republic Government, and as it is rather anomalous and difficult to defend, I am

not sure that I shall after all put it forward. A good deal will depend on the view you take as to the efficacy of such a system to ensure a fair hearing for accused natives. I may say that I do not so much fear deliberate injustice on the part of the Court, certainly not the High Court. My idea is that the native may be too puzzled and bewildered to know how to defend himself, and that though an advocate may be appointed to defend him *pro deo*, there will be too little sympathy on the advocate's part and too little confidence on the client's to make such assistance of much use. It was for this reason that I thought of bringing in the British Consul, but I can see that to give him a recognised position of this kind might not only be putting an additional and excessive responsibility upon him, but might, on the one hand, increase his difficulties in his ordinary dealings with the officials, and, on the other, convey a false impression to the minds of the Swazis that Her Majesty's Government were disposed to extenuate crime or to protect them against the consequences of it. I think you are in the best position to judge whether the advantages or the drawbacks of the proposed plan preponderate, and, if the former, whether they are sufficiently great to induce me to insist on it as vital to the arrangement between the two Governments with regard to jurisdiction.

As time presses, I shall be glad if, when you have thought the above matters over carefully, you will let me have your views on them by wire.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

His Honour  
The British Consul,  
Bremersdorp.

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Enclosure 5 in No. 38.

From the GOVERNOR, Natal, to the HIGH COMMISSIONER, Cape Town.

**TELEGRAM.**

(Extract.)

14th August, 1898. Following telegram received from Saunders to-day: "Have just seen Bunu, who will abide by decision of High Commissioner and repair to Bremersdorp as desired."

If you desire officer to accompany Bunu to Bremersdorp, I have no doubt I can arrange it with Government of Natal. I certainly think that one of our officers should accompany him to our border.—HELY-HUTCHINSON.

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Enclosure 6 in No. 38.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, August 11, 1898.

WITH reference to Your Excellency's despatch of the 5th instant, and telegram of the 8th, I have the honour to enclose copies of my note to the State Secretary of the 8th instant, and of the latter's reply of to-day's date (in translation) on the subject of the concluding arrangements for the Swazi Paramount Chief's return.

Your Excellency will observe that in this latest note from the Government of the South African Republic, Your Excellency's earnest attention is called to the risk that is run of nullifying the hopes of a thorough enquiry into the charges against Bunu, by the consent, now given, of this Government to Bunu's returning to his kraal, after a solemn warning as to good behaviour and under suspension of his powers as Paramount Chief, until it has been decided what is to be the result of the deliberations on the evidence taken at the enquiry. It appears to me, however, that the danger to witnesses who may give evidence against their Paramount Chief is not likely to be greater, nor the moral effect more liable to prevent them giving evidence at all, if Bunu is known to be returning to freedom three days after the enquiry than were he to return three weeks after, as originally proposed by the South African Republic Government. It is true that, once a Protocol has been signed giving the South African Republic authorities jurisdiction in serious criminal cases over the Paramount Chief, this Government would have a more ready means of punishing any disobedience on Bunu's part; but, as both parties are now agreed to warn

him of the loss of their support in case he misconducts himself while the case is still unsettled, the moral effect on Bunu ought to be as great as though the Protocol were already signed, and the protection to witnesses none the less, if they can be got to speak in open court at all. I spoke in this sense to Mr. Reitz to-day.

His Excellency  
Sir Alfred Milner, G.C.M.G.,  
&c., &c., &c.

I have, &c.,  
EDMUND FRASER.

SIR,

Her Majesty's Agency, Pretoria, August 8, 1898.

I HAD the honour to communicate to the High Commissioner the further representations, in connection with the enquiry to be held before the Landdrost in Bremersdorp into the charges against the Paramount Chief, contained in your note to me of the 4th instant, and, as a speedy settlement is so much desired by the Government of the South African Republic as well as by the High Commissioner himself, His Excellency has directed me to reply at once. In Sir Alfred Milner's opinion, he is now in agreement with the Government of the South African Republic on all points except one. Before dealing with that point, I am, however, to make an observation on another point, with regard to which the Government of the South African Republic, while accepting His Excellency's proposals, think it necessary to guard themselves against such acceptance being urged as a precedent for the future. I refer to the position of Her Majesty's Consul during the proposed enquiry. His Excellency wishes me only to say that he considers the whole arrangement with regard to Bunu as an exceptional proceeding intended to meet an exceptional emergency. Sir Alfred Milner desires to keep it entirely distinct from the discussion of the general question of jurisdiction in native cases, which must be settled by a separate agreement. It follows that, in His Excellency's view, no item in the present arrangement can be claimed as a precedent by either party. It may be that, in the separate discussion of the general question of jurisdiction, His Excellency may see fit to put forward proposals with regard to Her Majesty's Consul which may be, or may appear, analogous to what Sir Alfred Milner has asked for in the present case. But, if so, they must be judged upon their own merits. The High Commissioner disclaims formally any right to press them upon the Government of the South African Republic on the ground of the Government having consented to certain proposals made by His Excellency in the present—exceptional—case.

I now come to the outstanding point of difference, namely, the length of time for which the Paramount Chief may be detained in Bremersdorp. Sir Alfred Milner regrets to have to ask me to say that, with all his desire to remove difficulties, he is on this point unable to recede from the position taken up in my note of the 1st instant. His Excellency begs to point out once more that he may have to overcome great reluctance on the part of Bunu to return to Swaziland, and that His Excellency has no power to compel him to do so. It is essential that the High Commissioner should be able to assure Bunu that he will suffer no injury to his person and no restriction on his liberty beyond detention during the course of the necessary enquiry. Moreover, even if the High Commissioner could bring Bunu back without this assurance, His Excellency would not himself feel justified in removing him from a place of safety, even for such a desirable object as that of a full enquiry into the charges against him, unless His Excellency felt quite sure that his action could not by any possibility result in Bunu's being deprived of his personal liberty for an indefinite period, a result which, unless distinctly provided against in the manner proposed by his Excellency, might under conceivable circumstances come about, however little either party concerned intended or desired it. The High Commissioner hopes indeed that the difficulty he has foreseen may never arise. If Bunu is found to be innocent, there can be no question of further detaining him, while, if the result of the enquiry is unfavourable to him, Sir Alfred Milner thinks that it is improbable that any prolonged controversy will arise on the subject of the fine. But the High Commissioner is bound, in a case where his personal honour is involved, to provide for every contingency. It is not impossible, though His Excellency hopes that it is unlikely, that the result of the enquiry may make a different impression on the Government of the South African Republic from what it makes on him, that discussion may consequently arise as to the degree of Bunu's guilt and as to the fine to be inflicted upon him. It is in view of such a contingency that His Excellency cannot agree to Bunu's being involuntarily detained at Bremersdorp after the enquiry before the Landdrost is concluded.

The Government of the South African Republic has objected that Bunu, having regained his liberty, and despite the fact that his case would still be under consideration and his power in abeyance, might seize the opportunity to commit acts of violence, more particularly against persons who have given evidence against him. His Excellency must admit that he regards such madness on Bunu's part as more than improbable, but, supposing it were to occur, His Excellency foresees very little embarrassment from the resulting position. The High Commissioner desires me to remind the Government of the South African Republic that it is part of His Excellency's original proposal that, until the case is finally settled, Bunu should, by the common consent of the two parties to the Convention, be suspended from the exercise of any power as Paramount Chief. If Bunu should choose to fly in the face of such an agreement, which the High Commissioner undertakes shall be clearly explained to him, then His Excellency cannot conceive that the offended parties would have any difficulty in dealing with him.

If the Government of the South African Republic agree that the Paramount Chief shall be free to return to his kraal at the close of the Landdrost's enquiry, the High Commissioner is prepared to instruct Her Majesty's Consul to support the Special Commissioner in giving Bunu the strongest possible warning to await quietly the decision of the two Governments, and not to attempt, in the interval, to commit any acts of violence, nor even to exercise his legitimate powers as Paramount Chief. Her Majesty's Consul would tell him plainly that by disobedience to such a warning he would forfeit the support of Her Majesty's Government.

The High Commissioner hopes that the matter may be arranged at once on this basis, for further delay would, His Excellency fears, only enhance the difficulty of the settlement.

Sir Alfred Milner is the more anxious to put a clear limit to the length of time during which Bunu is to be liable to detention, as the Government of the South African Republic now apparently inclines to making the final settlement of Bunu's case in some degree dependent upon the signature of the suggested Protocol. But His Excellency cannot in any way agree to mix up the question of the Protocol with the question of how to get out of the particular difficulty about Bunu. In His Excellency's view, any attempt to deal now with the two questions conjointly would be to hopelessly complicate both. The High Commissioner is as anxious as is the Government of the South African Republic to arrive at a permanent agreement as to the question of jurisdiction. As soon as the two parties have come to terms about the procedure in Bunu's case, His Excellency is willing to resume the consideration of the question of jurisdiction, and agrees that it would be highly convenient if it could be settled by the time that Bunu's affair is disposed of. But, while Sir Alfred Milner sees no reason to delay the consideration of the Protocol pending the result of the investigation into Bunu's case, His Excellency holds most strongly that the two matters must be kept distinct. No single point in the arrangement with regard to Bunu must be allowed to depend upon the course of negotiations as to the Protocol. As I have already informed you, the Protocol in the form in which it was originally presented is not such as His Excellency could submit to Her Majesty's Government with any hope of its being accepted. The settlement of its terms may take time, and, important as is despatch in this case, it is even more important that an agreement which is intended to be permanent and of general application, should be carefully considered and unambiguously expressed.

The High Commissioner trusts that, with these considerations before them, the Government of the South African Republic may see fit to remove the only difficulty which stands in the way of his Excellency's co-operation with them to bring Bunu before the Landdrost.

I have, &c.,  
EDMUND FRASER.

To the Honourable  
F. W. Reitz,  
&c., &c., &c.,  
State Secretary.

(Translation.)

Department for External Affairs, Pretoria,  
August 11, 1898.

SIR,

I HAVE the honour to acknowledge receipt of your note of the 8th instant, as regards the enquiry into the charges brought against the Swazi Paramount Chief Bunu,

and to inform you that this Government concurs, in order to meet the final desire expressed by His Excellency the High Commissioner, respecting the stay in Bremersdorp of the Paramount Chief after the Preliminary Enquiry, and that it will accordingly permit Bunu to return to his kraal upon the conclusion thereof.

(2.) At the same time this Government desires with all earnestness to point out to His Excellency that when it becomes known to the Swazi nation that their Paramount Chief—even if he is warned and suspended from the exercise of his powers as Paramount Chief—can return to his kraal after the Preliminary Enquiry, this may possibly either so hinder the witnesses or make them so afraid that they may hesitate to give evidence against him ; so this Government fears that the Preliminary Enquiry before the Landdrost, from want of evidence, may not bring his crimes clearly to the light of day.

(3.) The Swazi nation only knows that it has a Paramount Chief, and can form no conception of a suspension of Bunu's powers as such ; it considers that he, once Paramount Chief, must so continue without interruption ; it cannot understand—like this Government and His Excellency—that there may be a time during which their Paramount Chief is not to be able to exercise his powers as such, and this idea will fill them with fear of the vengeance of Bunu, and will prevent them from giving evidence.

(4.) As regards the Protocol to the Convention of 1894, this Government concurs with the High Commissioner when His Excellency expresses the wish not to mix up this question with Bunu's case, which is now to be enquired into ; and this Government desires to concur in the proposal for a speedy negotiation of and settlement of such a Protocol.

It regrets, however, that "the Protocol, in the form in which it was originally presented, is not such as His Excellency could submit to Her Majesty's Government with any hope of its being accepted," and as the High Commissioner has added that "he sees no reason to delay the consideration of the Protocol pending the results of the investigation into Bunu's case," and, moreover, "agrees that it would be highly convenient if it could be settled by the time that Bunu's case is disposed of," this Government would be obliged to His Excellency, if a draft could be speedily sent for a Protocol to the Convention of 1894, so that this matter too may be concluded with all despatch.

(5.) This Government hopes and trusts, now that both Governments have come to an agreement respecting the treatment of these matters, that His Excellency may be good enough, without delay, to take steps to have Bunu brought to the Swazi border ; and I should be glad to learn when and where the Paramount Chief may be expected at the border, so that, on the part of this Government, such measures may be taken as will enable the Government to carry out its part of the agreement as to this case, and that there may now be a speedy end to an undesirable state of things, which, unless quickly settled either in one way or the other, threatens to become a danger not only for the native population of Swaziland, but also for the whole of South Africa.

I have, &c.,  
F. W. REITZ,  
State Secretary.

To Edmund Fraser, Esq.,  
&c., &c., &c.,  
H.M. Acting Agent in the  
South African Republic.

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Enclosure 7 in No. 38.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

TELEGRAM.

(Extract.)

16th August, 1898. *Re* Protocol. I am anxious to get on with it, and I think it would quicken progress if you were to discuss subject generally with the State Secretary. It should be understood that conversation is without prejudice on either side. I want him to know my views and to tell me his, so that I may, if possible, propose something over which there will be minimum of difference between two Governments. The points on which I lay greatest stress are :—

(1.) Definition of crimes. I object strongly to leaving it to Government South African Republic to decide in particular cases whether criminals should be tried by

European court or not, and also to bringing petty native cases before such courts. Best course would be to provide distinctly that certain grave crimes, such as murder, homicide, rape, witchcraft, arson, should, in Protocol, be specified as crimes that can only be tried by European court.

(2.) Court should be High Court, with preliminary investigation before Landdrost. I am sure that the giving of jurisdiction in native cases to Justices of the Peace would lead to trouble.

These two points hang together. Each is desirable on its own account, but they fit into one another, as by limiting European jurisdiction in native cases to definite grave crimes Justices of the Peace would be excluded without slur on them.

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Enclosure 8 in No. 38.

From the HIGH COMMISSIONER, Cape Town, to the GOVERNOR, Natal.

TELEGRAM.

17th August, 1898. Agreement between South African Republic and myself about Paramount Chief and his followers is now complete. They are all to go in a body to Bremersdorp, accompanied by officer of Natal Government, and being met at border by escort sent by Government South African Republic. Paramount Chief may keep with him such followers as he desires during enquiry, and Government South African Republic may keep such others as it thinks may be wanted during enquiry. Those not so wanted either by Paramount Chief or Government South African Republic may return to their kraals at once. Those detained during enquiry will be allowed to return to their kraals immediately it is over, as Paramount Chief will be himself. There is no reason why enquiry should take more than a few days. Am most anxious you should impress on Paramount Chief that I entirely approve of this arrangement and that he must now accept it as it stands without further parley. Enquiry before Landdrost must be held, but I have provided absolutely for safety of whole party. They are one and all assured of return to their homes without injury. Paramount Chief must simply accept good conditions I have made for him or forfeit support of Her Majesty's Government, which means his ruin. I hope soon to hear that he has started, and to be able to inform Government South African Republic on what day he may be expected at Ingwavuma.

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No. 39.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received September 12, 1898.)

SIR,

Government House, Cape Town, August 24, 1898.

In continuation of my despatch of the 17th instant\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

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Enclosure 1 in No. 39.

From HER MAJESTY'S ACTING AGENT, Pretoria, to THE HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

(Extract.)

17th August, 1898. Long interview with State Attorney and State Secretary, who finally concurred in two chief points of your telegram of 16th August, but asked me to meet them this afternoon after the Executive have considered the points.

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\* No. 38.

Enclosure 2 in No. 39.

FROM THE HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT,  
Pretoria.

TELEGRAM.

(Extract.)

17th August, 1898. Send the following message from me to British Consul. *Begins*: Negotiations with regard to Protocol are in progress. I think it may be possible to arrive at an agreement on following basis:—

First. Jurisdiction of European Courts in native cases to be confined to grave crimes, namely, murder, homicide, rape, or attempt at any of these, arson, robbery with violence, maiming, and witchcraft. I wish you to consider whether any should be added to this list.

Secondly. Competent Court to be High Court, but the Landdrost to hold preliminary enquiry, and State Attorney to have power to send back cases to him for final decision, if Attorney thinks they can be adequately dealt with within Landdrost's powers of punishment, which, I understand, are limited to imprisonment for six months. Otherwise cases will be tried by High Court. I think this is reasonable. In my opinion it is impossible to exclude the Landdrost, but Justices of the Peace should have nothing to do with purely native cases. The only serious question beyond these is whether accused natives should be expressly allowed to seek advice of British Consul, and get his assistance in conduct of their cases, as is being done with regard to the Paramount Chief. Government of the South African Republic strongly object to this, and I see some force in their objections. As a matter of fact, natives will doubtless continue to seek your advice in all their difficulties, and Government of the South African Republic do not dispute their right to do so, but they do not wish to emphasise or call attention to it in the Protocol. I do not feel inclined, as at present advised, to press this point. I invite your suggestions on above points by telegraph, bearing in mind my great object is to secure fair trial for natives. I am anxious to send despatch to Pretoria on Friday, if possible. Send your reply through British Agent, for his information.—*Ends*.

Enclosure 3 in No. 39.

FROM THE GOVERNOR, Natal, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

17th August. Gibson, Resident Magistrate at Nongoma, has been selected to accompany Paramount Chief to Bremersdorp. I approve selection. Gibson well qualified, and was in Swaziland with Martin, acting as interpreter, four years ago. It will take from eight to nine days for Paramount Chief to reach Swaziland border at Ingwawuma from Eshowe.

I shall report when he starts. Saunders has been instructed to make arrangements for party to start with least possible delay.—HELY HUTCHINSON.

Enclosure 4 in No. 39.

FROM HER MAJESTY'S ACTING AGENT, Pretoria, to THE HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

17th August, 1898.

Referring to my other telegram of 17th August, following received from Attorney as amended list of crimes:—

- (1) Murder, manslaughter, culpable homicide;
- (2) Treason, rebellion, sedition;
- (3) Assault with intent to do grievous bodily harm;
- (4) Rape and attempted rape;
- (5) Kidnapping and seduction and rape of children;
- (6) Fraud and forgery;
- (7) Perjury;
- (8) Arson and wilful destruction of property;
- (9) Robbery;
- (10) Public and private force;
- (11) House-breaking.

FRASER.

Enclosure 5 in No. 39.

From HER MAJESTY'S ACTING AGENT, Pretoria, to THE HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

17th August, 1898. My other telegram, 17th August. I understand from the State Attorney that he has added crimes of fraud, forgery and perjury to your list, on account of the falsification of native passes by a few educated Swazis. Your Excellency will notice he has suggested robbery without qualification, but I fear this would perhaps include some petty crimes. He pointed out that cattle raiding would not be a crime unless robbery. As regards crimes numbered 10, these are expressions in Roman-Dutch law, and would appear to include certain kinds of theft. The term may therefore be too wide. Executive assent generally to the points of Protocol, but they seemed to hope Courts would not be specified. This Your Excellency will, no doubt, continue to consider a necessary provision. It seems to me that housebreaking is a petty offence, considering the conditions of native life, while, when houses of Europeans are concerned, it is already included in the jurisdiction.—FRASER.

Enclosure 6 in No. 39.

From THE HIGH COMMISSIONER, Cape Town, to THE GOVERNOR, Natal.

TELEGRAM.

18th August, 1898. Your telegram of August 17th. Pray convey my best thanks to Ministers for lending services of so competent an officer to accompany Paramount Chief. I await your telegram announcing his departure before communicating with Government South African Republic.

Enclosure 7 in No. 39.

From THE STATE SECRETARY, Pretoria, Divn. A., to THE HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

(Translation.)

19th August. In accordance with the agreement arrived at with Your Excellency, respecting the case of Bunu and his safe conduct to Bremersdorp, this Government has decided to send 25 ordinary police, with their officers, to the border to meet him with his followers and the British official, and to see to his safe conduct. It has further notified by circular that no military movement of Europeans or natives (literally: white or black) or demonstrations of whatsoever kind may take place, but everyone must behave peaceably during the conduct of Bunu's case. This has been notified by the Special Commissioner. This Government trusts that Your Excellency will notify this to the British Consul, whereby peace and order can be maintained.—REITZ.

Enclosure 8 in No. 39.

From THE GOVERNOR of Natal to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

19th August. My telegram of yesterday. Paramount Chief started from Eshowe 11.30 this morning. Matokoza refused to go.

Enclosure 9 in No. 39.

From HER MAJESTY'S CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

(Extract.)

19th August, 1898. Urgent. Your Excellency's message respecting Protocol received yesterday afternoon. My reply is necessarily somewhat hurried.

(1.) Public violence or serious disturbance of a riotous character, such as inter-tribal fighting, might, I think, be added. Perhaps also kidnapping or parcelling out of

children of eaten-up kraals; witchcraft might be defined, any person who shall advise bewitchment or injury of persons or property, or who shall supply the pretended means of bewitchment for such purpose. Persons who consult or employ witchdoctors for such purposes also to be liable to punishment. Natives sometimes consult doctors for innocent purposes. In regard to arson, would Swazis come under the grass burning law? Adultery in certain cases is punishable by demand (? death). Can this be guarded against?

(2.) and (3.) I think powers of Landdrost in the matter of punishment exceed six months' imprisonment and include lashes. I do not think the proposed function of Consul of great importance, as he cannot take part in proceedings in Court.

Postscript. I think that arson, not being a crime against the person, may be omitted.

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Enclosure 10 in No. 39.

From HER MAJESTY'S ACTING AGENT, Pretoria, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

(Extract.)

19th August, 1898.

I find Law 2, 1894, extends Magistrate's jurisdiction in cases of cattle theft to limit of two years or twenty-five lashes. This law was not alluded to by the State Attorney, but it was agreed between us that simple cattle theft would not be included in new jurisdiction, and we made a special point of distinguishing organised cattle raids from mere theft, which latter would still be dealt with by the Chiefs. Otherwise six months, a fine of £75, or 25 lashes, are the Magistrate's limits.—FRASER.

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Enclosure 11 in No. 39.

From THE HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

TELEGRAM.

20th August, 1898. Inform State Secretary I have received his telegram of 19th concerning arrangements for reception of Paramount Chief, and have informed British Consul. Paramount Chief left Eshowe yesterday morning. He will be eight or nine days in reaching Ingwavuma. Officer who accompanies him to Bremersdorp is Mr. Gibson, Resident Magistrate at Nongoma. Following are terms of my final message to Paramount Chief, which please convey *verbatim* to State Secretary : *Begins* :

"Agreement between Government South African Republic and myself about you and your followers is now complete. You are all to go in a body to Bremersdorp, accompanied by officer of Natal Government, and being met at border by escort sent by Government of the South African Republic. You may keep with you such followers as you desire during enquiry, and the Government of the South African Republic may keep such others as it thinks may be wanted during enquiry. Those not so wanted either by you or the Government of the South African Republic may return to their kraals at once. Those detained during enquiry will be allowed to return to their kraals immediately it is over, as you will be yourself. There is no reason why enquiry should take more than a few days. I entirely approve of this arrangement, and I desire you to accept it as it stands, without further parley. Enquiry before Landdrost must be held, but I have provided absolutely for safety of the whole party. You are one and all assured of return to your homes without injury." *Ends*.

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Enclosure 12 in No. 39.

The HIGH COMMISSIONER to the ACTING BRITISH AGENT, Pretoria.

SIR,

August 20, 1898.

WITH reference to my telegram of August 20th, containing the terms of my final message to Paramount Chief, I am not sure whether the terms of my previous message sent to the Chief on 12th August has been communicated to the State Secretary. If not, I desire that you will so communicate it now. It runs as follows:—

"The High Commissioner desires that you should immediately repair to Bremersdorp to attend the enquiry before the Landdrost into circumstances of death of Mbaba. You need not be afraid of any violence, as the High Commissioner has come to a binding agreement with South African Republic that you shall suffer no injury to your person, and shall not be put in prison, but merely detained at Bremersdorp till enquiry is over, when you will be free to return to your kraal. You may be attended on your journey to Bremersdorp and during your stay there by such Swazis as you choose to take, not exceeding 20 in number, who must be unarmed. You will have every opportunity of seeing and consulting British Consul during enquiry. He will take care that all you have to say in your defence is brought out in enquiry. After enquiry is over, two Governments will consider whether any penalty is to be inflicted on you. If they decide that you have been to blame, the penalty will take the form of a fine. Beyond this you have nothing to fear. You will be free to live at your kraal without restriction, but your powers as Paramount Chief will be in abeyance till the two Governments have decided on your case. The High Commissioner desires to impress on you most strongly that this arrangement is the best possible in your interests, and that you must fall in with it promptly, or you will sacrifice all further support from Her Majesty's Government. If you now follow his advice, he will continue to look after you, and you need have no fear of your life and freedom."

The only substantial difference between this and the later message consists in the fact that in the latter nothing is said as to limiting the number of Swazis who may stay at Bremersdorp to twenty. This change is due to the terms of your telegram, containing the latest expression of the views of the Government South African Republic with regard to Bunu's followers. They now seem to lay no stress on the exact numbers, but to be willing that all should remain, who are either wanted by them or by the Paramount Chief. And I agree that this is the best arrangement.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

His Honour  
Her Majesty's Acting Agent,  
Pretoria.

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Enclosure 13 in No. 39.

From THE HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT,  
Pretoria.

TELEGRAM.

August 20th. British Consul informs me that ordinary rule in preliminary enquiry before Landdrost is that Attorneys appearing for accused are not allowed to take exceptions or to cross-examine State witnesses, and further that accused cannot give evidence or even make a statement until papers have been sent to State Attorney and returned by him. To adhere to those rules in case of Paramount Chief would defeat object, which is to sift evidence thoroughly and make enquiry as complete as possible (seeing that it will never be followed by trial). I understand, however, that these rules of procedure can be varied by order. Please tell State Secretary that I feel sure he will see that instructions are given to Landdrost to allow Paramount Chief or his counsel every latitude consistent with orderly conduct of proceedings, both in cross-examining hostile witnesses and in making any statement Paramount Chief may desire. With regard to counsel, as any Attorney or Law Agent on Transvaal Roll would be admitted, Consul asks that you should ascertain privately and telegraph to him total sum for which competent lawyer, English by preference, would appear at Bremersdorp for Paramount Chief. Please do this, as no time is to be lost if man is to be engaged at Pretoria.

Enclosure 14 in No. 39.

From HER MAJESTY'S ACTING AGENT, Pretoria, to THE HIGH COMMISSIONER,  
Cape Town.

TELEGRAM.

20th August. Yours of 20th August. I do not anticipate any difficulty about full latitude being allowed at Landdrost's enquiry, such being desire of both parties, but instructions in this sense have not yet been sent to Landdrost pending news of Bunu having started. Have found Counsel willing to go, and am telegraphing terms to Consul. No Attorney necessary; cost altogether some two hundred pounds.—FRASER.

Enclosure 15 in No. 39.

From HER MAJESTY'S CONSUL, Swaziland, to THE HIGH COMMISSIONER, Cape Town.

TELEGRAM.

22nd August, 1898. Referring to my telegram of the 19th instant, should not provision be made in the Protocol for the trial of cases of treason and conspiracy against the Paramount Chief or Members of the royal family? I believe that these crimes are by native law punishable with death, but as political executions are to be forbidden, I think that in the interests of the Paramount Chief and the royal family an alternative procedure should be provided.

No. 40.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 8 a.m., September 15, 1898.)

TELEGRAM.

[*Answered by No. 42.*]

14th September. Referring to my telegram 18th July and your telegram of 20th July,\* after prolonged communications with Government of South African Republic I am now in position to submit for your approval Protocol to the following effect:—

Preamble recites difficulties have arisen as to Article No. II. of Convention and particularly as to jurisdiction of Courts, it is desirable to make further provision, &c.

Then clauses 1 and 2: High Court of Judicature and present Landdrost's Court alone competent to deal with crimes by natives specified in schedule. Such jurisdiction extends to all natives including Paramount Chief and native jurisdiction therein ousted.

Clause 3: Landdrost's Court to have no greater power punishment therein than exerciseable in case of Europeans.

Clause 4: Accused native to be entitled to Legal Defender, indigent native to have Counsel assigned by Court.

Clause 5: Subject to foregoing, Paramount Chief to retain jurisdiction in all other native criminal cases as well as native civil cases but no Chief competent to inflict barbarous punishment.

Clause 6: Protocol is not retrospective.

Schedule: Murder, manslaughter, culpable homicide, conspiracy against Paramount Chief or resistance to his recognised authority, aggravated assault, rape, attempted rape, kidnapping, abduction of children, forgery, perjury, arson, malicious destruction of property of a grave nature, robbery, witchcraft.

I had proposed to insert provision for case of death or incapacity of Paramount Chief but dropped it as being unpalatable to President of South African Republic and foreign to subject matter of Protocol. Anxious to hear your decision by telegraph as soon as possible. If you concur propose to authorise Fraser to sign for me.

\* Nos. 27 and 28.

No. 41.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received September 17, 1898.)

SIR, Government House, Cape Town, August 31, 1898.

IN continuation of my despatch of the 24th instant\*, I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

You will observe that enclosure 2 contains the draft of a protocol to the Swaziland Convention of 1894, which I have drawn up for the consideration of the Government of the South African Republic.

In my telegram of the 18th ultimo†, I informed you of this suggestion, and received your approval on the 20th.‡ I do not now offer any observations on the subject, as I have yet to hear what view the Transvaal Government take of my suggestions; and in all probability, I shall be in a position to submit the terms of the protocol by telegraph§ for your approval before this despatch reaches you.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

Enclosure 1 in No. 41.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

24th August, 1898. No. 2.—Following is extract from my statement to Swazis at public meeting on 22nd:—

*Begins*: I wish to say specially that I most strongly advise against, and disapprove of, Swazis meeting Ngwane on the border, joining him on his way to Bremersdorp, or assembling at or near Bremersdorp during the enquiry. There is no need for their doing so. You have the word of the two Governments that he will be quite safe, and he will be accompanied by a British Officer and by South African Republic police, who will see to his safe conduct to Bremersdorp. *Ends*.—SMUTS.

Enclosure 2 in No. 41.

The HIGH COMMISSIONER to the ACTING BRITISH AGENT.

SIR,

August 26, 1898.

WITH reference to your despatch of August 11th, and to the note of the State Secretary therein enclosed, which deals in section 4 with the question of the proposed Protocol to the Convention of 1894, and expresses the hope that a draft of such Protocol may be "speedily sent, so that this matter may be concluded with all despatch," I have the honour to forward, for the consideration of the Government of the South African Republic, a draft, which, if that Government are prepared to agree to it, I should be ready to submit to Her Majesty's Government, with every hope of having it accepted. From the telegraphic correspondence which has passed between you and me on this subject I derive the impression that there is no difference of great moment between my views and those of the Government of the South African Republic as to the provisions necessary to supplement the Convention of 1894 with regard to the subject of jurisdiction in native cases. A wide difference of opinion does, indeed, exist as to the extent of the jurisdiction possessed by the Courts of Swaziland in such cases under the existing Convention. But if, as I believe, there is no insuperable difference between the two parties to the Convention as to the jurisdiction, which experience shows that these Courts ought to possess, and it is possible to arrive at an agreement removing all doubts on the subject for the future, the question of the interpretation of the Convention, as it stands, in this respect, ceases to be of practical importance.

The essential point to my mind is, that in cases of crime among natives, the limits of the jurisdiction of the Courts established under the Convention on the one hand and of the jurisdiction of the Paramount Chief and other Chiefs of the Swazis on the other hand,

\* No. 39.

† No. 27.

‡ No. 28.

§ See No. 40.

should be clearly defined. I say, *in cases of crime among natives*, because, where a criminal offence is committed by a native against a white, or by a white against a native, the provisions of the Convention, which preserve the previously existing powers of the Paramount and other native Chiefs, do not appear to me to present any obstacle to the exercise of jurisdiction by the Courts. In what I may call mixed cases, where one of the parties is a white and the other a native, it has never been disputed that these Courts possess full jurisdiction. Neither do I think it open to question that those Courts are already competent to deal with any acts of insubordination to the executive authorities appointed by the Government of the South African Republic while exercising their powers in accordance with the Convention.

With regard to the extent of the jurisdiction to be exercised by the Courts of Swaziland in native cases, it is my conviction, and I gather that the Government of the South African Republic do not differ from me on this point, that it is neither necessary nor desirable to drag minor offences, committed between natives, before the Courts. To do so would cast an excessive burden on them, and would entirely undermine that authority of the native Chiefs, which, within reasonable limits, it is the evident intention of the Convention to preserve. The interference of the Courts in native affairs should be confined to cases of grave crime, and especially to acts of violence. With this principle in mind, I have gone through the list of crimes supplied to you by the State Attorney as being those to which the jurisdiction of the Courts in native cases should apply, and have embodied the bulk of them in the Schedule to the draft Protocol. I need, therefore, only explain the reasons for which I have, in a few instances, departed from the State Attorney's list, either by way of modification, omission, or addition.

1. For "treason, rebellion and sedition" I have substituted "conspiracy against the Paramount Chief or resistance to his authority as recognised in the Convention of 1894 or in this Protocol." As I have already stated, I consider that rebellion against the Government need not be provided for, as the powers conferred upon the Government of the South African Republic by clause 2 of the Convention necessarily involve the right to punish acts of insubordination or sedition against that Government in the exercise of those powers. To include such acts in the Protocol would be to imply a doubt on this point, on which I do not believe and do not wish to suggest that a doubt exists in any quarter. On the other hand, it does seem necessary to make some provision for the case of natives conspiring against the Paramount Chief or defying him. There is a constant danger of insubordination or intrigue among native tribes. Therefore the Paramount Chief must either be allowed to defend himself against attacks upon his authority in his own way, or means must be provided for putting a stop to them. But to allow the Paramount Chief to deal with such cases in his own way would almost certainly involve countenancing action inconsistent with "civilised laws and customs." His notion of suppressing sedition would probably be to put the offender to death. As the Protocol deprives him of this power, it is necessary to find some other way of vindicating his authority, otherwise he would be left entirely defenceless, sedition would be encouraged, and general disorder would soon prevail in the tribe. My notion is to give the Paramount Chief the right to bring offenders against his lawful authority before the Courts, and thus to repress sedition without recourse to excessive or barbarous punishments which the Courts, of course, would not inflict.

2. I have omitted "fraud," "malicious injury to property," "public or private violence," and "house-breaking." Where any of these offences is committed against or by a white man, the Courts already have power to punish it. Between natives, on the other hand, these are just the sort of offences which are better dealt with by their own Chiefs. If these offences were left in the list, there would be many illegal acts, of a very trifling character, which could only be dealt with by the Courts. On the other hand, having regard to the conditions of life among the natives, it seems probable that any very serious offence in any of these classes would also come within one of the categories included in the Schedule, and therefore be subject to the jurisdiction of the Courts. I object more particularly to "public and private violence," because, if by "public violence" is meant riot or rebellion, it is already punishable, while "private violence" might mean anything, and cannot mean anything very serious which is not already covered by "assault with intent" or "robbery." So, too, "malicious injury to property" might be applied to the most trumpety offences, such as the breaking of a fence. I should not, however, object to the inclusion of malicious injury to property if confined to malicious injury of a grave nature, such as cattle-raiding, the wholesale destruction of cattle, or the destruction of a dwelling-place.

3. I have added to the list of crimes that of "witch-craft," by which I mean the consultation of the so-called "witch-doctors" with a view to inflicting injury to person or property, as well as the practices of the witch-doctors themselves in "smelling-out" witches, or supplying pretended means of bewitchment. The whole body of offences of this character is dealt with in the Cape Act No. 2, of 1895, to which I would refer you for further details. I am not aware whether the laws of the South African Republic deal with offences of this character. If they do, it may be sufficient to include in the Schedule the name or names by which they are known in the legislation of the South African Republic. If not, a difficulty arises, as the Courts of Swaziland cannot deal with offences unknown to the law of the South African Republic unless they are made offences in Swaziland by special legislation. It may, therefore, be necessary to abandon the proposal of empowering the Courts to deal with witchcraft. I should, however, abandon it with regret, as it is a most fertile source of crime in native communities, and the witch-doctor who instigates a man to kill or injure another by indicating the latter as a witch is really more guilty than the deluded person who commits the actual crime.

This concludes what I have to say about the question of jurisdiction, but I have yet to explain my reasons for introducing the third preamble and sixth clause of the Protocol, which are now suggested for the first time. The necessity for some such provision seems to me to arise from the fact that the Protocol brings the Paramount Chief himself, in case of his hereafter committing any of the offences specified in the Schedule, under the jurisdiction of the Courts. The Convention says "Bunu shall be and remain Paramount Chief of the Swazis," and makes no provision either for his death, or for any circumstances which might incapacitate him temporarily or permanently from exercising the powers of a Paramount Chief. It is evident, therefore, that his conviction and punishment for any grave crime would place both the parties to the Convention in a considerable difficulty, and it seems desirable to take this opportunity of providing against such a contingency. As, however, the clause in question is beyond the scope of the Protocol as originally proposed, I am not prepared to press the matter, if the Government of the South African Republic do not share my view of the desirability of such a provision.

The Protocol contains no reference to the position of the British Consul with regard to cases of natives accused of crime. I was at one time, as you are aware, inclined to propose the insertion of a clause dealing with this subject. On further consideration, however, it appears to be unnecessary. The right of any native to have free access to the British Consul and to seek his advice is unquestionable, and requires no special stipulation to secure it, and so is the right of the British Consul to obtain from the officers of the Government any information he may require with regard to judicial proceedings taken against natives. I have no reason to suppose that the Government of the South African Republic will raise any question or make any difficulty on either of these points, and, that being the case, I recognise the force of the objection, which, as I understand from you, is felt by the Government of the South African Republic to any direct reference to this matter in the Protocol, viz., that, while it is unnecessary for the objects which I desire to secure, it might be mischievous by encouraging in the minds of the natives a doubt as to the authority of the Courts and a belief that Her Majesty's Government were desirous of protecting them from the consequences of criminal acts.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

His Honour  
Her Majesty's Acting Agent,  
Pretoria.

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#### DRAFT PROTOCOL.

Whereas difficulties have arisen in carrying out Article II. of the Convention between Her Majesty, &c., and the South African Republic dealing with the affairs of Swaziland, signed on the 10th December, 1894, and particularly with regard to the extent of the jurisdiction of the Courts established in Swaziland under that Convention, in the case of crimes committed by natives against natives, in view of the provisions of the said Article as to the powers of the Paramount Chief, the maintenance of native laws and customs, and the administration of such laws and customs by native Chiefs ;

And whereas it is desirable to make further provision for the jurisdiction of the said Courts, more especially with the view of preventing practices inconsistent with civilised laws and customs ;

And whereas it is also desirable to provide for the exercise of the powers of the Paramount Chief in Swaziland in the event of the death or incapacity of Ungwane, *alias* Uhili, *alias* Ubunu ;

Now, therefore, it is agreed between Her Majesty's High Commissioner for South Africa, on behalf of Her Majesty, and His Honour the State President of the South African Republic, on behalf of the Government of that Republic, as follows :—

1. Notwithstanding anything contained in the 2nd article of the said Convention, the Courts mentioned in the 2nd Clause of this Protocol shall alone be competent to deal with crimes committed by natives falling under any of the categories specified in the schedule hereto, and such jurisdiction shall extend to all natives, including Chiefs and the Paramount Chief. Neither the Paramount Chief nor any other native Chief shall be competent to exercise jurisdiction in regard to any such crime.

2. The Courts by which alone the jurisdiction described in the foregoing clause shall be exercised are the Landdrost's Court of Swaziland as at present established, and the High Court of Swaziland.

3. The Landdrost's Court shall not have power to impose any sentence other than imprisonment for a term not exceeding six months, or a fine not exceeding £75, in respect of any crime committed by a native and belonging to any of the categories specified in the Schedule.

4. Any native accused either before the Landdrost's Court or the High Court shall be entitled to be defended by Counsel. In the absence of Counsel engaged by the accused person on his behalf, the Court shall appoint Counsel for his defence.

5. Subject to the foregoing provisions the Paramount Chief and other native Chiefs shall continue to exercise jurisdiction in all native cases, including civil disputes between native and native, and all crimes committed by natives against natives which do not fall within any of the categories specified in the schedule. But no native Chief shall be competent to inflict the punishment of death or any barbarous punishment, inconsistent with civilised usage.

6. In the event of the death of Ungwane, *alias* Uhili, *alias* Ubunu, or of his permanent incapacity, from whatever cause arising, to exercise the powers of Paramount Chief, all the rights, powers, and privileges secured to him by the Convention of 10th December, 1894, shall devolve upon the person who shall be pointed out by the Council of the Swazi nation as his rightful successor, in accordance with native law and custom.

In case of the temporary incapacity of the Paramount Chief, such rights, powers, and privileges as aforesaid shall be exercised and enjoyed by a Regent to be nominated by the said Council, in accordance with native law and custom.

7. The provisions of this Protocol shall not apply to any crime committed previous to its signature.

#### SCHEDULE OF CRIMES.

- (1.) Murder, manslaughter, culpable homicide ;
- (2.) Conspiracy against the Paramount Chief or resistance to his authority as recognised in the Convention of the 10th December, 1894, or in this Protocol ;
- (3.) Assault with intent to do grievous bodily harm ;
- (4.) Rape and attempted rape ;
- (5.) Kidnapping, abduction, and indecent assault on children ;
- (6.) Forgery ;
- (7.) Perjury ;
- (8.) Arson ;
- (9.) Robbery ;
- (10.) Witchcraft.

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Enclosure 3 in No. 41.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

27th August, 1898. Did Your Excellency contemplate other charges than the murder of Mbaba and his two men being introduced into the preliminary examination by the Government? I am somewhat inclined to infer that this may be done.—SMUTS.

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## Enclosure 4 in No. 41.

From the HIGH COMMISSIONER, Cape Town, to the ACTING BRITISH AGENT, Pretoria.

## TELEGRAM.

27th August, 1898. Have heard from British Consul that he thinks that besides the death of Mbaba other charges will be brought against Bunu. I, however, do not think it possible this can be South African Republic Government's intentions. Nothing else was dealt with in summons, neither have suggestions ever been made nor any notice given to Bunu that other offences should be included in the investigation, though they were incidentally referred to in the course of the correspondence. That there could be any doubt on the subject would never have occurred to me, but, as the point is raised by Mr. Smuts, and he asks for instructions, I desire you to find out from the State Secretary at once whether anything of the kind is in contemplation.

## Enclosure 5 in No. 41.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, August 24, 1898.

WITH reference to Your Excellency's despatch, and telegrams of the 20th instant, I have the honour to enclose copies of two notes, dated the 20th instant, which I addressed to the State Secretary, giving the details of Your Excellency's two messages to the Swazi Paramount Chief, prior to his departure from Zululand for Bremersdorp for the purpose of attending the preliminary enquiry before the Landdrost.

Although I had already spoken to the State Secretary in the sense of Your Excellency's telegram of 20th Aug., as regards the desirability of full latitude of procedure before the Landdrost, I thought it advisable to include some observations on the subject in my second note, enclosed herewith in copy. And I have now the honour to transmit a translation of the State Secretary's reply, from which Your Excellency will see that this Government entirely concurs in the recommendations which I made with regard to procedure, and that instructions have been sent, in accordance therewith, to the Landdrost by the State Attorney.

I have, &c.,

EDMUND FRASER.

To His Excellency

Sir Alfred Milner, G.C.M.G., K.C.B.,

&c., &c., &c.

(A.)

SIR,

Her Majesty's Agency, Pretoria, August 20, 1898.

I HAVE the honour, by desire of the High Commissioner, to communicate to you, for the information of the Government of the South African Republic, the following terms of a message which His Excellency addressed to the Swazi Paramount Chief, on the 12th instant, on the conclusion of the arrangements for his return to Bremersdorp:—

“The High Commissioner desires that you should immediately repair to Bremersdorp, to attend the enquiry before the Landdrost into the circumstances of the death of Mbaba. You need not be afraid of any violence, as the High Commissioner has come to a binding agreement with the Government of the South African Republic that you shall suffer no injury to your person, and shall not be put in prison, but merely detained at Bremersdorp till the enquiry is over, when you will be free to return to your kraal.

“You will be attended on your journey to Bremersdorp, and during your stay there, by such Swazis as you choose to take with you, not exceeding twenty in number, who must be unarmed. You will have every opportunity of seeing and consulting the British Consul during the enquiry. After the enquiry is over, the two Governments will consider whether any penalty is to be inflicted upon you. If they decide that you have been to blame, the penalty will take the form of a fine. Beyond this you have nothing to fear. You will be free to live at your kraal without restriction, but your powers as Paramount Chief will be in abeyance until the two Governments have decided on your case.

“The High Commissioner desires to impress upon you most strongly that this arrangement is the best possible in your interests, and that you must fall in with it promptly, or you will sacrifice all further support from Her Majesty’s Government. If you now follow the High Commissioner’s advice, he will continue to look after you, and you need have no fear of your life and freedom.”

The only substantial difference between this and the later message to Bunu which I have the honour to send in another note of to-day’s date consists in the fact that, in the latter, nothing is said as to limiting the number of Swazis who may stay at Bremersdorp to twenty. This change is due to the representations which were made later, as to the return of the Indunas and others who are now accompanying the Paramount Chief, and to the recommendations of General Joubert, at my interview with him on the 15th instant, that the whole party should proceed to Bremersdorp in a body, so as the more easily to enable a selection to be made from among them for purposes of evidence at the enquiry. The terms of the High Commissioner’s final message to Bunu, given him just prior to his departure from Eshowe, and included in my other note of to-day, are accordingly slightly modified from the terms of the above message.

I have, &c.,  
EDMUND FRASER.

To the Honourable  
F. W. Reitz,  
State Secretary.

(B.)

SIR,

Her Majesty’s Agency, Pretoria, August 20, 1898.

I AM desired by the High Commissioner to inform you that he has received your telegram of the 19th instant (copy of which was communicated to me in your note of that date), concerning the arrangements to be made on the part of the authorities of the South African Republic in Swaziland for the reception of the Paramount Chief, on his return from Zululand; and that the British Consul at Bremersdorp has also been informed thereof.

The Paramount Chief left Eshowe on the morning of the 19th instant; and he will take eight or nine days to reach the Swazi border at Ingwavuma Poort. The officer of the Natal Government who will accompany him to Bremersdorp is Mr. Gibson, Resident Magistrate at Nongoma.

The High Commissioner desires me to communicate to you the following terms of His Excellency’s final message to the Paramount Chief:—

“The agreement between the Government of the South African Republic and myself about you and your followers is now complete. You are all to go in a body to Bremersdorp, accompanied by an officer of the Natal Government, being met at the border by an escort sent by the Government of the South African Republic.

“You may keep with you such followers as you may desire during the enquiry; and the Government of the South African Republic may keep such others as it thinks may be wanted during the enquiry. Those not so wanted either by you, or by the Government of the South African Republic, may return to their kraals at once. Those detained during the enquiry will be allowed to return to their kraals immediately it is over, as you will be yourself. There is no reason why the enquiry should take more than a few days.

“I entirely approve of this arrangement, and I desire you to accept it as it stands, without further parley. The enquiry before the Landdrost must be held; but I have provided absolutely for the safety of the whole party, who are, one and all, assured of your return to your homes without injury.”

I have the honour to add that it would appear that, in ordinary cases of preliminary enquiry before the Landdrost, counsel or attorneys appearing for accused persons are not always allowed to take exceptions, or to cross-examine the witnesses on both sides, &c., but that, in any case, the procedure before the Landdrost’s Court is subject to alteration by order of the State Attorney; and, seeing that it is in the interests of all parties that this preliminary enquiry into the charges against the Paramount Chief should be as complete as possible, and that the evidence should be thoroughly sifted, since there is to be no trial held subsequently, and since, without the fullest investigation before the Landdrost, the whole object of the enquiry might be defeated,—I have the honour to

recommend that the State Attorney may, in drawing up his instructions for the guidance of the Landdrost, make arrangements for every latitude of procedure consistent with the orderly conduct of the proceedings, so that no difficulties of a technical nature may stand in the way of the fullest possible hearing of the whole case against Bunu, and of the defence which the latter may desire to offer, both in statements made by himself, or through his counsel, or by means of witnesses.

I have, &c.,  
EDMUND FRASER.

To the Honourable  
F. W. Reitz,  
&c., &c., &c.,  
State Secretary.

(Translation.)

Department for External Affairs, Pretoria,  
August 23, 1898.

SIR,

I HAVE the honour to acknowledge receipt of your notes of the 20th instant, respecting the return of the Swazi Paramount Chief, Bunu, from Zululand, and to thank you on behalf of this Government for the information.

This Government entirely concurs in the last part of your note (B), and instructions have accordingly been given, through the State Attorney, to act in accordance therewith.

I have, &c.,  
F. W. REITZ,  
State Secretary.

To Edmund Fraser, Esq.,  
&c., &c., &c.,  
Her Majesty's Acting Agent.

No. 42.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 2.35 p.m. September 19, 1898.)

TELEGRAM.

19 September.—Referring to your telegram of 14th September,\* signature of Protocol approved.

No. 43.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received September 24, 1898.)

(Extract.)

Government House, Cape Town, September 7, 1898.

IN continuation of my despatch of the 31st ultimo† I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

You will observe that an awkward incident has occurred in connection with the proceedings before the Landdrost. As you are aware from the correspondence already forwarded to you, Mr. Smuts, in a telegram dated 27th August, called my attention to the possibility of the Government of the South African Republic seeking to extend the inquiry into matters other than the death of Mbaba and his men. This, however, seemed to me to be so contrary to the whole tenour of my correspondence with the Government of the South African Republic that I did not consider it would be proper to take any official action beyond my telegram to Mr. Fraser (of the same date), as I should have appeared to doubt the good faith of the Transvaal Government. The action which has since been taken at Bremersdorp has, therefore, come upon me as a surprise.

My own position in the matter is perfectly clear. I have induced Bunu to return to Bremersdorp, and appear before the Landdrost on the distinct understanding that he does so to meet this specific charge, and I cannot allow that understanding to be violated. I still hope that the whole matter may turn out to be due to a misunderstanding.

\* No. 40.

† No. 41.

ing on the part of the Bremersdorp officials, which will be put right by instructions from headquarters.

As regards the draft Protocol, the correspondence speaks for itself, and I do not know that I need add much to what is said in my despatch to Mr. Fraser of the 3rd instant. I learnt with considerable surprise that the President considers himself entitled, on the disappearance of Bunu, while retaining all the benefits of the Convention of 1894, to terminate that part of it which relates to the Paramount Chief, and provides the means for preserving a certain measure of independence to the Swazis. However, I do not propose to enter into a lengthy argument with him on the point. I have made all needful reservations on behalf of Her Majesty's Government, and so I think we can afford to drop that part of the Protocol, leaving the question to be dealt with when it arises. If the President is willing to go on with the remainder of the Protocol I am ready to do so; but if not, there is no reason why I should press it on him. The extension of jurisdiction for which it provides is a spontaneous concession to the Transvaal, though I must add that I consider it to be in the interests of the rank and file of the Swazis themselves that such jurisdiction should be given.

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Enclosure 1 in No. 43.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

30th August. With reference to Your Excellency's telegram of 27th August, no indictment against Bunu will be framed, but if reference is made in the evidence to any further acts than the death of Mbaba and his servants, counsel has the right to object, and his objection would be noted, unless he prefers to bring counter-evidence.

The State Attorney preferred not to send definite instructions as to admissibility of evidence, but to leave it to counsel to object or ask for a remand. I reminded him that it was undesirable to protract the enquiry, and opposed the encouragement of remands.

I would suggest that Her Majesty's Consul should generally discourage proposed remands, and advise counsel merely to object to the admission of extraneous evidence, taking his stand on the summons, unless it seemed really desirable, for the purpose of eliciting the truth, that there should be a remand.—FRASER.

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Enclosure 2 in No. 43.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

1st September. Ngwani and party, accompanied by Mr. Gibson, arrived yesterday afternoon, and are lodged in the police dwelling quarters, near Government Buildings. I met Ngwani on his arrival, and made it clear to him that he is not a prisoner. I considered it necessary to speak clearly on subject, for a crowd of volunteers, police, and others were gathered near the Government buildings, and cheered the escort, which entered the village preceded by a bugler blowing a bugle march. I wished to counteract the impression which the demonstration may have made on Ngwani of his being a prisoner brought back in triumph. The Special Commissioner was not present on Ngwani's arrival, but came down subsequently. Ngwani seemed satisfied with the quarters provided for him. Sitosi and Rathbone have not returned.—SMUTS.

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Enclosure 3 in No. 43.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

(Extract.)

1st September, 1898. On 30th August and to-day I have had long conference with the State Secretary and the Attorney-General, as well as the President, in the Executive Council, as to Swaziland Protocol.

I have thought it best course not to deliver as yet an official note in the sense of Your Excellency's despatch of 26th August, though I read the latter to the State Secretary and Attorney-General; but I have endeavoured to treat the question entirely by means of conference. They accept Protocol, practically as it stands, with one important exception, viz., Clause 6. As to subsequent native administration in the event of the death of, or the permanent incapacity of, Bunu, the President absolutely refuses to bind himself, for he says he never did regard Convention as permanent, and he must, in any case, some day get rid of a Swazi Paramount Chief after Bunu.

He now states Transvaal Government's desire, in the event of Bunu's death or permanent incapacity, to imitate in Swaziland the British arrangement in Zululand. He stated he cannot suppose that Her Majesty's Government will admit another Paramount Chief in Zululand after Dinizulu's death, and that the latter had been already stripped of his powers. He considers the position of Bunu and his mother a continual menace to good administration in Swaziland. While willing to let this continue as long as Bunu lives and behaves himself, he could not in any way bind himself to accept another Paramount Chief.

President said that the present form of dual control was unworkable, and he could never consent to new Convention about Swaziland, the continued intervention of another Government being possible in theory, but hopeless in practice. He added, "You have given us the administration of Swaziland, which has involved great expense, and you will admit our claim to find best course for future government. You have yourselves found it was impossible to govern Zululand with a King, and have divided Zululand into circles. How will you be able to refuse us an imitation of this successful policy when Bunu's personal rights shall cease?" —FRASER.

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Enclosure 4 in No. 43.

The HIGH COMMISSIONER to the ACTING BRITISH AGENT, Pretoria.

September 3, 1898.

I AM in receipt of your telegram of September 1st, informing me of what has passed between yourself, the State Secretary, and the President, with reference to my despatch of August 26th and the proposed Protocol to the Swaziland Convention, of which that despatch contained a draft. I gather from that telegram that no serious difficulty is likely to arise about any of the clauses of the Protocol except Clause 6. To the latter clause the President entertains, for the reasons personally given to you by him, very strong objections.

As I stated in my despatch of August 26th, Clause 6 lies outside the scope of the Protocol as originally proposed, and I am not, therefore, disposed to press it upon the Government of the South African Republic. My object in inserting it was to complete the Protocol by providing, not only for difficulties which have arisen, but for a difficulty which, sooner or later, must arise, and with which the occasion seemed to me an opportune one for dealing. But while I should regret the omission of this clause from the Protocol, because such omission leaves room for future controversy, which I should gladly have prevented, I think that, even without it, the Protocol is not without a certain value. It averts a controversy between the two parties to the Convention as to the proper interpretation of that instrument with regard to the jurisdiction of the Courts, and it establishes a simple and, as I think, workable system, enabling the Government of the South African Republic to repress practices inconsistent with civilisation, while protecting the Swazis against excessive interference in purely native affairs.

I should be content, therefore, to recommend Her Majesty's Government to agree to the Protocol, even with Clause 6 omitted, and to leave the question what is to be done when, from any cause, the present Paramount Chief is unable to exercise the powers recognised as belonging to him in Section 5, to be settled when the case arises. It would be better if that contingency also could be provided for. But it is unreasonable to shipwreck a tolerable settlement of present difficulties out of anxiety to provide for a difficulty which is still in the future.

While, however, I am willing to drop Section 6, I cannot allow the reasons on which the President objects to it to pass without comment. Were I to do so, it might hereafter be urged that I had had full notice of His Honour's views on the subject, and had tacitly assented to them. I cannot allow such a misconception to arise.

His Honour's views, as stated in your telegram, are as follows: He never regarded the Convention as permanent, and he must in any case some day get rid of a Paramount

Chief. It is the desire of the Government of the South African Republic, in the event of Bunu's death or permanent incapacity, to imitate in Swaziland the British arrangement in Zululand. His Honour cannot suppose that Her Majesty's Government will admit another Paramount Chief in Zululand after Dinizulu's death, and the latter has already been stripped of his powers. He considers the position of Bunu and his mother a continual menace to good administration in Swaziland, and while willing to let this continue as long as Bunu lives and behaves himself, he cannot in any way bind himself to accept another Paramount Chief.

Allowance must, of course, be made for the possibility of error arising from the necessary abbreviation of His Honour's words and from the accidents which are apt to befall telegraphic messages. But assuming the above to be a substantially correct statement of His Honour's views, I desire to make the following remarks on it for the information of His Honour.

I feel some surprise at His Honour's remark that he never regarded the Convention as permanent. It may be that he only intended that remark to apply to that part of the Convention which is strictly personal to Bunu. It is evident that, Bunu being mortal, any stipulation which is purely personal to him, must come to an end with his death. But this certainly does not hold good of the provision that "the management of the internal affairs of the natives shall be in accordance with their own laws and customs," and that "the native laws and customs shall be administered by the native Chiefs entitled to administer the same." These provisions are just as permanent as anything else in the Convention, just as permanent as the right of the South African Republic itself to administer Swaziland in accordance with the terms of that instrument. That being so, the question will arise, whenever Bunu dies or becomes incapacitated, how and by whom the function which he at present performs in the "management of the internal affairs of the natives," and "the administration of native laws and customs," is to be performed in future. For that it has to be performed by some one, if the Convention is to stand, cannot be disputed. And if the Convention is not to stand, then it is not only the portion of it protecting the rights of the Swazis which will disappear, but equally that portion which confers certain rights upon the Government of the South African Republic.

The President maintains that he cannot bind himself to accept another Paramount Chief. I, accordingly, will not press him to bind himself. I am content to leave the question open. But when he says that he "must in any case some day get rid of a Paramount Chief," I am bound to point out that Her Majesty's Government may have a word to say on that subject. Whether or not there is to be another Paramount Chief after Bunu is a question which cannot be decided by the Government of the South African Republic just as it pleases. The point which will have to be considered is, whether the provisions of the Convention with regard to native administration can be given effect to without a Paramount Chief. I cannot say what may be the view which Her Majesty's Government will take on that point when it becomes necessary to decide it. I have no wish to discuss it further at this juncture. But as the subject has been raised by His Honour, I deem it necessary to reserve in the clearest terms the undoubted right of Her Majesty's Government to insist, in case of the death or permanent or temporary incapacity of Bunu, on such arrangements as may be necessary to ensure the maintenance of that degree of self-government which the Convention preserves to the Swazi nation.

The President refers, in support of his contention, to the case of Zululand. Anxious as I am to avoid controversy, I feel bound to remark that I cannot see any analogy between the case of Zululand and that of Swaziland. Zululand is part of Her Majesty's dominions. Her absolute sovereignty over that country admits of no question. But Swaziland is not a part of the South African Republic. Any authority which the Government of the South African Republic exercises in that country is derived from the Convention, and is subject to the limitations contained in that instrument. Neither can I admit that the existence of a Paramount Chief with limited powers is necessarily a cause of unrest in Swaziland. I agree that this might be so if the Native Chief were, or believed himself to be, exempt from any restriction in the exercise of his powers or from liability to punishment for the abuse of them. But against this danger the Protocol provides. With that safeguard, I believe that in the present circumstances there is less likelihood of trouble if native matters are dealt with by the natives themselves, than if every petty crime or dispute is brought before a Court.

I desire you to communicate the foregoing observations to His Honour the President. It is not, as it seems to me, necessary to embody them in a note to the Government of the South African Republic. The expression of opinion on the part of the

President to which I am replying was made to you verbally, and it is sufficient if my reply is conveyed in the same manner. You may, however, leave a memorandum of my observations in the hands of His Honour.

As regards the Protocol, I am willing, as I have already stated, to go on with the discussion of it, omitting Clause 6 altogether, and the final clause of the preamble. The prudent course under the circumstances seems to me to be to confine the draft Protocol to the points on which agreement seems possible, and which happen to be the points of most immediate importance, and to drop, by mutual consent, the discussion of the future problem, as to which we might find ourselves at issue.

Enclosure 5 in No. 43.

NOTES by BRITISH CONSUL of MEETING in COURT YARD, BREMERSDORP on 22nd August, 1898.

PRESENT.—Special Commissioner with officials and Interpreter Laas. British Consul with his interpreter.

Queen, Nococo, Kundhla, Gija, Macambana, Makahlahlela, Mbhili, Mashobana, Tikuba, Alpheus, and several others.

SPECIAL COMMISSIONER: Mr. Smuts and I have agreed to call her in to speak certain words respecting the bringing back of Bunu. I have already made known to her through Mr. Vermaak respecting the return of Bunu and I received a reply thereto which borders on an insult. I shall read her reply, as reported by Mr. Vermaak. Thus:—If the Special Commissioner had worked for the country such things would not have taken place. I do not believe what is in it. Where is Bunu's signature? I know his signature. Shew it to me, then I shall believe it. I shall not agree that whites shall go and meet Bunu. You go and meet your generals and we have nothing to do with it, and if Bunu comes we shall go and meet him. We must be allowed. From whence do you know Bunu will be sent here?

There was no necessity for such a reply to my circular, which I shall read. (Special Commissioner reads the circular of 17th August.) This is an order from the Government, and the Swazis ought to listen to it. I wish to say again with emphasis that no armed or unarmed bodies must go to Ingwavuma to meet Bunu. Mr. Smuts will now speak.

CONSUL then reads statement, saying Mr. Krogh had seen it, and agrees to its being what two Governments have decided upon.

QUEEN: We heard from the Special Commissioner that Ngwani has sent to say people must meet him. Where did the Special Commissioner hear it? The Swazis are surprised to hear that the King is coming back.

SPECIAL COMMISSIONER: It does not matter from whom or where I heard it. It is enough that I heard it, and therefore sent a warning against it; and at the same time added that Bunu is coming in accordance with the agreement of the two Governments.

QUEEN: The Special Commissioner was asked by me for permission to send indunas to Zululand. I don't know where the King is, as no one was sent. I don't know where the order came from. I did not send to the King. What does it mean, the Special Commissioner saying he will be met by police. Is he a prisoner?

SPECIAL COMMISSIONER: In the first place, it is an agreement between the two Governments, and in the second place we are responsible for his safe conduct here.

QUEEN: I also ask the British Consul the same question. He is not coming home well if he is going to be met by the police.

BRITISH CONSUL: The police will look after Ngwani on the road in the same way as he will be looked after in Bremersdorp during the enquiry. The arrangement is agreed upon by the two Governments. I think it a fair arrangement, and what is more, it does not matter what Mr. Krogh or you or I think, because we cannot alter it. We must all obey, and co-operate to settle the matter orderly and properly.

QUEEN: Is it not imprisonment to be looked after by police?

CONSUL: No, there is a great difference between being a prisoner and being under the supervision of the representatives of the Government. You must look upon the police in this matter, not as actual policemen, but as the men who are carrying out the South African Republic Government's obligation to see to Ngwani's safe conduct to Bremersdorp and safe keeping here during the enquiry.

QUEEN: I quite understand; you only tell what has been arranged, but I am not pleased. I have been waiting to hear all this while, so that I may hang myself.

CONSUL: I never heard of people hanging themselves on receiving good news. You ought to understand the position of Ngwani by the fact that he is not to be placed in the gaol where all prisoners, whites and natives, go.

QUEEN: I have nothing to say. I am simply called by the Special Commissioner and British Consul to hear. (Queen then asked Mr. Krogh when Ngwani will arrive here.)

SPECIAL COMMISSIONER said he could not say, as Bunu is still in Zululand. He suggested her asking the Consul.

CONSUL replied he could not say for certain, but he expected Ngwani about the end of the month.

J. SMUTS,  
Her Majesty's Consul.

Sub-enclosure 1.

CIRCULAR.

SPECIAL and RESIDENT JUSTICES OF THE PEACE, SWAZILAND.

(Translation. Urgent. C.B. 8/98.)

Office of the Special Commissioner, Bremersdorp,

SIR,

August 17, 1898.

WHEREAS an agreement has been arrived at between the Government of the South African Republic and the High Commissioner of British South Africa that Ngwani, alias Uhili, alias Uunu, shall be brought under safe conduct from the Swaziland border at Gwavuma Poort to Bremersdorp, to stand a preliminary investigation before the Landdrost upon the charge in the matter of the murder of Mbaba, and as it has further been agreed upon that Bunu's followers who went with him to Zululand, to the number of twenty, and the members of his family who are with him may return together, all being unarmed, and also that a British official shall be allowed to accompany them, and as it has come to the ears of the authorities that Bunu has issued an order to ask some of his regiment to meet him on the border, the Swazis are notified that Bunu has not the right thereto, and that no one must give effect to that order, nor that any armed demonstrations may take place. Contraveners of this order shall be doing so at their own risk and responsibility.

Please make known the above in your district immediately as extensively as possible.

I have, &c.,

J. C. KROGH,  
Special Commissioner for Swaziland.

Sub-enclosure 2.

BRITISH CONSUL'S STATEMENT TO SWAZIS.

August 22, 1898.

I can to-day give you the following information with respect to the agreement arrived at by the High Commissioner with the Government of the South African Republic, relative to the return to Swaziland of Ngwani and the Swazi people who are with him in Zululand. They are all to go in a body to Bremersdorp, accompanied by an officer of the Natal Government, namely, Mr. Gibson, the Magistrate of Nongomo. Mr. Gibson is known to you, as he acted as Colonel Martin's interpreter before Mr. Stuart came here. Ngwani and party will be met at the border by an escort of police sent by the South African Republic Government. Ngwani will be allowed to keep with him such followers as he desires, not exceeding 20, during the enquiry; and the Government may keep such others as it thinks may be wanted during the enquiry. Those not so wanted either by Ngwani or the Government of the South African Republic may return to their kraals at once. Those detained during the enquiry will be allowed to return to their kraals immediately it is over. Ngwani will then also be allowed to return to his kraal, but while the enquiry lasts he will have to remain in Bremersdorp, living with his unarmed followers, not in the gaol, but in a house to be pointed out by the Government, where he will be under guard and supervision. The enquiry before the Landdrost must take place, but the safety of the whole party has been absolutely provided for; Ngwani and his followers, one and all, are assured of return to their homes without injury. I shall tell you of further steps when it is necessary you should know them.

That is as much of what is going to take place as I need make known to you at present. You will see that there is not the slightest reason to fear that Ngwani or the Swazis with him will come to any harm, and I rely upon you, Queen, to give such orders to the Swazi people as will secure, so far as they are concerned, the proceedings taking place quietly and orderly. I wish to say specially that I most strongly advise against and disapprove of Swazis meeting Ngwani on the border, joining him on his way to Bremersdorp, or assembling at or near Bremersdorp during the enquiry. There is no need for their doing so. You have the word of the two Governments that he will be quite safe, and he will be accompanied by a British officer and by South African Republic police, who will see to his safe conduct to Bremersdorp. Ngwani has already left Eshowe on his way to Bremersdorp.

J. SMUTS,  
British Consul.

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Sub-enclosure 3.

MESSAGE TO SWAZIS.

The Special Commissioner and the British Consul now wish to add to what the Queen and Swazis were told at Bremersdorp on Monday, that the return of Ngwani to his kraal after the enquiry will be, in consequence thereof, under strict conditions, which will be made known to him, and which he will have to obey. The British Consul agrees with the Special Commissioner in also stating that, as all witnesses called on behalf of the Government or on behalf of Ngwani will be perfectly secure against any molestation in consequence of having given evidence at the enquiry, they may speak the truth freely and without fear or hesitation.

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Enclosure 6 in No. 43.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

5th September, 1898. Enquiry began this morning. No indictment or summons read. Mr. Krogh, first witness, who was asked a question *re* a murder which had no connection with Mbaba affair. Sauer at once objected, saying introduction of any case save that of Mbaba and servants was breach of agreement between two Governments, and asked Esselen to produce agreement, failing which he was prepared to do so. Court adjourned for two hours, and on re-assembling, Landdrost, without hearing Sauer, overruled objection. Sauer argued, and offered to produce documentary evidence. Esselen objected, and Landdrost supported him. Sauer asked for 48 hours' postponement to enable him to be further advised. Landdrost refused, and directed case to be at once resumed. Sauer said he would retire, and take his client with him. Sauer told Ngwani to follow him. He did so, but was stopped by the police. I also left to write the following letter to Krogh, which I delivered in person. Krogh's evidence was continued, and part of Mbhili's evidence heard. Court has adjourned till Wednesday at ten. Following is my letter:—

Sir,—With reference to the preliminary examination into the matter of the death of Mbaba, which the Paramount Chief is at present undergoing, I beg to call Your Honour's attention to the fact that when a matter was introduced by the lawyer appearing for the State, which had not been mentioned in any summons or notice to Bunu, the Landdrost, without listening to the evidence upon which the counsel for defence relied to establish his contention, dismissed the objection raised by him, and also refused his application for 48 hours' remand to give him time to be further advised. The Landdrost, *ex officio*, has no jurisdiction whatever over Ngwani. The present proceedings being solely in consequence of the agreement between the South African Republic and His Excellency the High Commissioner, and I, as the representative of Her Majesty's Government, hereby formally protest against any further proceedings in the enquiry taking place pending the decision of the two contracting parties as to its actual scope, and I also protest against any proceedings subsequent to the withdrawal of Ngwani's counsel forming part of the record.—I have, &c., J. Smuts, H.B.M.'s Consul.

Sauer is protesting formally to Krogh and myself against proceedings. I beg for early reply.—(SMUTS.)

Enclosure 7 in No. 43.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S CONSUL, Swaziland.

TELEGRAM.

6th September, 1898. Your telegram of to-day. I think Paramount Chief's advocate should not withdraw from case, but should simply protest against all evidence not relevant to death of Mbaba, and should abstain from cross-examination or other action as regards such evidence, treating it as outside legitimate scope of enquiry. I am addressing the Government of the South African Republic on the subject.

Enclosure 8 in No. 43.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

TELEGRAM.

6th September, 1898. Take no action with regard to my despatch of September 3rd, concerning Protocol, until we have settled procedure in Paramount Chief's case, which is more urgent. A telegram on this subject follows immediately.

Enclosure 9 in No. 43.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

September 6th. No. 1.—My long telegram of yesterday. From further enquiries it does not appear that police actually laid hands on Ngwani in Court, but some police official told him to remain when he was following Sauer out of the room, and Alpheus then advised him to do so.—(SMUTS.)

Enclosure 10 in No. 43.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

TELEGRAM.

6th September, 1898. I have no wish to stultify Court or to interrupt the enquiry, which I hope may yet be directed into a proper channel by instructions from headquarters. Unless such instructions are given, I foresee serious trouble. Apart entirely from the terms of the understanding between the Government South African Republic and myself, I consider that to spring upon the Paramount Chief charges of which he has had no notice, is contrary to elementary principles of justice. But apart from that, such a proceeding is not in accordance with the agreement. The original summons against the Paramount Chief only referred to this particular crime. When I offered to bring him back it was in order that an enquiry should be held into the circumstances of the death of 'Mbaba. (See my telegram of 18th July, and your note of that date to Government South African Republic.) This was the basis of all subsequent negotiations. They led to alterations in the form of the enquiry but not in its subject-matter. Accordingly, in informing Bunu of the conditions of his return, I began as follows:—"The High Commissioner desires that you should immediately repair to Bremersdorp, to attend the enquiry before the Landdrost, into circumstances of death of Mbaba." I communicated the terms of this message to the Government South African Republic in order to avoid any possible misunderstanding. (See my despatch of 20th August.)

You will thus observe that I am under a pledge to the Chief, given with the full knowledge and acquiescence of Government of the South African Republic, as to the scope of the enquiry. I can only suppose that the attempt to extend its scope is due to a misunderstanding on the part of officials in Swaziland, which can be put right by instructions from Government, and in that case nothing further need be said about the proceedings yesterday. Please communicate immediately with the Government of the South African Republic in above sense, and ask them to reply at once.

Enclosure 11 in No. 43.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

6th September, 1898. Your Excellency's of yesterday. Sauer did not withdraw from case, but merely left Court as a protest. Sauer has formally protested to me in writing against yesterday's proceedings. Sauer has not seen Bunu in my presence. Bunu says he was told in Zululand that he was to go back only in connection with Mbaba affair, and he absolutely refuses to go into any other matter, and desires his counsel to persist in objection to introduction of other subjects. He would not have accepted arrangement if he had known they were going into other allegations, because he resents prying into his affairs without his consent, as being a derogation of his rights. Ends.

Any other course than limitation of enquiry of Mbaba affair would necessitate indefinite prolongation of enquiry and detention of Chief, which I beg to submit is contrary to spirit of arrangement, and breach of compact with Bunu. Repeated to the British Agent.—(SMUTS.)

Enclosure 12 in No. 43.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

6th September, 1898. Early Monday morning following was served on me:—

Court of the Landdrost of Swaziland to James H. Howe, Messenger of the Court, or his lawful deputy. You are hereby commanded, in the name of the Government of the South African Republic, to summon J. Smuts, H.B.M.'s Consul for Swaziland, that he appear personally before this Court on the fifth day of September next, at 11 o'clock in the forenoon, to testify and declare all he knows concerning a certain charge preferred by the Public Prosecutor against Ungwane, alias Uhili, alias Ubunu, in *re* the State *vs.* the said Ungwane, alias Uhili, alias Ubunu. Serve on the said J. Smuts a copy of this summons, and return to this Court.—(Signed) Chas. E. Meintjes, Public Prosecutor for Swaziland. Dated 5th September.

I wrote to Special Commissioner as follows:—

5th September. Sir,—I have the honour to acknowledge the receipt this morning of a summons signed by the Public Prosecutor, calling upon me in my official capacity to appear before the Landdrost for Swaziland to-day, to declare all I know concerning a certain charge preferred by the Public Prosecutor against Ngwani in *re* the State *vs.* the said Ngwani. Whilst I do not wish at present to animadvert upon the form of the summons, I beg to point out that in accordance with the courtesy usually adopted towards Consular representatives the more correct mode of procedure would have been for a civil officer of Your Honour's Administration to ask me whether it would be convenient to me in my capacity to give evidence, and to notify to me the nature of the evidence, and the facts to which I should declare. I have no wish to frustrate the ends of justice, but I respectfully claim to know, without delay, the nature of the matter or subjects upon which it is desired to examine me, so as to enable me to judge how far I can comply with the terms of the summons served upon me, having due regard to the position I have the honour to occupy. Ends.

Special Commissioner replied same day:—

Honourable Sir,—In acknowledging the receipt of Your Honour's letter of to-day, I have the honour to inform Your Honour that I was not aware that Your Honour had been summoned in the case of Ngwani. I have asked Mr. Esselen, who appears for the Government of the South African Republic in this case, on which subject he desires your evidence, and His Honour said that it was difficult at present to give me a decided answer, but that he had caused Your Honour to be summoned, intending no offence, so that, should it appear from the course of the case that Your Honour's evidence can be of service, the preliminary steps for that purpose would have been already taken. I also have been summoned in this case. Ends. Signed by Mr. Krogh.

Later in day I received the following, signed by Public Prosecutor:—

Honourable Sir,—Having heard that Your Honour is not contented with the summons served on Your Honour in your capacity as H.B.M.'s Consul for Swaziland,

charging Your Honour to give evidence in the case of the State *vs.* Ungwane, alias Uhili, alias Ubunu, I have the honour herewith to respectfully request Your Honour to attend the preliminary enquiry against Ungwani, alias Uhili, alias Ubunu, for the purpose of giving evidence, if required, and to regard the summons as not served. Ends.

I have not replied to these letters. Repeated to Agent.—(SMUTS.)

No. 44.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received October 3, 1898.)

SIR, Government House, Cape Town, September 14, 1898.

IN continuation of my despatch of the 7th instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

It will be seen that the attempt to extend the scope of the proceedings before the Landdrost has been stopped by instructions from the Transvaal Government, and that the enquiry into the death of Mbaba and his men is still going on.

I have, &c.,

A. MILNER,

Governor and High Commissioner.

Enclosure 1 in No. 44.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

7th September. Your Excellency's telegram of 6th September. State Attorney tells me that necessary instructions to confine enquiry to the charge in original summons or the circumstances connected with the death of Mbaba were sent to Bremersdorp this morning. Repeated to Consul.—(FRASER.)

Enclosure 2 in No. 44.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

8th September. Landdrost was occupied whole of yesterday in taking evidence of Induna Mbhili on Mbaba affair, to which I hear from British Agent instructions have been sent to confine enquiry. Repeated to Agent.—(SMUTS.)

Enclosure 3 in No. 44.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

9th September, 1898. Mr. Esselen occupied whole of morning sitting yesterday in examining Alpheus, and resumed examination after lunch interval. Mr. Sauer's cross-examination lasted from quarter to half hour. Mr. Esselen then began re-examination, and after some minutes, Landdrost asked whether he would be long. He replied at least an hour. Landdrost said he had some other work, and adjourned Court at 3.15. Repeated to British Agent.—(SMUTS.)

Enclosure 4 in No. 44.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

9th September. Good progress being made to-day at enquiry.—(SMUTS.)

\* No. 43.

Enclosure 5 in No. 44.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

10th September. Court sat all day yesterday. Alpheus' examination was concluded. Tutoyana, chief attendant of the late Mbaba, was examined and cross-examined, and Ganda, a little boy, formerly servant of Paramount Chief, was examined and partly cross-examined. He is supposed to be a material witness, and declares that after Mpanzana, one of Mbaba's servants, had been killed, the Paramount Chief and he stabbed him. Sauer's cross-examination has not yet reached the stage relative to the actual killing of Mbaba and others, but has dealt with the manner in which Ganda has been brought to give evidence. I have arranged to meet Mr. Krogh on Monday to discuss the form of the communications to be made to Ngwani by us at conclusion of enquiry. We agree they should be as nearly identical as possible. Repeated to British Agent.—(SMUTS.)

Enclosure 6 in No. 44.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, September 8, 1898.

WITH reference to Your Excellency's telegram of the 6th instant instructing me to obtain from the Government of the South African Republic that such instructions should be sent to their authorities in Swaziland as would cause the enquiry at present proceeding at Bremersdorp into the circumstances of the death of Mbaba to be strictly confined to that subject, and not to be extended to other matters which have no connection with Mbaba's death, and which would constitute a breach of the assurance given by Your Excellency to the Paramount Chief, when requesting him to repair from Zululand to Bremersdorp, in order to attend this enquiry, I have the honour to inform Your Excellency that I at first made verbal arrangements with the State Attorney that the necessary instructions should be sent so as to avoid any repetition of the differences that arose in Court on the 5th instant between the Paramount Chief's counsel and the Landdrost. But, before consenting to approve of general instructions in the above sense being sent to Bremersdorp for the whole course of the enquiry, the State President sent to inform me that he would like to have the arguments, which I had advanced to the State Secretary and State Attorney verbally, in the shape of a formal note. I therefore consented to draw up the note of which I have now the honour to enclose a copy.

I may add that it was at the personal request of the President that this note was written, as the other officials would have been content to issue the necessary instructions upon my verbal representations; and the enquiry has apparently been proceeding for the past two days without any introduction of extraneous evidence.

I have, &amp;c.,

EDMUND FRASER.

His Excellency

Sir Alfred Milner, G.C.M.G., K.C.B.,

&amp;c., &amp;c., &amp;c.

SIR,

Her Majesty's Agency, Pretoria, September 6, 1898.

I HAVE the honour to inform you that it has been brought to my notice that, during the first day's proceedings (on the 5th instant), at the enquiry now being held before the Landdrost for Swaziland, in accordance with the agreement recently arrived at between the High Commissioner and the Government of the South African Republic; in the matter of the Paramount Chief, a question was asked of a witness which, apparently, had no connection with the scope of the said enquiry, as understood by the High Commissioner during the recent negotiations, namely, that it should be an enquiry into the circumstances connected with the death of the Induna Mbaba on April 9th last.

I greatly regret that any misunderstanding should have arisen at the enquiry itself as to its proper scope; but, in view of the assurance which was sent to the Paramount Chief while in Zululand by the High Commissioner, at the time when His Excellency

exerted his influence to induce the Paramount Chief to return to Bremersdorp, I fear that it is now impossible to discuss the possibility of other charges forming part of the enquiry than those connected with the circumstances of the death of Mbaba. But I may state that in order to avoid any possibility of a misunderstanding I had already the honour, by His Excellency's desire, to communicate to the Government of the South African Republic the terms of the High Commissioner's two messages to the Paramount Chief (in my notes of the 20th ultimo), as follows:—"The High Commissioner desires that you should immediately repair to Bremersdorp to attend an enquiry before the Landdrost into the circumstances of the death of Mbaba. . . . There is no reason why the enquiry should take more than a few days."

From these expressions it is evident that the High Commissioner gave the Paramount Chief an assurance that on his return to Swaziland an enquiry would be held for a specific purpose, and that any departure from this specific purpose must involve a breach of the assurance given by His Excellency. Other charges may or may not exist, but so long as they have no connection with the circumstances of the death of Mbaba their appearing on the record of this enquiry would not only be a breach of the assurance to Bunu, but would be quite contrary to the opinion expressed by the High Commissioner that "the enquiry need only last a few days," for the remands necessary to enable the Paramount Chief's counsel to bring rebutting evidence to charges which have never yet in any way been specified, would obviously involve a very protracted investigation—a contingency which it is plain from the tenour of our correspondence was not for a moment contemplated by the High Commissioner. It is true that the existence of other charges than that specified in the summons was incidentally alluded to in the course of our correspondence; but, as no other charges than those connected with the circumstances of Mbaba's death were specified, it would serve no useful purpose for me now to discuss what might have happened had I been requested to obtain the inclusion of any other charges in the scope of this enquiry. Such charges were never specified and such a request was not made. The agreement which has resulted in the present enquiry is based upon the summons to Bunu of June 28th last, and upon the High Commissioner's offer to induce Bunu to return after his flight, expressed as follows in my note to you of July 18th:—"Recognising the difficulties of the Government of the South African Republic, His Excellency desires me to state that he will do his best to bring the Paramount Chief before the judge in Swaziland, sitting, not in his ordinary character, but as a special Court constituted *pro hac vice*, by agreement between the two Governments, *to enquire into the circumstances of the death of Mbaba.*" This was the basis of all the subsequent negotiations which led to certain modifications in the form of the enquiry, but not to any change in its scope; and those modifications were, moreover, made in consequence of a request to me by His Honour the State President, namely, in order that the original summons to Bunu to appear before the Landdrost's Court for a preliminary enquiry into the charge (as specified in the summons itself) "of the murder of Mbaba," might not seem to fall altogether to the ground. And in recommending in my note of the 20th ultimo that the fullest latitude of procedure should be allowed before the Landdrost, so that nothing might stand in the way of the fullest possible hearing of the whole case, as it was in the interests of all parties that this preliminary enquiry into the charges against the Paramount Chief should be as complete as possible, and that the evidence should be thoroughly sifted, I referred to the charges in connection with Mbaba's death, and to the whole case, which formed the subject of the summons.

I can only suppose that the authorities at Bremersdorp have misunderstood the scope of the enquiry, and I trust that instructions may now be sent to the Landdrost to confine the proceedings to a thorough investigation of the circumstances of Mbaba's death, for it would be impossible, after the terms of the High Commissioner's assurance to the Paramount Chief, to admit the appearance on the record of these proceedings—which is to be submitted to both the Government of the South African Republic and to the High Commissioner—of any evidence extraneous to the said circumstances.

I have, &c.,

EDMUND FRASER.

To the Honourable  
F. W. Reitz,  
State Secretary.

No. 45.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received October 10, 1898.)

SIR, Government House, Cape Town, September 21, 1898.

IN continuation of my despatch of the 14th instant,\* I have the honour to transmit for your information a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

Enclosure 1 in No. 45.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

14th September. I have addressed following to Special Commissioner: British Consulate, Swaziland, 14th September, 1898. Sir,—With reference to my despatch of the 5th instant, to which I have not yet received a reply, relative to the scope of the preliminary examination into the circumstances of the death of Mbaba and others at Zomboti Kraal on the 9th April last, having been extended to other matters, I have the honour to inform Your Honour that yesterday afternoon Mr. Esselen called a Swazi named Inqangaan, who testified to the killing and mutilation of a man named Silomo by Ganda, witness himself, and a third person, upon the alleged orders of Ngwani, and also as to the killing of women and children. Ngwani's counsel objected to such evidence being heard primarily on the grounds that it is upon matters irrelevant to the enquiry, to which Mr. Esselen replied that he wished to show that Ganda is a person sent by Ngwani to do mischief (kwaad te doen). The Landdrost said he would note the objection, but allowed Mr. Esselen to continue the examination of the witness on the matters alluded to. I left the Court for a minute or two to inform Your Honour verbally of the evidence being led by Mr. Esselen, and on my return heard Ngwani's counsel state he declines to cross-examine the witness, as he had declared to matters outside the scope of the enquiry. The evidence was then read over to the witness, and I presume will form part of the Landdrost's record. I was officially informed on the 7th instant that the State Attorney of the South African Republic had told the Acting British Agent at Pretoria that the necessary instructions to confine the enquiry to the charge in the original summons or the circumstances connected with the death of Mbaba, had been sent to Bremersdorp that morning. I therefore fail to understand how the proceedings yesterday to which I have alluded were allowed to take place, and I beg respectfully to protest against them. I have, &c., (signed), J. SMUTS, Her Britannic Majesty's Consul.—Ends. Repeated to British Agent.—SMUTS.

Enclosure 2 in No. 45.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

15th September. At 4 o'clock yesterday Mr. Esselen said in Court he thought he could now close his case provisionally, with right of calling rebutting evidence, but he wishes to have time to consider whether he would call further witnesses, and he therefore asked for adjournment. Mr. Sauer said when Mr. Esselen closes he must close definitely, and that he is then prepared to call Ngwani's witnesses, as he, Sauer, is engaged in a civil case to-day. The Court consented to adjourn till Friday morning, Landdrost remarking he hoped Ngwani understood the adjournment over to-day will be at request of his own counsel. No matters beyond Mbaba affair were touched on yesterday. Repeated to Agent.—SMUTS.

\* No. 44.

Enclosure 3 in No. 45.

From the **BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.****TELEGRAM.**

17th September. Mr. Esselen closed his case provisionally yesterday morning, and Mr. Sauer called his first witness, subject to his right to object to further evidence which may be led by Mr. Esselen hereafter. Mr. Sauer has called Surveyor Jorisson, who put a plan of Zomboti Kraal, with a view to proving that certain of the State witnesses could not have seen what they allege. Mr. Esselen has objected to this plan as evidence, and Landdrost has said will comply with Mr. Esselen's request to hold an inspection in loco at a later date. Three of Mr. Sauer's witnesses were examined, and Court adjourned till nine this morning. Repeated to British Agent.—SMUTS.

Enclosure 4 in No. 45.

From **HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.****TELEGRAM.**

19th September, 1898. Landdrost sat for couple of hours on Saturday, and enquiry has been adjourned till to-morrow morning, as the court room is being used to-day for criminal sessions, at which Sauer prosecutor. Sauer has no other engagements to interrupt course of enquiry, of which I hope to see the end this week. Repeated to Agent.—SMUTS.

Enclosure 5 in No. 45.

The **ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.**

**SIR,** Her Majesty's Agency, Pretoria, September 12, 1898.

WITH reference to my despatch of the 8th instant, I have the honour to enclose a translation of the State Secretary's reply to my Note of the 6th instant, relative to the scope of the enquiry at present being held in the matter of the Paramount Chief, as well as a copy of the reply which I thought it right to make to the State Secretary's remarks. I regretted having to enter upon correspondence at all on this subject, but the President expressed a wish to put the matter on record.

I have, &amp;c.,

**EDMUND FRASER.**

To His Excellency  
Sir Alfred Milner, G.C.M.G., K.C.B.,  
&c., &c., &c.

(Translation.)

Department for External Affairs, Pretoria,  
September 8, 1898

**SIR,**

I HAVE the honour to acknowledge receipt of your note of the 6th instant, regarding the preliminary enquiry at present being held at Bremersdorp in the matter of the Paramount Chief, and to inform you that there never existed the least misunderstanding at all, on the part of this Government, with respect to the enquiry being into crimes committed in Swaziland both before and after the murder of Mbaba, and of which the Paramount Chief Bunu is also accused. In the entire correspondence with Your Honour, on this subject, it has been clearly shown that this Government feared that, in case everything was not investigated, and it became known to the Swazis that Bunu was certainly to regain his freedom, without the assurance being given them that murders would no longer be permitted, no proper evidence against Bunu could be obtained, and this fear exists the more in case all charges and accusations against Bunu are not investigated. During the correspondence, this Government has constantly spoken of accusations on account of the murder of Mbaba and others, and the Government entertained the conviction, to which it was brought by the latter part of your note of August 20th, that His Excellency the High Commissioner agreed with this Government in the desire to have all the crimes recently laid to the charge of the Paramount Chief investigated and sifted, according to the special manner of trial that was arranged with His Excellency; and this Government regrets to find from your note of the 6th instant that His Excellency is of a different opinion, and views the matter in another light.

Although regretting that crimes of such a serious nature as those of which the Paramount Chief stands accused should now not be investigated, and, contrary to all rules of civilisation, should remain unpunished, yet this Government is ready, also, as regards this point, to agree that the enquiry at present being held at Bremersdorp should be limited to the murder of Mbaba and of the other persons killed at the same time with Mbaba.

This Government does this, however, only upon the representations of His Excellency, who has been under a misunderstanding on this point, a fact upon which this Government desires to lay special stress; yet it feels itself obliged, in view of the highly important nature of this matter, to cast from it all the blame and responsibility of the non-investigation and non-punishment of murders, rapes, and other cruel crimes on an extended scale, such as cattle-raids and robberies, committed by Bunu or instigated by him, both before and after the murder of Mbaba, to which I had the honour to call Your Honour's attention in my note of July 12th last; and, under all the circumstances, this Government entertains the fear that, as the conduct of the proceedings now stands, no coloured witness will be inclined to declare the truth that is known to him in the Mbaba affair, and that the whole enquiry will thus lead to no solid results.

I have, &c.,  
F. W. REITZ,  
State Secretary.

SIR,

Her Majesty's Agency, Pretoria, September 10, 1898.

I HAVE the honour to acknowledge receipt of Your Honour's note of yesterday, and to thank you for your ready compliance with my request that the enquiry now proceeding at Bremersdorp, in the matter of the Paramount Chief, should in future be confined, according to what I must regard as our agreement, to the circumstances connected with the death of the Induna Mbaba on April 9th last. As no extraneous matter will now be imported into this enquiry, it is unnecessary to discuss the matter further, but I desire nevertheless to make the following observations upon certain statements in Your Honour's note of yesterday.

(1) It is not clear to me why the investigation of extraneous charges, suddenly sprung upon the Paramount Chief and his counsel without notice, should make it easier for the native witnesses to tell the truth than when the subject of a single summons is being investigated.

(2) You are good enough to call my attention to the circumstance that, in the course of correspondence, the Government of the South African Republic "constantly spoke of accusations on account of the murder of Mbaba and others," and that I myself (in my note of August 20th) expressed the desire to see "all the crimes laid to the charge of the Paramount Chief thoroughly investigated." I must, however, remark that the expression which I used in that note was "the charges," by which I meant the charges alluded to in the High Commissioner's assurance to Bunu, namely, those in connection with the Mbaba affair. I never contemplated the investigation of "all the charges" which might, or might not be, formulated against Bunu, but which have in any case, until the enquiry began, never been specified. I take upon myself the responsibility of having informed the High Commissioner that the Government of the South African Republic desired His Excellency to exert his influence to induce the Swazi Paramount Chief to return from Zululand, in order to undergo an enquiry into the charges which formed the subject of the original summons of June 28th, namely, the circumstances of the Mbaba affair. I was therefore unable to specify to His Excellency any other charges than those which formed the subject of the summons, and, if it had been the intention of the Government of the South African Republic to prove other charges, these ought obviously to have been specified, and it would have become my duty to lay them before His Excellency. Although, in Your Honour's note of July 12th it was incidentally stated that proofs of other crimes exist, yet no request was made to have them included in the investigation of the Mbaba affair, and in my note of July 18th, in reply, I made it clear that the High Commissioner was ready, under certain conditions, to agree to an enquiry "into the circumstances of the death of Mbaba." I was only shown the summons to Bunu, on the specific charge of Mbaba's death, after it had been issued, and can assume no responsibility for its terms, which I communicated to the High Commissioner.

(3) The return of the Paramount Chief to undergo this enquiry was, as I have stated, the result of influence exerted by the High Commissioner, and in no sense an extradition. And the pledge given to Bunu prior to his return was specific (as communicated to you in my note of August 20th), so that the question of whether this pledge should be broken or not admits of no argument. Even had Bunu's return been an ordinary case of extradition, the elements of international law would have precluded any other charge whatsoever being investigated before the Court of Enquiry than that upon which his return was asked for and obtained.

(4) From the concluding paragraph of Your Honour's note, it would appear that the Government of the South African Republic are disappointed with the arrangement which has resulted in the present enquiry into the circumstances of Mbaba's death, and I observe that the Government desire to repudiate all blame and responsibility for this result. To this I can only add my personal opinion, arising from a full knowledge of the case, that the protracted negotiations which have led to this result are only due to the fact that Your Honour's predecessor in office did not see fit to confer with Her Majesty's Agent, as representing the other party to the Swaziland Convention, at the time when the difficulty in dealing with the Paramount Chief arose in April last, a difficulty which might then have been solved, by the co-operation of the two parties, without volunteers and within a fortnight; and to the consequent fact that the intervention of Her Majesty's Representatives was only asked for after nearly three months of time had been lost, in face of the fact that the Swaziland High Court had already refused jurisdiction in purely native cases, and when the Paramount Chief had sought refuge in flight.

I have, &c.,  
EDMUND FRASER.

The Honourable  
F. W. Reitz,  
State Secretary.

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No. 46.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 3.40 p.m., October 12, 1898.)

TELEGRAM.

[Acknowledged by No. 50.]

Swaziland Protocol signed ratified by Volksraad of South African Republic,  
6 October.

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No. 47.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received October 14, 1898.)

[Answered by No. 50.]

SIR,

Government House, Cape Town, September 28, 1898.

IN continuation of my despatch of the 21st instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

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\* No. 45.

Enclosure 1 in No. 47.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

22nd September. Landdrost held an inspection in loco at Zomboti Kraal yesterday, in spite of Mr. Sauer's objection on legal grounds, and without leave of Queen. Neither Sauer, Queen, nor Councillors attended. I was present, having previously intimated to Special Commissioner that, subject to leave of Queen to visit her kraal, I would attend so as to keep myself informed of what takes place, but that I propose submitting hereafter to Your Excellency's judgment the question of eliminating from consideration any report or evidence connected with the Landdrost's visit. I also pointed out that as Landdrost has no criminal jurisdiction in case the ordering of an inspection of Zomboti is a trespass on the rights of Swazi nation. Landdrost has held two evening sittings so as to expedite enquiry, which I hope will conclude Saturday.—  
SMUTS.

Enclosure 2 in No. 47.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, September 20, 1898.

WITH reference to Your Excellency's despatches of August 26th and September 3rd, the former of which enclosed a Draft Protocol to the Swaziland Convention, I have the honour to transmit to Your Excellency herewith a re-draft which I have drawn up, embodying all the modifications arrived at during a succession of conferences which I have held with the Government of the South African Republic.

The alterations in the original draft, which I agreed to propose to Your Excellency, are, as far as the question of jurisdiction is concerned, as follows:—

In Clause 3 it appeared desirable to assign to the Landdrost's Court a jurisdiction co-extensive with that which the Landdrost's Court already possesses over the inhabitants of Swaziland who are of European origin, in order that natives might not appear to have rights preferential to those of Europeans.

In Clause 4, in order to avoid the possibility of a well-to-do native claiming to be defended at the expense of the Government, or "pro deo," a modification has been introduced, which provides that only indigent natives shall be entitled to gratuitous professional assistance.

In the Schedule of serious crimes appended to the Protocol, No. 5 reads "Kidnapping or abduction of children"; and in No. 8 I agreed to add "Malicious destruction of property, &c.," in the terms of Your Excellency's suggestion in the covering despatch. "Witchcraft" (No. 10) is not a crime known to Transvaal law, but it has been included in the Schedule because, even should it not be found feasible to bring the various crimes springing from this native superstition under any of the other categories in the Schedule, it remains open to the Government of the South African Republic to legislate for Swaziland, in the sense of the Cape Act No. 2 of 1895, by means of a Presidential Proclamation.

As regards the contingency of the present Paramount Chief's death or incapacity, from whatever cause arising, Clause 6 of the original draft (as well as the third paragraph of the Preamble) has been omitted, in accordance with the opinion expressed by Your Excellency in the concluding sentence of the second despatch above referred to. During these negotiations for adding the Protocol to the Convention, I expressed the conviction that the insertion of some provision dealing with the contingencies which may arise, in connection with the Paramount Chief, would obviate to a great extent the future discussion, between the two parties to the Swaziland Convention, of the question of providing for a native regency, or for a successor to the Paramount Chief, in case of necessity. But the President himself, during a long interview with me in the Executive Council on the 13th instant, explained his desire to rather leave the question of dealing with the contingency of the present Paramount Chief's death or of his temporary or permanent incapacity to act, from whatsoever cause arising, to be treated at the moment when such contingency should arise, and in strict accordance with the existing provisions of the Swaziland Convention, by which, the President added, he intended to abide. As, however, President Kruger, in a former interview on this subject, had thrown some

doubt upon the permanent nature of that Convention, and had expressed the view that a Paramount Chief need not necessarily form part of the native administration after Bunu's time, I drew up the following statement, upon receipt of Your Excellency's despatch of September 3rd, and read it before the President and Executive Council on the 13th instant:—

“ The question of the permanency of the Swaziland Convention of 1894 has been raised during discussions as to the terms of a Protocol to be added to that Convention. The only portion of the Convention itself which does not imply permanency is that provision which is personal to Ungwane, alias Bunu, as Paramount Chief, and which must come to an end at his death. But this certainly does not hold good of the provision that ‘ the management of the internal affairs of the natives shall be in accordance with their own laws and customs,’ and that ‘ the native laws and customs shall be administered by the Native Chiefs entitled to administer the same.’ These provisions are just as permanent as anything else in the Convention, just as permanent as the right of the Government of the South African Republic itself to administer Swaziland in accordance with the terms of that instrument. That being so, the question will arise, whenever Bunu dies or becomes incapacitated, how and by whom the function which he at present performs in the ‘ management of the internal affairs of the natives,’ and in the ‘ administration of native laws and customs ’ is to be performed in future.

“ It does not seem necessary to discuss the question of whether or not there is to be a Paramount Chief after Bunu, until the contingency arises ; but it does not appear that the existence of a Paramount Chief, with limited powers, is necessarily a cause of unrest in Swaziland. This might be so if the Paramount Chief were to be exempt from any restriction in the exercise of his powers, or from liability to punishment for the abuse of these powers ; but against this danger the Protocol will provide. But the High Commissioner deems it necessary, as the point has been raised by His Honour the State President, to reserve in the clearest terms the undoubted right of Her Majesty's Government to insist, in case of the death or of the temporary or permanent incapacity of the Paramount Chief Bunu on such arrangements as may be necessary to ensure the maintenance of that degree of self-government which the Convention of 1894 preserves to the Swazi Nation.”

President Kruger did not ask me to leave him a memorandum of the above statement, because, as he said, he did not wish to enter upon a written discussion of the points thus raised, preferring to leave the question of future contingencies open for settlement when occasion should arise. I therefore confined my further observations to expressing the hope that, when any such contingency should occur, the Government of the South African Republic would, before taking steps to provide for any emergency, first of all confer with Her Majesty's Agent, with a view to forestalling the intervention of Her Majesty's Government, which might thus be rendered unnecessary.

It appeared to me the less desirable to exchange further correspondence now, as to future contingencies, in that I had already, in the memorandum which I left with the State Secretary on July 2nd, informed the Government of the South African Republic “ that the position of the Swazi nation and of its Paramount Chief under the Convention of December 10, 1894, cannot be altered without the consent of Her Majesty's Government.”

I have, &c.,

EDMUND FRASER.

To His Excellency

Sir Alfred Milner, G.C.M.G., K.C.B.,

&c.,      &c.,      &c.

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#### DRAFT PROTOCOL.

Whereas difficulties have arisen in carrying out Article 2 of the Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of the South African Republic, dealing with the affairs of Swaziland, signed on the 10th day of December, 1894, and particularly with regard to the extent of the jurisdiction of the Courts established in Swaziland under that Convention, in the case of crimes committed by natives against natives, in view of the provisions of the said Article as to the powers of the Paramount Chief, the maintenance of native laws and customs, and the administration of such laws and customs by native chiefs ;

And whereas it is desirable to make further provision for the Jurisdiction of the said Courts, more especially with a view to preventing practices inconsistent with civilised laws and customs;

Now therefore it is agreed between Her Majesty's High Commissioner for South Africa, on behalf of Her Majesty, and His Honour the State President of the South African Republic, on behalf of the Government of that Republic, as follows:—

(1) Notwithstanding anything contained in the Second Article of the said Convention, the Courts mentioned in the Second Clause of the present Protocol shall alone be competent to deal with crimes, committed by natives, falling under any of the categories specified in the Schedule appended hereto, and such jurisdiction shall extend to all natives, including the Paramount Chief and the other Chiefs. And neither the Paramount Chief, nor any other native Chief, shall be competent to exercise jurisdiction in regard to any such crime.

(2) The Courts by which alone the jurisdiction described in the foregoing Clause shall be exercised are the Landdrost's Court of Swaziland, as at present established, and the High Court of Swaziland.

(3) The Landdrost's Court shall only have power to impose such sentences upon natives, in cases where natives only are concerned, as the said Court is empowered to impose in its jurisdiction over Europeans.

(4) Any native accused before the Landdrost's Court shall be entitled to be defended either by a law-agent, by an attorney, or by counsel; and, before the High Court, by counsel.

In case of the accused being an indigent native, and unable to provide such professional assistance, the Court shall appoint such law-agent, attorney, or Counsel for his defence.

(5) Subject to the foregoing provisions, the Paramount Chief and other Native Chiefs shall continue to exercise jurisdiction in all native cases, including both civil disputes between native and native, and all crimes committed by natives against natives which do not fall within any of the categories specified in the said schedule. But no native Chief shall be competent to inflict the punishment of death, or any barbarous punishment inconsistent with civilised usage.

(6) The provisions of this Protocol shall not apply to any crime committed previous to its signature.

#### SCHEDULE OF CRIMES.

- (1) Murder, manslaughter, culpable homicide.
- (2) Conspiracy against the Paramount Chief, or resistance to his authority as recognised in the Convention of December 10th, 1894, or in the present Protocol.
- (3) Assault with intent to do grievous bodily harm.
- (4) Rape, or attempted rape.
- (5) Kidnapping or abduction of children.
- (6) Forgery.
- (7) Perjury.
- (8) Arson, and malicious destruction of property of a grave nature, such as cattle-raiding, the wholesale destruction of cattle, or the destruction of a dwelling-place.
- (9) Robbery.
- (10) Witchcraft.

In witness whereof, Alexander Edmund Fraser, acting as Her Majesty's Agent in the South African Republic, and duly authorised thereto on behalf of Her Majesty's Commissioner for South Africa, and Stephanus Johannes Paulus Kruger, State President of the South African Republic, on behalf of the Government of the said Republic, have signed this Protocol, at Pretoria, on the \_\_\_\_\_ day of September, in the year 1898, and have hereunto set their seals.

Enclosure 3 in No. 47.

From the BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

24th September. Enquiry was concluded this morning, and after warnings had been given to Ngwani by Special Commissioner and myself, he and his followers left the village. I hear the official records of the proceedings go to Pretoria by to-morrow's post. Repeated to Agent.—SMUTS.

No. 48.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received October 24, 1898.)

SIR,

Government House, Cape Town, October 5, 1898.

I HAVE the honour to enclose for your information, in continuation of my despatch of the 28th ultimo,\* a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

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Enclosure 1 in No. 48.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

29th September, 1898. Special Commissioner and I have discussed the possibility of delaying publication of Protocol to Swaziland Convention until case of Paramount Chief decided, for both the matters should be, in our opinion, announced to representative meeting of Council, and it may be difficult to get Councillors together twice within short space of time. We agreed to submit matter for consideration of Your Excellency and Government of South African Republic respectively. Mr. Krogh pointed out ratification of Protocol to Swaziland Convention in Volksraad might occasion its terms treated as public unless proceedings of Volksraad are to be kept secret. If terms are once announced in Pretoria it will be no use delaying announcement here, for natives will get to hear, and ask questions on subject. Repeated to Agent.—SMUTS.

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Enclosure 2 in No. 48.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

SIR,

Government House, Cape Town, September 30, 1898.

I HAVE the honour to acknowledge your despatch of September 20th, in which you submit a re-draft of the Protocol to the Swaziland Convention. This document contains several modifications of the draft sent to you on August 20th, which are the result of conference between you and the Government of the South African Republic.

As I have already informed you by telegraph, I agree to the alterations explained by you in your despatch, which have been made in Clauses 3, 4, and 5, and in the Schedule to the Protocol. I also agree to, as I was quite prepared for, the omission of Clause 6. As I stated in my despatch of September 3rd, the Protocol would, in my opinion, have been more complete, if it had dealt with the contingencies provided for in that Clause; but the Clause is outside the original scope of the Protocol, and its omission, though it diminishes, does not destroy, the value of the agreement. As the matter is now left, any such contingency as Clause 6 was intended to provide for must become the subject of discussion between Her Majesty's Government and the Government of the South African Republic when the case arises. In your conferences with the President, as reported in your despatch under reply, and in the statement read by you to the Executive Council on the 13th instant, you have explained with sufficient clearness the views of Her Majesty's Government as to the attitude incumbent upon them in case of the death or incapacity of the Paramount Chief, and have made all necessary reservations on their behalf.

As far as the substance of the Protocol is concerned, there is, therefore, nothing to prevent its immediate signature. I have, however, some doubts as to its form. The Swaziland Convention of 1894 provides that certain articles (constituting the body of the Convention) after signature by the High Commissioner and the President and "*when duly ratified by the Volksraad of the South African Republic shall constitute and be a Convention*" between the two Governments. The Protocol in its present form makes no reference to such ratification. If this means that the consent of the Volksraad is not required to make the Protocol binding upon the Government of the South African Republic, well and good.

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\* No. 47.

If, however, as I gather from the British Consul's telegram of 29th September to be the view of the Swaziland authorities, the Protocol must be submitted to the Volksraad for its approval, then I think one of two courses should be followed:—

1. The Volksraad being now in session, the Protocol might be immediately submitted to it, and approval obtained for it, *before signature*. In that case the operative clause "Now therefore . . . . as follows," should be modified by adding, after the words "the Government of that Republic," the words "and acting with the approval and consent of the Volksraad of the said Republic, expressed in their resolution of . . . ." or words of similar import. This would be the most satisfactory course.

2. In case this procedure cannot be followed, and the Protocol can only be submitted to the Volksraad after signature, I think an Article (7) must be added to the draft, similar in import to Article XX. of the Convention of London:—"This Protocol will be ratified by the Volksraad of the South African Republic within 10 days of its signature, and, in default of such ratification, will be null and void." The length of time, 10 days, may seem little compared with the six months of the Convention of London, but that Convention was signed in a foreign country, when the Volksraad was not sitting, and was of immensely greater importance than the present agreement. I can see no reason whatever for any long delay in the present case, as the Volksraad is sitting, and the President and other members of the Government, who are thoroughly conversant with the reasons for the Protocol are on the spot, and are quite able to obtain its immediate acceptance if the Volksraad are prepared to accept it at all.

While, however, I think that this method of procedure is, in case of necessity, not unacceptable, I greatly prefer, as I have already stated, the other method, viz., previous approval by the Volksraad.

I desire that you will inform me without delay whether the concurrence of the Volksraad is necessary, and, if so, which of the two courses indicated above you propose to adopt.

Whenever this, the only outstanding point, has been settled, I authorise you to sign the Protocol on my behalf.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

His Honour  
Her Majesty's Acting Agent,  
Pretoria.

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Enclosure 3 in No. 48.

From the HIGH COMMISSIONER, Cape Town, to the PRESIDENT of the South African Republic.

SIR, Government House, Cape Town, September 30, 1898.  
I HAVE the honour to inform Your Honour that I have authorised Mr. Edmund Fraser, Her Majesty's Acting Agent at Pretoria, to sign on my behalf the Protocol to the Swaziland Convention of the 10th December, 1894, the terms of which have been agreed upon between Mr. Fraser and Your Honour's Government.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

His Honour  
The President of the South African Republic.

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Enclosure 4 in No. 48.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.  
TELEGRAM.

(Extract.)

3rd October, 1898. With reference to Your Excellency's despatch of 30th September, it is necessary that the Volksraad should ratify the Protocol, and in any case subsequent to signature.

The period allowed in your draft article No. 7 may perhaps have to be altered to one month or six weeks, as the Raad adjourns from the 7th till 24th, and it may be impossible to get Protocol through before the 7th. But I am assured by both the State Secretary and the Under Secretary that the President will carry the Protocol into the Raad immediately after its signature, although they can not guarantee it against discussion.

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Enclosure 5 in No. 48.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.  
TELEGRAM.

(Extract.)

4th October. I do not object to extension time for ratification to a month from date of signature, but it must be provided in Protocol. I cannot agree to longer time, as it is preposterous that we should bind ourselves while they remain free for an indefinite time.

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No. 49.

HIGH COMMISSIONER SIR ALFRED MILNER to Mr. CHAMBERLAIN.

(Received October 31, 1898.)

SIR, Government House, Cape Town, October 12, 1898.  
IN continuation of my despatch of the 5th instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

You will observe that enclosure 7 contains the Protocol, as finally signed, of which I also enclose six spare copies. In the Dutch version of the Schedule the crime "roof" has been substituted for that of "diefstal," as explained in the telegrams of the 11th instant, exchanged between Mr. Fraser and myself.

I have not yet considered Mr. Smuts's very voluminous notes of the Brémersdorp enquiry or the other enclosures† to his despatch of the 27th ultimo, and there has not been time to complete copies of them for this week's mail.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

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Enclosure 1 in No. 49.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.  
TELEGRAM.

5th October, 1898.—I signed Swaziland Protocol this morning with State Secretary. It is being printed to-day in order to submit to Volksraad to-morrow morning for ratification. In consequence of necessary distribution of copies to Volksraad it will not be possible to prevent full terms being published, so I presume it would be well for Consul to arrange with Special Commissioner for communicating its terms to Council of Swazi nation as soon as possible in view of sixth clause. I have not yet

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\* No. 48.

† See Annex to No. 51.

received papers in Bunu's case, but shall recommend expedition in forwarding them, but fear this matter could not possibly be settled in time to announce to same meeting of Swazis as the Protocol.—FRASER.

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Enclosure 2 in No. 49.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.  
TELEGRAM.

6th October.—Swaziland Protocol was ratified by Volksraad this morning. A division was taken owing to contention of A. D. Wolmarans that sufficient jurisdiction already existed in Convention of 1894, but his was only vote against the ratification.—FRASER.

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Enclosure 3 in No. 49.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S CONSUL, Bremersdorp.  
TELEGRAM.

8th October, 1898.—Now that Protocol has been ratified you should discuss with Special Commissioner mode of making it known to natives. I consider that a representative Council should be got together as soon as possible, at which Special Commissioner and British Consul should read Protocol and explain it. As regards trial of Bunu, I wish to receive from you, in addition to your notes, an impartial statement for my information, bringing out the chief points in evidence on both sides, and stating the impression they left on your mind. This should be sent as soon as possible.

Repeat this telegram to British Agent.

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Enclosure 4 in No. 49.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

(Extract.)

Her Majesty's Agency, Pretoria, October 6, 1898.

WITH reference to Your Excellency's despatch of the 30th September, authorizing me to sign the Protocol to the Swaziland Convention of 1894, after the insertion of a clause providing for the necessary ratification by the Volksraad, I have now the honour to transmit the English original of the Protocol, which I signed with the State Secretary of the South African Republic, on the 5th instant, after inserting the ratification clause in accordance with Your Excellency's instructions. Owing to the fact that the Volksraad adjourns for three weeks from to-morrow, it seemed best to give a limit of one month for ratification here. But, in accordance with a promise to me, the President presented the Protocol in person to the Volksraad this morning, and it was duly ratified with only one dissentient vote, after a considerable discussion, a report of which I enclose.\*

The State Secretary has let me read a copy of the instructions sent to-day to the Special Commissioner in Swaziland with reference to the calling together of the Great Council of the Swazi nation to hear the terms of the Protocol. The Special Commissioner has been told to put himself into communication with Her Majesty's Consul, and to request the latter to co-operate with him in explaining the new situation to the Swazi Chiefs. Special injunctions have been given to ensure that the Queen Mother shall be present as well as the Paramount and other Chiefs. And the State Secretary expresses the hope that Your Excellency will see fit to give Her Majesty's Consul such instructions as will ensure a similar warning being given on Your Excellency's behalf as to the necessity for the cessation of all such acts as "killing-off," "eating-up of kraals," "cattle-raiding," "witchcraft," &c., as may show the Swazis that both Governments are agreed that this shall be the final warning, and that in future such acts will be punished by the Courts of Justice, in accordance with European law and custom. The above is the substance of the instructions conveyed to the Transvaal Special Commissioner, in view of the speech which he will be called upon to make to the Council, as soon as Your Excellency shall have issued similar instructions to Her Majesty's Consul.

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\* Not printed.

PROTOCOL.

Aangezien moeilijkheden zijn ontstaan in de uitvoering van Artikel 2 van de Conventie tusschen het Gouvernement van de Z.A. Republiek en Hare Majesteit de Koningin van het Vereenigd Koninkrijk van Groot-Brittanje en Ierland, handelende over de zaken van Swazieland, geteekend op den 10den dag van December 1894, en in het bijzonder met betrekking tot de uitgebreidheid der Jurisdictie van de Hoven in Swazieland onder die Conventie opgericht, in het geval van misdaden, door inboorlingen tegen inboorlingen gepleegd, met het oog op de voorzieningen van het gezegde artikel, wat aangaat de macht van den hoofdkapitein, het handhaven van inboorlingwetten en gebruiken en de administratie van zulke wetten en gebruiken door inboorlinghoofden.

En, aangezien het wenschelijk is verdere voorziening te maken voor de jurisdictie van de gezegde Hoven meer in het bijzonder met het oog op het voorkomen van verrichtingen, die onbestaanbaar zijn met beschaafde wetten en gebruiken.

Zoo is overeengekomen tusschen Zijn Hoog Edele den Staatspresident van de Zuid-Afrikaansche Republiek, ten behoeve van het Gouvernement van die Republiek, en Harer Majesteits Hoogen Commissaris voor Zuid Afrika, ten behoeve van Hare Majesteit, als volgt :

1. Niettegenstaande al hetgene vervat is in artikel 2 van de gezegde Conventie, zullen de Hoven in de tweede clause van dit protocol vermeld, alleen bevoegd zijn misdaden terecht te stellen, gepleegd door inboorlingen vallende onder eene de categoriën gespecificeerd in de hieraangehechte schedule, en zoodanige jurisdictie zal zich uitstrekken over alle inboorlingen insluitende den hoofdkapitein en de andere opperhoofden.

En noch de hoofdkapitein, noch eenig ander inboorlinghoofd zal bevoegd zijn om jurisdictie uit te oefenen met betrekking tot eenige zoodanige misdaad.

2. De Hoven, die alleen jurisdictie zullen uitoefenen, zooals in de voorgaande clause omschreven, zijn het Landdrosthof van Swazieland, zooals nu ingesteld, en het Hooggerechtshof van Swazieland.

3. Het Landdrosthof zal alleen de macht hebben zoodanige vonnissen over inboorlingen uit te spreken, in gevallen waarin alleen inboorlingen zijn betrokken, evenals het gezegde Hof bevoegd is in zijne jurisdictie over Europeanen.

4. Een kleurling beschuldigd voor het Landdrosthof zal recht hebben om te worden verdedigd of door een Wetsagent, door een Procureur, of door een Advocaat ; en voor het Hooggerechtshof door een Advocaat.

PROTOCOL.

Whereas difficulties have arisen in carrying out Article 2 of the Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the South African Republic, dealing with the affairs of Swaziland, signed on the 10th day of December, 1894, and particularly with regard to the extent of the Jurisdiction of the Courts established in Swaziland under that Convention, in the case of crimes committed by Natives against Natives, in view of the provisions of the said Article as to the powers of the Paramount Chief, the maintenance of native laws and customs, and the administration of such laws and customs by native chiefs ;

And whereas it is desirable to make further provision for the Jurisdiction of the said Courts, more especially with a view to preventing practices inconsistent with civilized laws and customs ;

Now therefore it is agreed between Her Majesty's High Commissioner for South Africa, on behalf of Her Majesty, and His Honour the State President of the South African Republic, on behalf of the Government of that Republic, as follows :

1. Notwithstanding anything contained in the Second Article of the said Convention, the Courts mentioned in the second clause of the present Protocol shall alone be competent to deal with crimes, committed by Natives, falling under any of the categories specified in the Schedule appended hereto, and such Jurisdiction shall extend to all Natives, including the Paramount Chief and the other Chiefs. And neither the Paramount Chief nor any other Native Chief shall be competent to exercise Jurisdiction in regard to any such crime.

2. The Courts by which alone the Jurisdiction described in the foregoing clause shall be exercised are the Landdrost's Court of Swaziland, as at present established, and the High Court of Swaziland.

3. The Landdrost's Court shall only have power to impose such sentences upon Natives, in cases where Natives only are concerned, as the said Court is empowered to impose in its Jurisdiction over Europeans.

4. Any Native accused before the Landdrost's Court shall be entitled to be defended either by a Law-Agent, by an Attorney, or by Counsel ; and, before the High Court, by Counsel.

Voor het geval de beschuldigde een be-  
hoefte inboorling en niet in staat is om  
zoodanige rechtsgeleerde hulp te verschaffen,  
zal het Hof te zijner verdediging zoodanigen  
Wetsagent, Procureur of Advocaat aan-  
stellen.

5. Onderworpen aan de voorgaande voor-  
zieningen, zullen de hoofdkapitein en andere  
inboorlinghoofden bij voortduring jurisdictie  
uitoefenen in alle inboorlingzaken, inslui-  
tende zoowel civiele geschillen tusschen  
inboorling en inboorling als alle misdaden  
door inboorlingen tegen inboorlingen ge-  
pleegd en die niet vallen binnen eene der  
categoriën in de gezegde schedule gespeci-  
ficeerd. Maar geen inboorlinghoofd zal  
bevoegd zijn de doodstraf op te leggen, noch  
eenige barbaarsche straf, onbestaanbaar met  
beschaafde gebruiken, toe te passen.

6. De voorzieningen van dit protocol  
zullen niet van toepassing zijn op misdaden,  
gepleegd voor de onderteeking daarvan.

7. Dit protocol zal worden geratificeerd  
door den Volksraad van de Zuid-Afrikaan-  
sche Republiek, binnen eene maand na de  
onderteekening daarvan, en bij gebreke van  
zoodanige ratificatie zal hetzelfde nietig en  
van onwaarde zijn.

*Schedule van Misdaden.*

- a. Moord, manslag, schuldige doodslag.
- b. Samenspanning tegen den hoofd-  
kapitein of verzet tegen zijne  
autoriteit als erkend in de Con-  
ventie van 10 December 1894, of  
in dit Protocol.
- c. Aanranding met het doel om ernstig  
lichamelijk leed aan te doen.
- d. Verkrachting of poging tot verk-  
rachting.
- e. Kinderroof of wegvoering van kin-  
deren.
- f. Vervalsching.
- g. Meineed.
- h. Brandstichting en kwaadwillige  
vernieling van eigendom van eenen  
ernstigen aard, zooals ontvoering  
van vee, vernietiging op groote  
schaal van vee, of verwoesting van  
eene woonplaats.
- i. Roof.
- j. Tooverij.

Ten bewijze waarvan Francis William  
Reitz, Staats-secretaris van de Zuid-Africaan-  
sche Republiek, behoorlijk daartoe gemach-  
tigd, ten behoeve van den Staats-president  
van de gezegde Republiek, en Alexander  
Edmund Fraser, Hare Majesteit's Waarne-  
mende Agent, in de Zuid-Africaansche  
Republiek, behoorlijk daartoe gemachtigd,  
ten behoeve van Harer Majesteit's Hoogen

In case of the accused being an indigent  
native, and unable to provide such pro-  
fessional assistance, the Court shall appoint  
such Law-Agent, Attorney, or Counsel for  
his defence.

5. Subject to the foregoing provisions,  
the Paramount Chief and other Native  
Chiefs shall continue to exercise jurisdiction  
in all native cases, including both civil dis-  
putes between native and native, and all  
crimes committed by natives against natives  
which do not fall within any of the categories  
specified in the said Schedule. But no  
Native Chief shall be competent to inflict  
the punishment of death, or any barbarous  
punishment inconsistent with civilized usage.

6. The provisions of this Protocol shall  
not apply to any crime committed previous  
to its signature.

7. This Protocol will be ratified by the  
Volksraad of the South African Republic  
within one month of its signature, and in  
default of such ratification, will be null and  
void.

*Schedule of Crimes.*

- a. Murder ; Manslaughter ; Culpable  
Homicide.
- b. Conspiracy against the Paramount  
Chief, or resistance to his authority  
as recognized in the Convention  
of December 10th, 1894, or in the  
present Protocol.
- c. Assault with intent to do grievous  
bodily harm.
- d. Rape, or attempted rape.
- e. Kidnapping or Abduction of Chil-  
dren.
- f. Forgery.
- g. Perjury.
- h. Arson, and Malicious Destruction of  
Property of a grave nature, such  
as cattle-raiding, the wholesale  
destruction of cattle, or the des-  
truction of a dwelling-place.
- i. Robbery.
- j. Witchcraft.

In witness whereof, Alexander Edmund  
Fraser, acting as Her Majesty's Agent in  
the South African Republic, duly authorized  
thereto on behalf of Her Majesty's High  
Commissioner for South Africa, and Francis  
William Reitz, State Secretary of the South  
African Republic, duly authorized thereto  
on behalf of the State President of the said  
Republic, have signed this Protocol, at

Commissaris voor Zuid-Afrika, dit protocol hebben ondertekend, te Pretoria, op den vijftenden dag van October, in het jaar 1898, en hunne zegels daaraan hebben gehecht.

(w.g.) F. W. REITZ.  
(w.g.) EDMUND FRASER.

(sgd.) EDMUND FRASER.  
,, F. W. REITZ.

The above Protocol was duly ratified by the Volksraad of the South African Republic on the following day, October 6th, 1898.

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Enclosure 5 in No. 49.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

(Extract.)

British Consulate, Swaziland, September 27, 1898.

I HAVE the honour to transmit to Your Excellency documents\* relative to the enquiry into the circumstances of the death of Mbaba and his two servants, Lomandaba and Mpanzana, at Zomboti Kraal, on the night of the 9th April last. The enquiry before Landdrost Tengbergen began on the 5th instant, and the final sitting was held on the morning of the 24th.

As I presume Your Excellency and the Government of the South African Republic will judge the case upon the official records kept by the Landdrost, and that no prior information or subsequent comments or explanations of South African Republic officials or myself will influence such judgment, I do not propose to analyze or criticise the evidence, but shall confine myself to some general remarks upon the proceedings and the actions which I have felt called upon to take.

First of all, I would point out, with regard to the summons served upon me to give evidence at the enquiry, that it was handed to me at the Consulate about 8 a.m. on the 5th instant, and my despatch to the Special Commissioner reached him by 10 a.m. In view of the State Attorney telling the Acting British Agent at Pretoria on that day that he was telegraphing to Bremersdorp about the possibility of subpoenaing me, and that Mr. Esselen had been instructed to lay before me details of evidence required of me, and to ask my consent to a subpoena, I must conclude that the local authorities acted without instructions, and failed to report the result of their action.

I acquainted Your Excellency by telegraph with the successful attempt made on the opening day of the enquiry to introduce extraneous evidence, and of the Landdrost's action in connection therewith. Subsequent correspondence between the Acting British Agent and the South African Republic Government has shown that there was a misunderstanding on the question of the scope of the enquiry, but I blame the Landdrost for the attitude he assumed.

The Government did not attempt to prove that Ngwani had personally ordered or actually taken part in the killing of Mbaba, nor did they prove any personal spite or dislike. They relied chiefly upon Ngwani's message that he was the cause of or responsible for the death of Mbaba, upon the evidence of Umvundeni that Ngwani fired Mbaba's hut and upon Ganda's story. The defence was that Ngwani is not yet fully King, and that he would, therefore, not be consulted in a matter such as the killing of Mbaba, whose death had been resolved upon by the Council for good and sufficient reasons, according to native law. An *alibi* was also set up with regard to Ngwani and Ganda, a surveyor's diagram was put in to disprove the statements of certain witnesses, and the mode of execution was described by the man who swore he had received his orders from the Council.

There is only one point in the evidence upon which I would like to remark, and that is the alleged mutilation of the bodies of Lomandaba and Mpanzana, for if Your Excellency finds Ngwani guilty of the death of the three men, this mutilation of bodies would, if true, in my opinion, countervail any mitigating circumstances which might be taken into consideration when determining the amount of the fine to be imposed. Ganda was the only witness examined on this subject, and his story was not told in examination in chief, when he alleges he forgot to mention it, and when Mr. Esselen presumably forgot to ask him—two very unlikely contingencies. Even supposing, for

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\* See No. 51.

the sake of argument, that Ngwani is guilty of what he is alleged to have done on the night of the 9th April, it seems almost impossible that he would next day have authorised the mutilations related by Ganda. In view of the abhorrence of natives to handling or even viewing dead bodies, especially those of "tagatis," and of the fact that the King and Royal Family are strictly enjoined not to do so, it appears to me incredible that Ngwani would, several hours after the death of the men, by daylight, when his acts must necessarily have become known to his people, and at a time when doubtless many of the people at the kraal were on the *qui vive* as to what might happen next, have directed and participated in such atrocities as have been laid to his charge.

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Enclosure 6 in No. 49.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

TELEGRAM.

(Extract.)

11th October, 1898.—I notice that in Schedule to Protocol the crime which in the English version is robbery is, in the Dutch version, translated to *diefstal*. The latter word means not robbery but theft. I never agreed to include theft, nor was it referred to in any of the communications which passed. In the list of crimes forwarded by you to me on August 17th, and which is in the handwriting of the State Attorney, the word is not *diefstal* but *roof*. I made particular enquiries as to the meaning of the latter word, and was informed that it involved violence, and did not apply to simple theft. This is confirmed by Jossen on pp. 554 and 556. I therefore agreed to it, but I have never agreed to *diefstal*.

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Enclosure 7 in No. 49.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

11th October, 1898.—Your telegram of 11th October. I corrected the mistake this morning by initialling insertion of *roof* instead of *diefstal* in original Dutch version along with State Secretary, so correct version will appear in "Staats Courant," not published till to-morrow. Please make correction in sending printed copies home. Was about to explain when I received your telegram. The whole was an oversight due to insufficient study of Dutch version, but State Secretary will inform Swaziland officials, if necessary, that English text is the authoritative version in any case of doubt.—FRASER.

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Enclosure 8 in No. 49.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

11th October, 1898.—State Attorney has asked Attorney Esselen for general report of Bunu's case, and does not propose to communicate to us, but only to use to help in considering evidence. I agreed with him that Sauer's proposal to send in regular arguments and replies would unnecessarily prolong case, and we both think that Sauer should merely draw up his own view of whole case on behalf of Bunu and hand it to me for Your Excellency. If regular arguments were exchanged it would doubtless necessitate replies, and as importance of final decision is now diminished by Protocol and by extremely contradictory nature of evidence, it hardly seems desirable to thus prolong the issue. Sauer, however, asks to have Consul's notes sent back in Friday's bag as a guide in framing his arguments if you approve of merely private argument being thus prepared. State Attorney cannot yet say whether any observations will be communicated to me with the notes, but hopes to let me have privately Dutch version of notes this week, which he asks to be excused from translating owing to great length. As we have Consul's notes and Dutch version need only be used for reference, it may not, perhaps, be necessary to translate it.—FRASER.

No. 50.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

SIR, Downing Street, November 1st, 1898.

I HAVE the honour to acknowledge the receipt of your despatch of the 28th of September,\* and of the series of previous despatches of which it is a continuation, giving the history of your negotiations with the Government of the South African Republic on the subject of the inquiry into the conduct of the Paramount Chief Bunu, and the jurisdiction of the Courts of Swaziland in native criminal cases.

2. From enclosure 3 in your despatch of the 28th of September\*, I learn that the inquiry into Bunu's proceedings was concluded on the 24th of that month, and from your telegram of the 12th of October† I learn that the Protocol to the Convention of 1894, regulating the jurisdiction of the Swaziland Courts in future criminal cases where natives are concerned, has been signed and ratified by the Volksraad of the Republic.

3. I have read the history of these negotiations with great interest, and I have to express to you my entire approval of your action throughout and my high appreciation of the tact and skill with which you have brought matters to their present stage.

4. I concur in the opinion, expressed in your despatch of the 3rd of August,‡ of the able manner in which Mr. Fraser, Her Majesty's Acting Agent at Pretoria, has conducted his part of the negotiations, and I shall draw the attention of the Secretary of State for Foreign Affairs to your observations on the subject.

5. I request that you will so inform Mr. Fraser, and that you will also express to Mr. Smuts my appreciation of the way in which he has discharged his duties as British Consul in Swaziland during a period of unusual difficulty.

I have, &c.,  
J. CHAMBERLAIN.

No. 51.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received November 4, 1898.)

SIR, Government House, Cape Town, October 19, 1898.

IN continuation of my despatch of the 12th instant,§ I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I also enclose twelve copies of my notice,|| publishing in the "Gazette" the new Protocol to the Swaziland Convention and a copy of the British Consul's notes|| of the Bunu enquiry, and the other enclosures to his despatch of the 27th ultimo.¶

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

Enclosure 1 in No. 51.

FROM HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

12th October, 1898. — Protocol is correctly published in to-day's "Staats Courant," roof being given where *diefstal* stood originally.—FRASER.

Enclosure 2 in No. 51.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

SIR, British Consulate, Swaziland, October 5, 1898.

I HAVE the honour to inform Your Excellency that Sitosi, brother of Ngwani, Pethleni, and Alpheus, came to the Consulate yesterday.

‡ No. 35.

§ No. 49.

\* No. 47.

† No. 46.

‡ No. 46.

| Not printed.

¶ Enclosure 5 in No. 49.

They said the Queen had sent them to inform me that a Swazi named Bunya had been shot by a Swazi named Dintsi, near the Little Ingwempesi River. Dintsi is a relation of Macambana, the headman of Inkanini Kraal, whilst Bunya was one of the witnesses secured by the Government to give evidence in one of the further charges it was intended to bring against the Paramount Chief at the recent enquiry. The Queen wished to let me know that she first heard of Bunya's death from Cleopas Kunene, the Special Commissioner's messenger. The Queen has sent men in various directions to discover the whereabouts of Dintsi and to arrest him. I replied I shall be glad to hear later whether Dintsi has been caught, and also the circumstances of the death of Bunya, which they could not tell me.

The Queen's messengers also reported that Ganda, the little boy who gave evidence at the enquiry, had been sent back to Zomboti by the Special Commissioner. The Commandant of Police subsequently came to the kraal, and said the Commissioner wished Ganda to return to Bremersdorp. He was promised that Ganda would be sent to the village. I said if the authorities wished Ganda to remain in Bremersdorp the Swazis had better let him do so. If, however, Ganda's relations wanted him to leave I would like to give them advice before they applied to the Government authorities.

I hear Ganda returned to Bremersdorp on the 3rd instant. My reason for desiring that he should remain in the village for the present is that though I am confident no harm will be done him by order of the Paramount Chief or Queen, yet should anything happen to him, the Government will very likely suspect the Swazi authorities of being implicated in it.

The Queen also sent to enquire whether the South African Republic could not be asked for payments under the Revenue Concession. I advised that the question had better be allowed to remain in abeyance for the present.

I had heard that a man named Mgndhlula had last week been appointed Chief Induna in succession to Mbaba. I enquired of the messengers as to the truth of the report, which they then confirmed. The appointment has not been formally announced to the Special Commissioner or myself.

I have, &c.,

J. SMUTS,

Her Majesty's Consul.

His Excellency  
The High Commissioner,  
Cape Town.

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ANNEX to No. 51.

Schedule of papers forwarded under cover of British Consul's despatch of 27th September, 1898.\*

1. Copy of summons served upon British Consul to give evidence at enquiry 5th September, 1898.
2. British Consul to Special Commissioner, claiming to know nature of subjects upon which his evidence is required, 5th September, 1898.
3. Special Commissioner to British Consul, 5th September, 1898, explains why Consul was summoned, but cannot at present give nature of evidence required.
4. Public Prosecutor to British Consul, 5th September, 1898, withdraws summons and requests Consul's attendance at enquiry.
5. British Consul to Special Commissioner, 5th September, 1898, protests against action of Landdrost in extending scope of enquiry.
6. Advocate Sauer to British Consul, 5th September, 1898. Ditto, ditto.
7. British Consul to Public Prosecutor, 7th September, 1898, renews claim to know on what subjects his evidence is desired.
8. British Consul to Special Commissioner, 14th September, 1898, protests against extraneous evidence being allowed.
9. British Consul to Special Commissioner, 21st September, 1898, relative to Landdrost having ordered an inspection of Zomboti Kraal.
10. Memorandum of Landdrost's proceedings at Zomboti Kraal.
- 11.† Rough notes of proceedings of enquiry, 5th to 24th September.
12. Special Commissioner's warning to Ngwani, 24th September, 1898.
13. British Consul's warning to Ngwani, 24th September, 1898.

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\* See Enclosure 5 in No. 49.

† Not printed.

(1.)

## SUMMONS to BRITISH CONSUL.

Court of the Landdrost of Swaziland.

To JAMES H. HOWE, Messenger of the Court or his lawful deputy.

You are hereby commanded, in the name of the Government of the South African Republic, to summon J. Smuts, Her Britannic Majesty's Consul for Swaziland, that he appear personally before this Court on the 5th day of September next, at 11 o'clock in the forenoon, to testify and declare all he knows concerning a certain charge preferred by the Public Prosecutor against Ungwane alias Uhili alias Uunu *in re* the State versus the said Ungwane alias Uhili alias Uunu.

Serve on the said J. Smuts a copy of this summons, and return to this Court, on that day, what you have done thereon.

Given under my hand at Bremersdorp on this the fifth day of September, 1898.

CHARLES E. MEINTJES,

Public Prosecutor for Swaziland.

(2.)

## BRITISH CONSUL to SPECIAL COMMISSIONER.

SIR,

Bremersdorp, September 5, 1898.

I HAVE the honour to acknowledge the receipt this morning of a summons signed by the Public Prosecutor, calling upon me in my official capacity to appear before the Landdrost for Swaziland to-day to declare all I know concerning a certain charge preferred by the Public Prosecutor against Ngwani *re* the State versus the said Ngwani.

Whilst I do not wish at present to animadvert upon the form of the summons, I beg to point out that in accordance with the courtesy usually adopted towards Consular representatives, the more correct mode of procedure would have been for a civil officer of Your Honour's administration to ask me whether it would be convenient to me in my capacity to give evidence, and to notify to me the nature of the evidence and the facts to which I should declare.

I have no wish to frustrate the ends of justice, but I respectfully claim to know without delay the nature of the matter or subject upon which it is desired to examine me, so as to enable me to judge how far I can comply with the terms of the summons served upon me, having due regard to the position I have the honour to occupy.

I have, &amp;c.,

J. SMUTS,

Her Britannic Majesty's Consul.

His Honour

The Special Commissioner,

Bremersdorp.

(3.)

## SPECIAL COMMISSIONER to BRITISH CONSUL.

(Translation. No. 199/98.)

Office of the Special Commissioner for Swaziland, Bremersdorp,

SIR,

September 5, 1898.

IN acknowledging the receipt of Your Honour's letter to-day, I have the honour to inform Your Honour that I had no knowledge that Your Honour had been summoned in the case of Ngwani. I have asked Mr. Esselen, who is acting for the Government of the South African Republic in this case, upon what subject he desires your evidence, and he says it is at present difficult to give me a decisive answer, but that he had had Your Honour summoned, intending no offence, in order that if it should appear from the course of the case that Your Honour's evidence would be of service, the preliminary steps to that end would already have been taken.

I also have been summoned in this case.

I have, &amp;c.,

J. C. KROGH,

Special Commissioner.

His Honour

J. Smuts,

British Consul for Swaziland.

(4.)

## PUBLIC PROSECUTOR to BRITISH CONSUL.

(Translation. No. 134/98.)

SIR,

Bremersdorp, September 5, 1898.

HAVING heard that Your Honour does not acquiesce in the summons served upon you this day in your capacity as Her Britannic Majesty's Consul for Swaziland, commanding Your Honour to give evidence in the case of the State versus Ungwani alias Uhili alias Uunu, I have the honour to politely request Your Honour to attend the preliminary examination against Ungwani alias Uhili alias Uunu, in order to give evidence, if required, and to regard the summons as not served.

I have, &amp;c.,

CHARLES E. MEINTJES,

Public Prosecutor for Swaziland.

His Honour

Her Britannic Majesty's Consul for Swaziland,  
Bremersdorp.

(5.)

## BRITISH CONSUL to SPECIAL COMMISSIONER.

SIR,

Bremersdorp, September 5, 1898.

WITH reference to the preliminary examination into the matter of the death of Mbaba, which the Paramount Chief is at present undergoing, I beg to call Your Honour's attention to the fact that when a matter was introduced by the lawyer appearing for the State, which had not been mentioned in any summons or notice to Bunu, the Landdrost, without listening to the evidence upon which the counsel for defence relied to establish his contention, dismissed the objection raised by him, and also refused his application for 48 hours' remand to give him time to be further advised.

The Landdrost *ex officio* has no jurisdiction whatever over Ngwani, the present proceedings being solely in consequence of the agreement between the South African Republic and His Excellency the High Commissioner, and I, as the representative of Her Majesty's Government, hereby formally protest against any further proceedings in the enquiry taking place pending the decision of the two contracting parties as to its actual scope, and I also protest against any proceedings subsequent to the withdrawal of Ngwani's counsel forming part of the record.

I have, &amp;c.,

J. SMUTS,

Her Britannic Majesty's Consul.

His Honour

The Special Commissioner,  
Bremersdorp.

(6.)

## MR. SAUER to BRITISH CONSUL.

SIR,

Bremersdorp, September 5, 1898.

I RESPECTFULLY beg hereby to convey, for Your Honour's information, the following:—

That I appeared to-day in the Government Buildings at the enquiry held before the Landdrost of Bremersdorp into the complaint in *re* the matter of the death of Umbaba and others on the 9th day of April, 1898, at the Zomboti Kraal, and the connection of the Paramount Chief therewith.

That Mr. D. J. Esselen, appearing on behalf of the Government of the South African Republic, did not specifically advert to or announce any particular complaint or charge which was to be enquired into, and which the Paramount Chief was called upon to answer. He contented himself with stating that he appeared for the "State" in this "preliminary enquiry" before the Landdrost against the "Chief Captain." He then proceeded to call as his first witness Mr. J. C. Krogh, the Special Commissioner for Swaziland, who deposed *inter alia* to the complaint made to him *re* the "murder"

of Mbaba, and the handing over of the Paramount Chief by the order of His Excellency the High Commissioner to the Government of the South African Republic to undergo a preliminary examination. Mr. Esselen, in further examination in chief, asked whether any other charges of murder against the Paramount Chief had been preferred or communicated to the witness, and whether he was aware of another murder of one Tsiquala. Before, however, a reply to this leading question was given, I raised the objection that it was not competent to traverse beyond the scope of the present enquiry, and thus it was not competent to admit any evidence of any other charge than the killing of Umbaba and others and the Paramount Chief's alleged complicity therein. In support of this objection, I undertook to submit proofs and lead evidence in substantiation thereof. There then ensued some desultory discussion upon what method should be adopted to bring such proof before the Landdrost, and I suggested to submit the evidence tending to disclose the competency, scope, and power of the Landdrost in this proceeding, through a competent witness, proposing to call Her Majesty's Consul. To this course, however, Mr. Esselen objected, and I then urged that Mr. Esselen should continue with the charge in the matter of the death of Umbaba and others, and should refrain from offering any evidence relating to any new charge until I should have had time to consult and be advised, and that thereafter I should be allowed the opportunity to submit the evidence tending to prove my contention. Nothing definite was arrived at hereupon, and the Landdrost adjourned the proceedings.

On resumption of the enquiry, the Landdrost, without calling upon me nor offering me the least occasion of leading evidence, as suggested by me, forthwith overruled my contention, and dismissed the objection raised against inquiry into any other charge at present.

I there and then persisted in urging the correctness of my claim to be heard and to lead evidence, and protested against the course adopted without having been heard, and that it was inconsonant with the spirit and objects of this enquiry as regards its conduct and conclusion. I also asked the Landdrost to note the same.

Having done this, in order that no obstacles should be interposed towards attaining the end desired by all parties, I requested the Landdrost most earnestly to reconsider his ruling in the matter, stating also that it rested with him to have the objects of this investigation accomplished in a friendly and efficient manner.

This request was also summarily dealt with and dismissed by the Landdrost, who then directed Mr. Esselen to proceed.

I then again respectfully approached the Landdrost by applying for a remand for two days as I was in a very difficult and embarrassing position and not prepared to meet the fresh charges there and then, and here Mr. Esselen interposed that he had several further charges.

In support of this request I pointed out to the Landdrost,

(a) That the only documentary charge or complaint extant, properly so-called, consisted in a certain summons served upon the Paramount Chief on the 28th June by the Messenger of the Landdrost's Court, at the instance of the Public Prosecutor of Bremersdorp, and that Mr. Esselen had carefully, in his opening address, abstained from reference to this or any other charge, and in no way adumbrated his intention to proceed and inquire into any other or fresh charge or charges, and that no intimation of his desire to do so had been conveyed either to the Paramount Chief or to me.

(b) That the Paramount Chief regards any proceedings beyond the terms and purview of the agreement arrived at by the right contracting parties, and as communicated by His Excellency the High Commissioner, in his two messages to the Paramount Chief or breach of such arrangement, and his compliance therewith.

(c) That if fresh charges could be sprung upon the Paramount Chief in the course of the proceedings, and without warning, the purposes and objects of this arrangement would be defeated—*viz.*, a speedy settlement of the present condition of affairs—since such a proceeding would entail the preferring in due form, subsequently, of the nature and particulars thereof and the allowance of opportunity to prepare himself to meet the same.

(d) That the Landdrost, in the examination which the Paramount Chief has consented to undergo, does not preside, *ex officio*, but by virtue of the arrangement as indicated and the voluntary acquiescence of the Paramount Chief in such a course.

(e) Furthermore, that the Paramount Chief, subsequently, might find that an unreserved or unqualified acquiescence on his part in an extension of the character and scope of such enquiry, whereat constantly fresh and other charges could be levelled at his administration as Paramount Chief, would conduce to a derogation of or lead to a

state of things inconsonant with the rights which, he claims, are guaranteed him under the Convention in respect of the jurisdiction of the Courts of Swaziland over him.

(f) And, lastly, though he fears no enquiry into any act of administration or personal deed of his, yet before such other charge or complaint could be entered into at this enquiry, a proper preferment of the same should be made, so that he may be advised on his rights, and consult, before the commencement of any enquiry, into the charge so made. This request for a remand was also peremptorily refused, and I then intimated that I felt compelled, together with my client, to withdraw from the proceedings, to consider the condition of affairs now arisen, and to be advised thereon. On leaving the building the Paramount Chief accompanied me, but he was refused egress, by order of the Landdrost, and at the request of Mr. Esselen.

Upon these facts I beg to protest hereby against the proceedings and the course pursued by the Landdrost as being in conflict with the arrangement arrived at by the interested parties, and not in consonance with spirit or procedure, which ought to have prevailed in or governed the conduct of this matter, and that in consequence my client has been prejudiced, and is liable to be injured in his defence and in his rights, guaranteed him by the assurances of His Excellency the High Commissioner.

I desire respectfully that these facts will be conveyed to the proper quarter.

Yours truly,  
H. H. SAUER.

(7.)

BRITISH CONSUL TO PUBLIC PROSECUTOR.

SIR,

British Consulate, Swaziland, September 7, 1898.

IN reply to your letter of the 5th instant requesting me to attend the "preliminary examination" which Ngwani is at present undergoing in order to give evidence, if required, I have the honour to inform you that I must adhere to the request I made in my despatch to His Honour the Special Commissioner on the 5th instant, to be informed of the nature of the matter or subjects upon which it is desired to examine me, so as to enable me to judge how far I can comply, with due regard to the position I have the honour to occupy.

I have, &c.,  
J. SMUTS,  
Her Britannic Majesty's Consul.

The Public Prosecutor,  
Bremersdorp, Swaziland.

(8.)

BRITISH CONSUL TO SPECIAL COMMISSIONER

SIR,

British Consulate, Swaziland, September 14, 1898.

WITH reference to my despatch of the 5th instant, to which I have not yet received a reply, relative to the scope of the preliminary examination into the circumstances of the death of Mbaba and others at Zomboti Kraal on the 9th April last having been extended to other matters, I have the honour to inform Your Honour that yesterday afternoon Mr. Esselen called a Swazi named Inyangana, who testified to the killing and mutilation of a man named Silomo, by Ganda, witness himself, and a third person, upon the alleged orders of Ngwani, and also as to the killing of women and children.

Ngwani's counsel objected to such evidence being heard, primarily on the grounds that it is upon matters irrelevant to the enquiry, to which Mr. Esselen replied that he wished to show that Ganda is a person sent by Ngwani to do mischief (kwaad te doen).

The Landdrost said he would note the objection, but allowed Mr. Esselen to continue the examination of the witness on the matters alluded to.

I left the Court for a minute or two to inform Your Honour verbally of the evidence being led by Mr. Esselen, and on my return, heard Ngwani's counsel state he declines to cross-examine the witness, as he had declared to matters outside the scope of the enquiry. The evidence was then read over to the witness, and I presume will form part of the Landdrost's record.

I was officially informed, on the 7th instant, that the State Attorney of the S African Republic had told the Acting British Agent at Pretoria that the necessary instructions to confine the enquiry to the charge in the original summons or the circumstances connected with the death of Mbaba had been sent to Bremersdorp that morning. I therefore fail to understand how the proceedings yesterday, to which I have alluded, were allowed to take place, and I beg respectfully to protest against them.

I have, &c.,

J. SMUTS,

Her Britannic Majesty's Consul.

His Honour  
The Special Commissioner,  
Bremersdorp.

(9.)

BRITISH CONSUL TO SPECIAL COMMISSIONER.

(No. 20.)

SIR,

British Consulate, Swaziland, September 21, 1898.

I HAVE the honour to call Your Honour's attention to the fact that prior to the conclusion of the sitting last night of the Court of Enquiry into the circumstances connected with the death of Mbaba, the Landdrost announced his intention to hold an inspection *in loco* at Zomboti Kraal to-day, and invited Messrs. Sauer and Esselen to be present. Mr. Sauer, on behalf of his client, protested against such an inspection upon certain grounds into the merits of which I do not propose to enter.

The Landdrost did not invite my presence at the kraal, nor in my opinion had he the power to do so, or to order an inspection of the residence of the Queen without her consent, for I need hardly remind Your Honour that His Worship has no criminal jurisdiction in the matter which he is investigating, and that his order therefore seems to amount to a trespass upon the rights of the Swazi nation.

I propose, with leave of the Queen, to be present when Landdrost Tengbergen inspects Zomboti Kraal, as I desire to be acquainted with his proceedings there. In order, however, to prevent an inference being drawn that I countenance or support the Landdrost's action, I desire to place on record that I propose to submit hereafter, for the High Commissioner's judgment, the question of eliminating from the consideration of the case all or any part of the Landdrost's proceedings at Zomboti, or any evidence or report which may appear in record as a result thereof or connected therewith, on the ground that such proceedings, &c., were under the circumstances inadmissible.

I have, &c.,

J. SMUTS,

Her Britannic Majesty's Consul.

His Honour  
The Special Commissioner,  
Swaziland.

(10.)

MEMORANDUM OF LANDDROST TENGBERGEN'S PROCEEDINGS AT ZOMBOTI KRAAL ON 21st September, 1898.

Special Commissioner, Mr. Esselen, the Public Prosecutor, Surveyor Jorissen, Commandant of Police, and small force of police, armed with revolvers, were present.

Landdrost had Mr. Jorissen's diagram, and marked on it spots shown by witnesses, indicated by Mr. Jorissen.

Umvundeni, cautioned to speak truth, points out Dundubaya's hut. He is asked about a new guma (screen) near hut, in the direction of King and Queen's private quarters, and says there was another there at the time of the death of Mbaba. Asked "Where did you make water?" he points to spot just outside Dundabaya's hut on side opposite to guma above referred to. Asked where he stood when he saw what he had stated took place, he points spot at back of hut, and afterwards points place where he stood making water, near cattle kraal, several paces distant. He points out Mbaba's burnt hut, and also hut where he was killed. (Apparently same huts pointed out to Mr. Jorissen and shown on the diagram.—J.S.) (These two huts are about five paces apart.—J.S.). Mbaba had other huts.





Tutoyana, cautioned to speak truth, points out burnt hut and hut where Mbaba was struck and stabbed. (The latter quite a different hut to the one pointed out by Umvundeni.—J.S.). Residence hut was on outer line of huts. (That is, furthest from cattle kraal—J.S.). There was no fence round Mbaba's kraal, only gumas round huts.

Ganda, duly cautioned, points to spot on mound where he stood when he saw what he stated. (Impossible to see King's or Queen's quarters from there.—J.S.). Where is ant heap? Same spot on mound. Asked where is the spot in grass to which he had referred, he and Commandant Botha led the way to a place down towards a spruit on the young men's side of kraal. That was place where he stabbed Mpanzana. (From the spot shown, Zomboti and Ditini Kraals cannot be seen. It is about 440 paces from Zomboti cattle kraal bottom gate.—J.S.).

From Dundubaya's and Mbaba's huts I could see nothing of King's quarters and only top of Queen's large hut. The six shield shelters (called by Mr. Jorissen, in evidence, grain shelters) are old. There are no mounds in front of King's and Queen's quarters. There is one to the right front of Queen's, about three paces from cattle kraal. Witnesses pointed out spots in each other's presence. After inspection, I saw a policeman with some bones. They are alleged to be human, and to have been found in a hole between Zomboti and spot in grass shown by Ganda.

J. SMUTS.

(12.)

(Translation.)

SPECIAL COMMISSIONER'S WARNING to UNGWANE alais Uhili alais Ubunu.

The charge against you respecting the death of Umbaba and others, and the negotiations which followed thereon, have led to the holding of a preliminary enquiry against you before the Landdrost here.

This enquiry is now finished, and according to agreement between the Government of the South African Republic and Her British Majesty's High Commissioner, you can now return to your residence. Meanwhile, the minutes and documents of the preliminary enquiry will be sent to His Honour the State Attorney at Pretoria for consideration and decision of the Government with respect to you.

Pending this decision, you will abstain from committing or causing to be committed any crime or act of violence, and you will continue suspended in your position as Paramount Chief of the Swazis in Swaziland, and thus may not exercise your legitimate powers as such in any manner. I have further to warn you most earnestly that neither by you personally nor by your orders or your aid may peace and order in Swaziland be disturbed, also you shall not directly or indirectly molest or cause injury to the witnesses who have given evidence at the preliminary enquiry.

On contravention by you of any of the above-mentioned terms of this warning you will be punished by the Magistrate (overheid).

J. C. KROGH,

Special Commissioner for Swaziland.

Bremersdorp,  
September 24, 1898.

(13.)

BRITISH CONSUL'S WARNING to NGWANI.

Ngwani,—The enquiry into the circumstances of the death of Mbaba and his two servants at Zomboti Kraal is finished. The papers in the case will now be sent to the Government of the South African Republic and the High Commissioner, and they will decide whether you are to blame or not. If they find that you are to blame a penalty will be inflicted upon you, but you will not suffer any punishment to your person in the way of imprisonment or otherwise. The circumstances of the deaths of the men referred to have been fully investigated. It may be inferred that all obtainable evidence against you has been led, and that your lawyer has done what was best on your behalf. I told you before the enquiry began that Her Majesty's Government was anxious to learn from it what are really the circumstances of the death of Mbaba and his servants, and that though I was therefore not concerned, as an advocate, in your defence, you had the right to consult me both in and out of Court, and I would take care that all you wished to say or that I knew could be said in your defence would be brought to your lawyer's knowledge. I have done so, not because Her Majesty's Government

condone such acts as the killing of Mbaba, but because I knew that you and your people are ignorant of the procedure in European Courts, and it was only fair that your case should be fully presented. I have never expressed to you, nor do I now express, any opinion as to whether you are personally to blame, or whether Mbaba and his two servants were killed in accordance with Swazi laws and customs by the Swazi Council, but I do say that such acts must not be repeated. They are contrary to your own interests, for they lower you and your Council in the eyes of Europeans, and they are also contrary to the interests of the Swazi people in general, whose welfare has likewise to be considered.

You are now at liberty to return home to your kraal, and to live there without restriction, but until the two Governments have decided on your case, your powers as Paramount Chief will be in abeyance. During that time I shall look to your mother and Nococo as managing the affairs of the Swazi nation, and shall consider you as still absent from the country, as far as your powers of Paramount Chief are concerned. The High Commissioner has instructed me to tell you that, if, whilst you are waiting the decision of the two Governments, you attempt to commit, or order or instigate others to commit any acts of violence, or even exercise your legitimate powers as Paramount Chief, you will forfeit the support of Her Majesty's Government. I don't believe you will be so ill-advised as to act contrary to what the two Governments have decided, but I nevertheless tell you plainly what will happen if you do so. Mr. Krogh and I have already told your mother and your uncles that witnesses who have given evidence either against or for you at the enquiry will be free from molestation, and this injunction will, I trust, be strictly observed by you, as I believe the undertaking to the same effect will be observed by the Government of the South African Republic.

What has occurred during the last few months has been the most serious crisis of your life, and I hope it will prove a warning to you and your people. Remember this—Though I, or whoever may be the Queen's representative in this country, will always be ready and glad to assist you and your people when you have right on your side and when the Convention allows us to do so, such acts as killing off and eating up will not be defended by us, and should you and your Council disregard the warning you have had, and again get into trouble on a matter such as the death of Mbaba, you may find yourselves in a different position to the one in which you stand to-day. Understand me clearly, I don't say who is guilty of the death of Mbaba. The two Governments must decide the question, but I say that whether you or your Council are responsible, such acts must not be repeated.

I am glad to see how well you are looking. Whatever you may believe to be the cause of your improvement in health, I will tell you what I think has had a good deal to do with it. You have stopped taking white men's drink, which is poison to a native. I want to give you advice on the subject. I say to you to-day, don't take it again, and forbid your people to take it. Don't think the white men who break the Convention and the laws of the country by supplying you with drink are your friends. They are your greatest enemies. They don't care about you. All they want is your money. Remember these words, not only whilst you are quietly waiting the decision of the two Governments, but when you are once more allowed your powers as Paramount Chief, exercise them in the way I have told you, and report to the Government and to me the names of the men who try to supply liquor to you and to your people, so that steps may be taken to prevent their doing so.

That is all I wish to say to you to-day, and I now wish you hamba kahle.

J. SMUTS,

British Consul.

September 24, 1898.

No. 52.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received November 19, 1898.)

SIR,

Government House, Cape Town, November 2, 1898.

IN continuation of my despatch of the 19th October,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,  
A. MILNER,  
Governor and High Commissioner.

\* No. 51.

## Enclosure 1 in No. 52.

From HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

SIR, British Consulate, Swaziland, October 12, 1898.

In accordance with the instructions contained in Your Excellency's telegram of 8th instant, I have the honour to enclose for Your Excellency's information a memorandum on the evidence taken at the recent enquiry into the circumstances of the deaths of Mbaba and his servants.

As my notes were forwarded to Your Excellency at the conclusion of the enquiry, the information contained in this memorandum is based upon personal recollection and reports in the local newspaper of portions of the evidence.

I have, &c.,

His Excellency  
The High Commissioner,  
Cape Town.

J. SMUTS,  
Her Majesty's Consul.

MEMORANDUM on Evidence at Enquiry before the Landdrost for Swaziland into the circumstances of the deaths of Mbaba, Mpanzana, and Lomandaba at Zomboti kraal on the night of 9th April last. Written by direction of His Excellency the High Commissioner.

The main points in the evidence led by Mr. Esselen were:—

- (1) The messages sent by the Queen and Ngwani.
- (2) The firing of Mbaba's hut by Ngwani himself.
- (3) The stabbing of Mpanzana by Ngwani.
- (4) Details of the killing of the three men.
- (5) The mutilation of the bodies of Mpanzana and Lomandaba by Ngwani's orders.

The defence was:—

- (1) That Ngwani, having not yet attained the kingship, was not consulted by the Council when they resolved upon the death of Mbaba, who was killed according to Swazi law and customs for offences punishable by death alone.
- (2) That Ngwani did not order or take part in the killing of Mbaba or his servants.
- (3) Evidence was also led to rebut certain statements made by Ganda, and a diagram of Zomboti kraal was put in to controvert the depositions of certain witnesses for the State.

As for the messages: There is no conflict of testimony as to the first message, *i.e.*, the one sent on the 10th April respecting the accident, and I have no doubt whatever that that message was sent by the Queen and not by Ngwani. Whether Ngwani was wholly ignorant of it, as stated by native witnesses, it is hard to say, but, at all events, their testimony was not controverted, and I am clear that the message was the Queen's, who undoubtedly was alarmed at what had occurred, and wished to put it in a favourable light. Then we have the supplementary message on that day to Mr. Meintjes. I don't doubt that Mr. Mordaunt did tell Mr. Meintjes that the King had "scragged" Mbaba, and that the Queen was in fear of her own life, but I feel sure that was not part of the message he was sent to deliver jointly with Mbhili and Alpheus. The messengers, including Mr. Mordaunt, delivered their message at Mr. Krogh's residence, and Mr. Mordaunt then wished to tell Mr. Krogh something more, but feared his being overheard by the natives. Mr. Krogh accordingly referred him to Mr. Meintjes, to whom he gave his private version of the state of affairs.

As to the second message, there was a divergence of testimony as to the terms. It was recorded by the Special Commissioner's Secretary as "He (Bunu) was the cause of the murder of Mbaba, and he will explain later." The native witnesses declare that the message was, "He (Bunu) knows about the death of Mbaba, and will explain later." Alpheus, who was clear on this point when first examined, wavered considerably on this and other matters when recalled at the opening of the case for the defence, and it seemed to me that his memory had been refreshed during the interval. I believe that the message was either that Bunu had sanctioned, ordered, or was responsible for the death of Mbaba, or rather the killing of Mbaba. The word "murder" was, I am convinced, a mistranslation of the Swazi word "bolala," meaning killing as well as murder, for I am sure Bunu never regarded the act as a murder. "Bolala" is a likely word to have been used by the messengers.

A third message from Bunu, inviting the Special Commissioner to come to Zomboti to see Mbaba's successor appointed, and to hear of Mbaba's misdeeds, was clearly substantiated, as also was the Paramount Chief's attitude with regard to the message sent by his mother. He was much annoyed at his mother having sent a false message, and directed that the Council, who he held responsible for Mbaba's death, should acknowledge their act to the Special Commissioner. The Chief's attitude is certainly not brought out in his message to Mr. Krogh, but it is a reasonable inference that it would have been in the explanation he offered to give, and had Mr. Krogh accepted his invitation to come to Zomboti. The responsibility of the Council was alleged on the first occasion that Ngwani and members of Council met Mr. Krogh.

Upon the point of Ngwani having personally fired Mbaba's hut, there is only the evidence of Umvundeni, whose testimony as to circumstances was considerably shaken in cross-examination, and whose story was in conflict with the early portion of Ganda's cross-examination as to the actual occurrences. Umvundeni's story is, moreover, an unlikely one. Supposing the death of Mbaba was a murder perpetrated by Ngwani and the four men who are admitted to have actually done the deed, it is highly improbable that the Paramount Chief would have gone alone from his quarters to Mbaba's in order to set fire to the hut, a duty which he could easily have ordered one of the four men to perform; or that, having personally done so, he would have at once left the scene without waiting to see whether the ruse had a successful result. I confess I don't believe that part of Umvundeni's story.

Tutoyana and others describe portions of the occurrences at Zomboti on the 9th April, but, with the exception of Ganda, no one directly connects Ngwani with them. It was evident that considerable influence had been brought to bear upon Ganda to induce him to tell his story, and I have no doubt he lies when he says nobody spoke to him upon the subject, but nothing was elicited to show that he had been in any way suborned. He is a remarkably intelligent child of apparently 8 years of age, and kept perfectly calm and self-possessed during the long and vigorous cross-examination. In the early part of his cross-examination he stated that the King and he went to the grass outside the kraal some time after sunset, and that it was from there he saw the fire at Mbaba's hut, which another witness says took place about nine o'clock. If that be so, then Umvundeni's story of the King having fired the hut falls to the ground. Ganda, however, subsequently declared the King and he went to the grass after the Mbaba affair was over, that he watched the killing of Mbaba from a mound or anthep, and that Bunu was present. Umvundeni swears, however, that Bunu returned to his own quarters after firing the hut, that he did not see him when Mbaba was being killed, but saw him and Ganda subsequently near the gate of the kraal, after Mpanzana had been brought there, and that Ganda stabbed Mpanzana. This is a corroboration of one point in Ganda's story. There is, however, no corroboration of the King having ordered him to stab Mpanzana or of having himself done so. In view of the fact that every Swazi is anxious to stab a tagati even after his death, it is not unlikely that Ganda stabbed of his own accord. Ganda then tells of his sitting all night in the grass with the King; but against that we have the testimony of Alpheus and, I think, of another witness, that the King was present when Mbaba's boxes were being examined. Nothing appears to have been done in the grass; the King had no reason to fear anything at the kraal, then why should he sit in the grass for about six hours of the night. My opinion is that there is a stratum of truth in Ganda's evidence. I believe he did arrive on the scene whilst the killing of Mbaba or his servants was going on, and that it is likely he subsequently stabbed Mpanzana, though we have the evidence of Ganda's father (Hulumeni) that he was in his hut all night. A likely reconciliation of these two statements is that Ganda was asleep when the Mbaba hut fire occurred, and that both he and his father went out to see what was going on, that they both returned later on, and slept for the rest of the night in Hulumeni's hut. But this theory would not enable me to believe that Ganda saw Mbaba struck, for it is admitted that occurred very soon after the hut had been set alight. It is, of course, possible that Ganda arrived in time to see it.

I now come to Ganda's mutilation story. This is wholly uncorroborated, and, moreover, most unlikely. Ganda himself made an important variation in the course of cross-examination. At first he stated that he and others had fetched the head of Lomandaba and the bones of Mpanzaza early in the morning, but later on he says he was sent for Mpanzana's bones about midday. It is an undisputed fact, and was proved by witnesses for the defence, that mutilation of bodies is not practised by the Swazis, and that such acts are held in abhorrence by them. Even supposing for the sake of argu-

ment that the King ordered the deaths of Mbaba and his servants, and went so far as to take part in the deed, I think it most improbable that on the following day, many hours after the occurrence, when he had had time for reflection, and when the people of the kraal were on the qui vive, and would naturally have got to know of what was taking place, he would have ordered and participated in an act which would be held in abhorrence by the nation. It is also strange that during Ganda's examination in chief, the witness should have forgotten to mention and Mr. Esselen have forgotten to ask anything about this mutilation story. I certainly don't believe that portion of Ganda's story.

The Queen, Mhlaba, Zibokwana, and Mbhili testified as to the status of Ngwani. It appeared that, though he is saluted as "byite," he is not yet fully King, not having had his royal kraal pointed out by the nation. This is true, and it is noticeable that the Indunas still frequently speak of Ngwani as Umtwana—the child. The evidence went to show that reports had been received, and that everyone could see that the King was wasting away. The Incwala ornament—the equivalent to a crown—had been lost, and Umvulana, a member of the royal family, had been taken ill at Zomboti kraal, and died shortly afterwards. "Smelling-out" was then resorted to, and the doctors pointed out Mbaba as the culprit. He had personally confessed to losing the Incwala ornament. Mbaba is alleged to have called up the Council which discussed the reports of the witch doctors, but that I don't believe. What I do think happened was that Councilors were called up to discuss the hut-tax question, and that Mbaba's alleged crimes were then talked over, for he was no doubt suspected before the smelling out, on account of the loss of the Incwala ornament. The smelling out reports were subsequently received at Zomboti, and upon those reports Mbaba's fate was sealed. It was also alleged in evidence that Ngwani was not told of what was going on, but that the Queen was informed of the intention of the Council to consult witch doctors, and subsequently that Mbaba had been found to be the guilty person, and would have to die. The Queen admits the first intimation, but denies the second. Whilst I admit that Ngwani is not fully King according to native laws and customs, I don't believe that he was never told of any of the proceedings which ended in the death of Mbaba, though no evidence was led in support of my view. I think it much more likely that he was told, and allowed the Council to proceed with their enquiries, very much in the same way as the Queen did, who said to the Council it was their business to investigate the matter. Whilst I doubt whether the whole Council, as alleged, took part in the investigation, I do believe that several of the principal members did so, that others were informed of the result, and that they acquiesced in it. Further, that the Queen was not consulted as to the actual carrying out of the sentence, probably because Mbaba was her Induna, and known to be a favourite of hers. There are certainly discrepancies in the evidence as to the part taken by the Council in the ordering of Mbaba's death, and I believe that some of the statements made are false, but the impression left upon my mind was that, at all events, some of the royalties and leading men of the Council had resolved upon Mbaba's death, and that their act met with the approval of many others.

Mhlaba describes how he was deputed to instruct Mhlushwa to carry out the sentence, and how the latter subsequently reported what had been done. Certain portions of his evidence as to the King being told only the next day are, in my opinion, untrustworthy, but the main points stand uncontradicted.

Mhlushwa's evidence made a great impression upon me; he was the clearest and most straightforward of all the native witnesses examined at the enquiry, and, with one exception, his answers bore the appearance of being the truth. The exception was with reference to who actually killed one of the servants. He kept on saying "All four of us," and I came to the conclusion that he did not really know.

There is also the evidence of Umslipesa and Mshata, who deny certain statements made by Ganda. I believe the former, but Mshata's cross-examination brought out so improbable a story that his examination in chief loses weight.

Ganda's father swears to an alibi respecting the child, but I cannot say I wholly believe him, and think the explanation I have given in the earlier part of this report probably represents the truth.

Mr. Jorissen's diagram is of interest and importance, and controverts certain of the statements made by Ganda and Umvundeni.

The conclusions to which I have come upon the evidence are:—

That some royalties and influential members of the Council investigated the cause of the King's illness and of the death of Umvulana by consulting witch doctors, a

recognised practice in Swaziland under native laws and customs, and one firmly believed in by the people, and that their action met with the approval of other members.

That Mbaba had admitted losing the Incwala ornament, which is highly esteemed by the Swazi nation.

That the Queen and Mbaba, and probably the King as well, knew these investigations were to be made.

That the results of the smelling out pointed to Mbaba as the culprit.

That his case was then discussed without his knowledge.

That death is the punishment under Swazi law for the crimes of which Mbaba was found guilty.

That under the Swazi law servants or relations of a "tagati" who assist him in his evil practices suffer a similar penalty.

That no personal spite on the part of Ngwani against Mbaba was proved.

That though it seems likely that Ngwani heard of the result of the smelling out, his knowledge was not proved, nor was there any proof whatever of his having actually ordered or assented to the death of Mbaba.

That Ngwani did not personally fire Mbaba's hut, and that it has not been sufficiently clearly shown that he stabbed Mpanzana, though I believe that he was present at the latter part of the occurrences connected with the deaths of the three men. That the bodies were not mutilated, but were disposed of as stated by Mshlushwa,

And that Ngwani is not individually guilty of the "murder" of Mbaba and his servants, in view of the rights which the Swazis considered they had under their laws, the judgments of the High Court in Swazi and Swazi cases, and the part taken by members of the Swazi Council in the deed, though I do not believe that Ngwani was wholly ignorant of the steps contemplated.

Under the above circumstances, I consider that had the recent proceedings been a criminal trial, the jury would have been bound to find Ngwani not guilty.

J. SMUTS,

Her Majesty's Consul.

11th October, 1898.

Enclosure 2 in No. 52.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

(Extract.)

Her Majesty's Agency, Pretoria, October 18, 1898.

WITH reference to my despatch of September 12th, I have the honour to transmit to Your Excellency herewith a translation of a note which I to-day received from the State Secretary, on the subject of the preliminary enquiry lately held at Bremersdorp into the charges against the Swazi Paramount Chief of murdering the Induna Mbaba and his two servants, on April 9th last.

The State Secretary encloses the official notes taken by the presiding Landdrost at the enquiry, as well as the report which the State Attorney has furnished to his Government on the result of the enquiry.

The Government now inform me that they agree with the view expressed in the report of the State Attorney, that Bunu is not only shown to be guilty of the above charge, but of having, as Paramount Chief of the Swazis, permitted such acts, without doing anything to prevent them. They therefore consider that the Paramount Chief should be fined on both grounds, and submit the question of the amount of such fines to Your Excellency.

(Translation.)

SIR,

Government Offices, Pretoria, October 18, 1898.

I HAVE the honour to enclose herewith, for transmission to His Excellency the High Commissioner, (a) a copy of the notes\* in the preliminary enquiry in the case of the State versus Ungwane, alias Uhili, alias Ubunu, regarding the murder committed on Mbaba and on his two followers, Umbangaan and Lomandaba; (b) a report on this case by the State Attorney.

\* Not printed.

As His Excellency will perceive from this report, the State Attorney is of opinion that Bunu is guilty, not only of the murder of Mbaba and of his two followers, but also of having, as Paramount Chief of the Swazi Nation, permitted such disorder and atrocities, without having done anything to prevent them.

This Government entirely concurs in this opinion of the State Attorney, and considers further that Bunu should be fined on both grounds.

Seeing that this Government has agreed with His Excellency to take into consideration, before imposing the fines, any friendly suggestions from His Excellency, the Government would now be glad to receive His Excellency's suggestions with regard to the amount of the fine.

I have, &c.,  
F. W. RERTZ,  
State Secretary.

Edmund Fraser, Esq.;  
&c., &c., &c.,  
Her Majesty's Acting Agent,  
Pretoria.

(Translation.)

REPORT on the Preliminary Enquiry in the case of the State v. Ungwani, alias Uhili, alias Ubunu.

In this case the notes of the preliminary enquiry have been referred by the Government to me for report, and I have the following remarks and observations to make:—

The State has attempted to prove that Bunu was guilty of the murder of the Swazi captain Umbaba and his two followers, Umbanzaan and Lomandaba. The evidence of importance produced by the State is as follows:—1st. Evidence of a message sent by Bunu on April 19, 1898, to the Special Commissioner of Swaziland by the mouth of Bili, and interpreted by Alpheus Nkosi, in the presence of Cleopas Kunene, to the Special Commissioner. According to the notes of this message, Bunu had said that "he, the Paramount Chief, was the cause of Umbaba's murder." The Special Commissioner, as well as Cleopas Kunene, maintain that these were the words of the message, that the notes of it were read over and were approved by Bili and Alpheus, but that these persons refused to sign them on the ground that Bunu would come himself to explain the matter further. It is difficult to see what reason the Special Commissioner can have had to have intentionally written down a message incorrectly. It is less difficult to accept that a misunderstanding may have arisen through the interpretation, but even then it must not be forgotten that the written message was reinterpreted, and that the messengers, as they themselves could not deny, made no remark against its correctness. I see, therefore, no reason to doubt the genuineness of the message as written down by the Special Commissioner. (2) Evidence of eye-witnesses. With reference to this evidence, it, in the first place, appears that the general knowledge that Bunu would be restored to his position as Paramount Chief has exercised a very prejudicial influence on the evidence for the State. It is known to the Government that Swazis who, according to their sworn declarations sent in to me, were eye-witnesses of the murder and Bunu's complicity in it, had to take refuge in allegations of a deep and undisturbed sleep when they had to give evidence in presence of their Paramount Chief in the Court. This, it may be said incidentally, should be considered in judging the evidence as a whole.

With reference to the particular eye-witnesses, we have, in the first place, the evidence of Umfandien, who maintained not only that Bunu was present that evening at the murder, but had himself actually set fire to the hut of Umbaba. He was, on that evening, in a hut next to that of Umbaba, and coming out for a reason which he gave, he caught Bunu in the act; further, he saw little Ganda stab Umbanzaan to death. He refused to withdraw from these declarations. His evidence, which in my judgment was not shaken, is of all the more importance because that evening he was in the immediate neighbourhood of Umbaba's hut, and was thus in a position to see what other witnesses who were elsewhere could not have seen. Then follows the evidence of young Ganda, in whose childish mouth the voice of truth has indisputably spoken in this matter. Too young to comprehend the dangers which his evidence might draw upon him, or to have any interest in the matter, he made a declaration which throws a bright

light on the miserable occurrences of that night. His evidence is calculated to make a deep impression on every unprejudiced mind. He is just the kind of witness whom a jurymen is ready to believe when there is, as in this case, much contradiction. Nowhere in his evidence did he hesitate; in his cross-examination of some days long his credibility remained not only undamaged, but was always further increased. As generally is the case with all witnesses who give true evidence about things of which they were spectators, he went all the deeper into all particulars of the murder the more he was cross-examined, and this without contradicting himself in any way. The advocate for the defence attempted to make out that Ganda's evidence was put into his mouth by Mr. Botha, with whom Ganda had lived since the murder. But this view must be rejected, not only because in such a case it would have been easy enough to make Ganda contradict himself, but especially because the particulars of Ganda's story could not possibly have been inculcated on him by anyone who was not himself an eye-witness of what occurred on that night at Somboti. The particulars of Ganda's history are so extraordinary that no white man would ever have dreamed of them. And as a further point of great interest, it should be observed that these particulars were not elicited by questions for the State, but by the cross-examination. If Ganda had learned this wonderful history from Botha, or even had only told it to Botha, then Botha would certainly have communicated it to the State Attorney, and he would have elicited the particulars by his questions. The fact that Mr. Sauer brought out these particulars clearly proves that the State Attorney was unacquainted with them.

It further appears that Ganda was employed in a similar way by Bunu on other occasions; for instance, the murder of Silomo in a similar fashion, and in this he is supported by Njangaan, whose declaration was in my hands long before Ganda ever came to Botha. Further, Ganda's evidence is supported by Umfandien as regards the killing of Umbanzaan.

I come, therefore, to the conclusion that Ganda has very probably spoken the truth, and that his evidence deserves to be preferred to that of others, who did not dare, as he did, to enter into all particulars, and who certainly were inspired by fear for the Paramount Chief.

The case for the State rests on this evidence. On the other side, in the first place an attempt was made to prove that Umbaba's death was legitimately decided upon by the Council without the knowledge of Bunu or his mother. Here, however, it should be observed that although Bunu and Lebetsebeni were not present in the Council when the resolution to murder was taken, they still could have got knowledge of it. That they did have such knowledge appears from the following facts:—(1) That as various witnesses have stated, Bunu came over from Mapondweni to Somboti the very day before the murder. That may be mere accident, but it is, however, remarkable, especially in connection with the following point: (2) That Bunu's body guard took a principal, if not the only, part in the disturbance of that evening. It is difficult to believe that he was sunk in a deep sleep while all this occurred in his neighbourhood. (3) That Bunu the night of the murder took a particular interest in Umbaba. As one witness said, Bunu sent him to Umbaba to borrow £5, while he sent another to call Umbaba with reference to certain boxes. (4) That Lebetsebeni on that evening, although she now pretends that she knew nothing of the intended murder, was, nevertheless, according to Bunu's own witnesses, much upset, and walked backwards and forwards before she knew what had happened. It is also admitted that she knew that Umbaba had been smelt out.

I come, therefore, to the conclusion that Bunu, as well as his mother, had more than a suspicion of what was to happen on that remarkable night.

Further, the defence attempted to prove that Bunu was sleeping in another part of the Somboti kraal that night whilst all this occurred. I must, however, openly confess that I believe nothing of all this deep and peaceful sleep in the midst of that tumult and disturbance. The assertion of some witnesses that Bunu or they themselves slept soundly on that night has too much resemblance to a clumsy subterfuge. For the kraal was small, and was being destroyed by a fierce fire, while there was a frightful noise going on. The supposition that anyone who was not distinctly intoxicated could have slept in the midst of all this cannot hold water for a moment.

As regards the assertion of some witnesses that while the fire was raging Bunu and Lebetsebeni were carrying on a dialogue in another part of the kraal, that is certainly not inconsistent with Umfandeni's evidence. He can very well have set fire to the hut, and then have returned and left the work to others. I also get this impression from Ganda's evidence.

On the whole matter I come to the conclusion that Ganda spoke the plain truth, and that Bunu was therefore directly guilty of the murder of Umbaba. And even though a jury might hesitate to give a verdict which would entail the death sentence, still there can be no difficulty here, where it was agreed that only a fine shall be imposed. In any case, there is no question here of hanging a person, but only of taking such measures as will put an end to administrative disorder and terrorism.

But even independently of the question whether Bunu was directly implicated in the murder of Umbaba and his followers, there can be no difficulty in imposing a fine. Bunu is Paramount Chief of the Swazis beyond all doubt. It is admitted that the death of Umbaba was determined on by the Council in conflict with all civilised laws, because Umbaba had bewitched the King. It is further admitted that the night of the murder Bunu himself was present at Somboti, and that his personal guard took a prominent part in the disturbance and the murder. In these circumstances, this Government, in the exercise of its right of administration in Swaziland, is not only justified, but even bound, to impose a fine on Bunu in his capacity as Paramount Chief, in order to make known its disapproval of such outrages, and to animate the Paramount Chief to more attentive consideration of his duties as such.

I should therefore advise the Government on both the aforesaid grounds to impose a fine, to be fixed later by the Government.

J. C. SMUTS,  
State Attorney.

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Enclosure 3 in No. 52.

From HER MAJESTY'S ACTING AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR, Her Majesty's Agency, Pretoria, October 19, 1898.

I HAVE the honour to enclose herewith a report on the case of his client, the Swazi Paramount Chief, which has been drawn up by Mr. Advocate Sauer, according to Your Excellency's wishes.

I have, &c.,  
EDMUND FRASER.

His Excellency

Sir Alfred Milner, G.C.M.G., K.C.B.,  
&c., &c., &c.

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*In re* the Examination into the Circumstances of the Death of Umbaba and his Servants.

In this matter, which was enquired into according to an arrangement arrived at by the two Governments, Mr. Esselen appeared on behalf of the South African Republic, and I on behalf of the Paramount Chief.

Before proceeding to a consideration of the evidence itself, I have to draw attention to the nature and scope of the enquiry itself. It was, as I conceived it, an enquiry into the circumstances of the death of Umbaba, the Prime Minister of Swaziland, and the complicity of the Paramount Chief therein, and not, as was attempted to let appear, a preliminary examination in the Landdrost Court into a charge of murder against the Paramount Chief. For, not recognising the jurisdiction of the European Courts in native cases, the submission of the Paramount Chief to this enquiry was a purely voluntary act, and based on the assurance of His Excellency the High Commissioner, and concurred in and accepted by the Government of the South African Republic; thus the scope of the enquiry was confined to one special issue as mentioned above, and therefore I formally protested against the admission of all evidence other than that which related to the proper elucidation of the question, "the culpability of the Paramount Chief in regard to the death of Umbaba. Consequently, I will not discuss or consider the evidence of the witnesses who testified to matters outside the fair scope of the enquiry.

Now, in order to establish the guilt of the Paramount Chief, the whole of the evidence led by Mr. Esselen was directed to prove one thing, and that alone, "That the Paramount Chief had been personally guilty of a foul murder, and had actually by deed and presence participated in a low and bloodthirsty atrocity." In support of this contention, he called some fourteen witnesses, of which Mr. Krogh, Commandant Botha, Cl. Kunene, Mr. Meintjes, Mr. Koevort, were only able to testify to matters not pertinent

to the issue, and which in no way could be of any use in determining the real question of the actual participation of the Paramount Chief in the acts of the 9th of April committed at the Zomboti Kraal.

Thus, to prove the contention of the Counsel for the Government of the South African Republic remains Ganda and Mfandine (Umfundaine), Lotigiter, Sibaya, Tuloyaan (Telaoetgaan), Janjaan, and Umluosi, Alpheus and Bili, and of these the first two only testify to the presence of the King during the commission of the acts complained of.

Upon the evidence of Ganda, a child of less than ten years, and Umfundine the whole charge rests.

Now with reference to the versions of Ganda and Umfundine, they are unsupported by any of the other witnesses in so far as the presence of the Paramount Chief or his share in the misdeed is concerned. Taeloejaan (Tulayaan) states he did not see the King during the occurrence, nor Sibaya nor Lotigitei nor Umlaosi, who all were present that evening in the kraal, and saw a portion or most of the occurrence, and as for the remaining witnesses, Ganjaan could only declare to things beyond the scope of the enquiry, and his evidence relates in no way to the events of the 9th April, and as for Alpheus, he did not see the King about the kraal, but, on the contrary, declared he was in his own private quarters; and Bili did not support Mr. Esselen's contention either, for he, a witness of Mr. Esselen, declared on the contrary that the Paramount Chief had no knowledge of the occurrence, and that it was the act of the Council. Thus we are forced back to the evidence of Ganda and Umfundine, and the first observation to be made is that the only two eye-witnesses, besides Toetajaan, who says he did not see the King that night, contradict one another in their versions. Ganda says the King was in his hut when the fire started, and when Umbaba was killed, and that only subsequently the King called him, and participated in the killing of Mpanzaan and Lomandaba. In the face of this, Umfundine states that the Paramount Chief came and set the hut on fire himself, and that the King did not personally commit any act against the persons killed, except that he ordered Ganda to stab Umpanzaan. Ganda stated again that Umpanzaan was brought bound to the King, and then Mchata stabbed him, then he (Ganda), and the Paramount Chief. Umfundini on this point says Umpanzaan was already dead when he was brought, and that only Ganda stabbed him.

Moreover, the evidence of each of these witnesses is so contradictory, Umfundini stated firstly that the King alone went and lighted the hut, afterwards that he went with Ganda; then, again, he denied that he had seen Ganda at all. Then Ganda stated that he saw the proceedings from the King's hut, afterwards that he saw it from the grass outside the kraal. On reference to his evidence it will appear how frequent the contradictions are in his statements, and this, with the fact that he is unsupported by any other witness whatever, makes his story most incredible. For upon the only facts which he swore to, capable of direct disproof, namely, the positions from which he watched the events of that evening, he has been shown to be absolutely at sea by the diagram of Mr. Jorissen, a Transvaal Government surveyor. Mr. Jorissen, by a careful survey of the kraal and indication of the lines of vision, demonstrated most clearly (and his evidence is uncontradicted, not even contested) that it was a physical impossibility for either Ganda or Umfundini to have seen the events described by them from the positions they said they occupied. Besides this, no other witness supports Ganda when he states he was present watching the events, and both he and Umfundini, as will appear from the diagram, were such distances off from the scene of the occurrence, that it was most unlikely that at 11 p.m. anyone could distinguish what was going on beyond 20 or 30 yards. Then, lastly, the cross-examination of Ganda shows strongly the suspicious circumstances under which his evidence was given, his candid admission of living with white men now, "where I get everything nice, swell clothes and food," and that a horse had been promised him by Commandant Botha, which, however, Commandant Botha denied. Now, the other evidence of Mr. Esselen did not directly bear on the presence of or taking participation of the King in the events of the 9th April, but, on the contrary, if they did testify to anything, it was to these two negations that neither Sibaya, Potgieter, Nkosi, Alpheus, nor Bili, who were at the kraal, and saw some or all of the events of that evening, did see either Ganda and Umfundine on the one hand or the King on the other hand.

This, then, was the only case raised by Mr. Esselen—the personal misdeed of the Paramount Chief, his presence at, and his participation in, a brutal atrocity. To prove this he submits the contradictory evidence of a child and Umfundine, who are un-

ported by any of his other witnesses. This issue I met by direct evidence of a contradictory nature, and also by establishing a different series of facts—a political execution as the act of the Council, which would, if proved, exclude the possibility of the contention of the South African Republic being acceptable.

In the first place, *re* Ganda's and Umfandine's evidence, I have already adverted to the important contradiction supplied by the diagram and evidence of Mr. Jorissen; then Ganda stated that the Paramount Chief forbade him, in the presence of Mslipesa and Umchata, to speak about the death of Mbaba. I called both these witnesses, who denied having seen Ganda after that night, when they left the Zomboti Kraal, or that such a conversation ever took place. Ganda further swore that he sat up with the King the whole night, and after daybreak went to the river. His own father declared that Ganda was not well, and was sleeping in his father's hut the whole night, and that he nursed him and for many days afterwards, and that he did not leave the Zomboti Kraal a couple of days afterwards with the Paramount Chief, as he (Ganda) had stated in his evidence, for he left only about a month afterwards, and got immediately into the hands of officials of the South African Republic. Ganda also stated that during the early morning, after he, the Paramount Chief, and many of the young regiments were sitting outside the kraal in the grass, he was sent by the King with another to cut off the head of Lomandaba, and to cut off the arms of Umpanzaan. Now the other *person* was not called to corroborate Ganda on this point, and several witnesses, as well of Mr. Esselen's as mine, stated that they were about the kraal, and saw no mutilated bodies that evening or morning, and, besides, all the leading men, as the Chiefs Sibokwaan and Umslaba, as well as other witnesses of Mr. Esselen's, admitted the great horror the Swazis have of the dead, and that mutilation, even in cases of witchcraft, was unknown, and that, according to Swazi laws and practices, it would be pregnant of great ill for the Paramount Chief to see the dead, or even to associate with a murderer, until he has been purified by washing and medicines, and that if such a thing had happened, it would have become known and been notorious and a public matter; but the first mention of it was by Ganda, who, as usual, was not supported or corroborated on this allegation by one single witness. Moreover, Umshushwa, the head Captain of the Mhlavela regiment, declared that he, with three other soldiers, had received the order per Umslaba, on behalf of the Council, to kill Umbaba and his two servants, and that they did so, and buried the bodies immediately.

I must also point out that, though hundreds of eye-witnesses could have been brought to testify, according to Ganda and Umfandine, that their story was true, that no corroborative evidence at all was forthcoming.

Thus, this having to be adjudicated upon as an ordinary case for a jury, I think in the face of the improbability of the contradictions in the two versions of Ganda and Umfandine, unsupported in any way, and each varying so materially the one from the other, that it is impossible to reconcile them as describing one and the same series of facts. I maintain that on the evidence of the accusers not a sufficient case has been made to obtain a conviction, much less so when the direct evidence I have led is taken into consideration, more especially the complete contradictions afforded by the diagram and also the evidence of Umslipeza, Mchata, and Ganda's father. But, beyond this, I have led evidence to prove the absolute innocence of the Paramount Chief, and I submit that this evidence has not been shaken or contradicted, and must therefore be accepted, for, besides showing his non-complicity in it, I have also shown how, why, and by whom, it was done, namely, by the Swazi Council, after due enquiry according to Swazi law and custom, and upon serious charges, *viz.*, the attempting to kill the Paramount Chief, and having caused the loss of the Royal Crown, of which Umbaba was the legal custodian.

I venture to say no one can peruse this portion of the evidence, and not feel satisfied of its truth, for the acts of the Council and the nation and other public matters were testified to by a considerable number of witnesses—the Queen Regent and members of the Council—who had nothing to fear, and they declared that it was the act of the Council, a public execution according to law, and that the last penalty of the law was inflicted by their officers at their instance, and I called those officers to corroborate and confirm this, and thus, if this view of what really occurred is accepted, how for a moment can one entertain a doubt of Bunu's innocence, for where could have been his motive to do away with Umbaba, for it was proven, even by Mr. Esselen's own witnesses, that Bunu and Umbaba were good friends and well disposed to one another, and the King took no share in the Government of the country, and no personal feeling or political jealousy

could have animated him. All the evidence relating to this view of the case was unshaken and uncontradicted, and not one witness upon these matters, in spite of severe cross-examination, was at all shaken. This, then, is the Swazi view: that it was the act of the Council according to Swazi law and custom, after a fair enquiry by the Council upon serious charges, and that after proper consideration of the matter, the judgment was given by the competent authority, and the penalty inflicted by its order.

The evidence also tended to show, which is the contention of the Paramount Chief, that personally, as he had no royal wife yet, and as no male child has been born, and as his kraal had not been "pointed" out by the nation yet, he left the administration of the affairs to the Queen Regent and the Council, and this happened without his knowledge and cognizance; and when he learnt the truth he immediately informed the Special Commissioner and offered to explain everything.

The Council also claim that they were entitled to act as they did, and try the case themselves, because they feared that their king would die, and they feared and remembered the reproaches of "Paul" (the President of the South African Republic) to their messenger, Mashobaan, that he had lived to see four Swazi Kings, and they must not kill their King, but let him get old like him, and that they remembered the words of Joubert (the Commander-General) at the Embabaan with General Smit, and again of the Commandant-General at the Sukanini kraal, "We will try our own cases, and your Swazi cases belong to the Zomboti kraal," and that these words were made true by the decision of the highest white court, which declared to possess no jurisdiction in Swazi matters. These considerations prompted them to act.

Thus the Paramount Chief submits that personally he has been guilty of no atrocity, that the killing of Mbaba was the act of the Council, in exercise of its functions, and without his knowledge, and consequently he is free from all blame, and did not cause the Transvaal Government to incur any expense or cost which he is bound to reimburse, and before he can be fined, it can be done only in conjunction with His Excellency the High Commissioner, and only after he has been found to have been culpable, either personally or in his administration. He claims that it is all false as far as he is personally concerned, and that, under all the circumstances, it was the only course open to the Swazi Council, the one they pursued. He therefore claims a complete acquittal.

H. W. SAUER.

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Enclosure 4 in No. 52.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S ACTING AGENT, Pretoria.

TELEGRAM.

27th October, 1898. With reference to note of State Secretary, dated October 18th, enclosing copy of report of State Attorney on the enquiry, I desire you to inform the Government of the South African Republic that I have read with extreme surprise the conclusion at which the Government has arrived, that Bunu is guilty of the murder of Mbaba and his servants. Having carefully read through the whole of the proceedings in notes furnished me by British Consul, which are substantially in accordance with official notes received yesterday, before I saw any comment on them from either side, I had come to a precisely opposite conclusion, viz., that, though the affair is shrouded in mystery, the evidence entirely fails to fix upon Bunu direct responsibility for this crime. The arguments of State Attorney, which I have read carefully, but which on many points appear to me to admit of conclusive answer, while they ignore some of the strongest points for defence, have not shaken my opinion. This being so, while regretting difference of opinion, I must state at once that I am totally unable to agree to any course implying that Bunu is guilty of murder of Mbaba. At same time I agree to a great extent with what State Attorney says in last paragraph of his report, and think that a fine ought to be inflicted on Bunu, because he, as Paramount Chief, must be held to some extent responsible for the barbarous practices revealed by enquiry, and that such fine should be substantial in amount. My proposal is that the imposition of this fine should be communicated to Paramount Chief and Council by Special Commissioner and British Consul, and that they should each inform them that both Governments have agreed on fine, because they are both satisfied that Bunu, as Paramount Chief, cannot be held free from blame for continuance of barbarous practices of smelling out and killing off, which Government South African Republic, with full concurrence of Her Majesty's Government, is determined to put a stop to. They should be informed

at the same time that Bunu is now reinstated in all the powers of Paramount Chief, but that they must clearly understand that the Government can recognise no divided responsibility. Paramount Chief is fully responsible for the good conduct of the Swazis as a nation and no excuses for him can be admitted, such as that he is not yet of age or not fully installed as Paramount Chief according to Swazi custom. His duty is to do all in his power to prevent acts like killing of Mbaba, and, if they occur despite his efforts, to report at once to Government, and help in bringing offenders to justice. Not only will perpetrators of such acts be liable to trial by High Court and punishment of death if found guilty, but Paramount Chief himself will incur displeasure of both Governments if he fails to do everything in his power to prevent them.

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No. 53.

HIGH COMMISSIONER COX to MR. CHAMBERLAIN.

(Received November 28, 1898.)

SIR,

Government House, Cape Town, November 9, 1898.

IN continuation of Sir A. Milner's despatch of the 2nd instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &c.,

GEORGE COX,

Major-General,

Administrator and Acting High Commissioner.

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Enclosure 1 in No. 53.

FROM HER MAJESTY'S CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

SIR,

British Consulate, Swaziland, October 25, 1898.

I HAVE the honour to transmit to Your Excellency copies of messages from the Special Commissioner and myself to the Queen Mother and Paramount Chief, calling upon them, and the Chiefs, Headmen, and Indunas of the Swazi Nation, to meet us at Bremersdorp on the 22nd instant, to hear the recent Protocol to the Convention of 1894 read and explained.

The meeting was held on the day fixed, when the following natives were present:—Paramount Chief, Queen Mother, Nococo, Sitosi (Paramount Chief's brother), Mbhili, Gija, Mkundhla, Mbozive, Masuka, Nkonkoni, Mtonga, Velakubi, Giba, Mslipesa (representing Makasana), Kobaka, Pethleni, Mseka (representing Liwonjana), Lozishina (representing Mgudulela), Dogwana (representing Mhlaba), Logofuza (representing Mbula), and a few attendants. As the men who should have attended number some hundreds, the meeting was wholly unrepresentative.

I enclose copies of the addresses delivered by the Special Commissioner and myself. After they had been read, the Queen said she has nothing to say. She is sorry the headmen are not all present, as expected. She will call them, and tell them of the messages received from the Governments.

I have, &c.,

J: SMUTS,

Her Majesty's Consul.

His Excellency

The High Commissioner,

Cape Town.

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MESSAGE of the SPECIAL COMMISSIONER FOR SWAZILAND to Labotsibene, Mother of Ungwani, alias Uhili, alias Uunu, and Nococo.

Office of the Special Commissioner for Swaziland,  
Bremersdorp, October 11, 1898.

The Government of the South African Republic and that of Her Britannic Majesty have found it necessary to add a Protocol to the Convention of the 10th December, 1894, regarding the jurisdiction of the Courts of Swaziland in criminal matters in which Swazi natives are alone concerned.

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\* No. 52.

This addition to the Convention is of the greatest importance for Swaziland, and deserves to be made known as clearly and as widely as possible to the Swazi natives and others.

You are therefore hereby charged to summon the great Swazi Council and all Headmen of the Swazi nation in Swaziland, to appear with them at my office on Thursday, 20th October, 1898, at 10 o'clock in the morning, according to agreement between the British Consul and myself, in order to hear that Protocol read, and to receive an explanation of it.

Although Ungwani, alias Uhili, alias Uunu, is suspended in his functions as Paramount Chief of the Swazis in Swaziland, his presence is also required on this occasion.

J. C. KROGH,  
Special Commissioner for Swaziland.

MESSAGE of the SPECIAL COMMISSIONER FOR SWAZILAND to Ungwani, alias Uhili, alias Uunu.

Office of the Special Commissioner for Swaziland,  
Bremersdorp, October 11, 1898.

The Government of the South African Republic and that of Her Britannic Majesty have found it necessary to add a Protocol to the Convention of the 10th December, 1894, regarding the jurisdiction of the Courts of Swaziland in criminal matters in which Swazi natives are alone concerned. In order to make known the contents thereof to the Swazi nation, your mother and Nococo have been directed by me to summon the great Swazi Council and all Headmen of the Swazi nation in Swaziland, to appear at my office on Thursday, the 20th October, 1898, at 10 o'clock in the morning, and I charge you herewith to use your support and influence for the purpose.

Although you are temporarily suspended in your capacity as Paramount Chief of the Swazis, you are now summoned by me to be present at the place, day, and hour aforesaid, so that you may also hear that Protocol read, and may receive an explanation of it.

J. C. KROGH,  
Special Commissioner for Swaziland.

MESSAGE FROM BRITISH CONSUL to QUEEN MOTHER.

British Consulate, Swaziland, October 11, 1898.

THE British Consul sends to inform the Queen Mother that Her Majesty's Government and the Government of the South African Republic have agreed upon a Protocol, or addition, to the Convention of 1894, whereby the trial of certain criminal cases between Swazi and Swazi will in future be regulated.

The Special Commissioner is requesting the Queen to summon the great Council of the Nation to meet him and the British Consul at Bremersdorp on Thursday, the 20th October, at 10 o'clock in the morning, when the Protocol will be read and explained.

As this Protocol is a matter of importance to all the Swazis, the British Consul hopes that the Queen will at once send out to summon the Council, and that every member of the Council will do his best to be present at the meeting.

The Paramount Chief's powers will be in abeyance at the date of the meeting, unless the Governments have before then decided on his case, but as the Protocol affects him also, the British Consul desires that he too should attend to hear the agreement to which the two Governments have come.

J. SMUTS,  
British Consul.

MESSAGE of the SPECIAL COMMISSIONER FOR SWAZILAND to Labotsibene, Mother of Uunu, and Nococo.

Office of the Special Commissioner for Swaziland,  
Bremersdorp, October 12, 1898.

MR. HOWE has brought me your message, asking that the meeting for making known the Protocol to you and Uunu and the Swazi Chiefs may be fixed on a later date than the day already fixed by me (20th October, 1898). I am convinced that

there was sufficient time for all the Swazi Chiefs to be present on the day appointed. As, however, one day has already been lost, I have, in consultation with His Honour the British Consul, decided to grant your request in so far as to fix the meeting herein referred to for Saturday, the 22nd October, 1898, at 10 o'clock in the morning.

I trust to see all the Headmen of Swaziland present on that day.

J. C. KROGH,  
Special Commissioner for Swaziland.

MESSAGE of the SPECIAL COMMISSIONER FOR SWAZILAND to Ungwani, alias Uhili, alias Ubunu.

Office of the Special Commissioner for Swaziland,  
Bremersdorp, October 12, 1898.

MR. HOWE has brought me your message, asking that the meeting for making known the Protocol to you and your mother and Nococo and the Swazi Chiefs may be fixed on a later date than the day already fixed by me (20th October, 1898). I am convinced that there was sufficient time for all the Swazi Chiefs to be present on the day appointed. As, however, one day has already been lost, I have, in consultation with His Honour the British Consul, decided to grant your request in so far as to fix the meeting herein referred to for Saturday, the 22nd October, 1898, at 10 o'clock in the morning.

I trust to see all the Headmen of Swaziland present on that day.

J. C. KROGH,  
Special Commissioner for Swaziland.

MESSAGE from BRITISH CONSUL to QUEEN MOTHER.

British Consulate, Swaziland, October 13, 1898.

THE British Consul received the request from the Queen Mother that the meeting of the Council, which she had been told to summon for Thursday, 20th October, might be postponed for a week, as the time allowed was not sufficient to get together all the members.

The British Consul thinks that sufficient time was allowed, but, in order to meet the wishes of the Queen as far as possible, and as a day was already lost, His Honour the Special Commissioner and the British Consul decided to fix Saturday, the 22nd October, at 10 a.m., as the time of the meeting.

The British Consul desires the Queen to tell Nococo and Ngwani of this message, and to secure as representative a meeting as possible on the day fixed.

J. SMUTS,  
British Consul.

ADDRESS of His Honour the SPECIAL COMMISSIONER FOR SWAZILAND, J. C. Krogh, to Ungwani, alias Uhili, alias Ubunu, Paramount Chief of the Swazis in Swaziland, but now temporarily suspended as such, Labotsibene, his mother, Nococo, Guardian of the Swazi Nation, the Great Swazi Council, and other Swazi Chiefs, on the occasion of the reading and making known of the Protocol to the Convention of the 10th December, 1894, on the 22nd October, 1898, at Bremersdorp, Swaziland.

UBUNU and other Swazi Headmen, you are all summoned in order that the Protocol to the Convention of the 10th December, 1894, entered into between the Government of the South African Republic and that of Her Britannic Majesty, and ratified by the Honourable the First Volksraad of the South African Republic, may to-day be read to you, explained, and made clear.

I am much disappointed that so small a number of you have appeared. I shall not ask myself what are the motives of this, as sufficient time was given to you to have all the Headmen of the Swazis here, in order to hear of the publication of the Protocol, which is a very important matter.

Before, however, I proceed to the reading out, explanation, and making clear of that Protocol, I wish to indicate the circumstances which have led to its conclusion.

You will remember that General Joubert, in his address delivered at Nkaneni on the 16th March, 1895, declared that all crimes would be punished after enquiry before the Courts, and no death penalty on anybody would be carried out until his guilt had been proved in the High Court. This was said by General Joubert in consequence of paragraph 3 of Article 2 of the Convention of 1894, but it afterwards appeared that there was a difference of interpretation with regard to the application and exercise of the jurisdiction and powers therein referred to granted to the Swazi Chiefs, with a view to which, and in consequence of the late events regarding the death of Umbaba and others, the Governments before referred to came to an agreement to conclude this Protocol, in order that in the future no doubt might exist with regard to the jurisdiction of and action by the Court of the Judge and the Landdrost for Swaziland, and the Courts of the Swazi nation, respecting those crimes in which Swazis only are concerned.

The Protocol runs as follows:—

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In order that no doubt may exist, I desire that you will all clearly understand that if you, Bunu, your Council, and the Swazi Headmen, formerly possessed the power to put Swazi natives to death, or to inflict the death penalty upon them, this power is now taken away from you by this Protocol, so that you cannot now under any pretext or circumstances whatever kill any Swazi native, cause him to be killed, or condemn him to death.

The destruction and eating-up of dwellings and property of Swazis, witchcraft, under which may be included smelling-out, poisoning, soothsaying, and similar practices and cases will no longer be allowed to go unpunished. The jurisdiction, too, over all crimes mentioned in the Schedule to the Protocol is entirely taken away from you. Some of them may not perhaps appear clear to you. I shall therefore endeavour to explain them further:—

**Manslaughter.** If one person kills another under provocation, in excitement, and without intention to kill, or in self-defence, &c.

**Culpable homicide.** When one man kills another by a negligent act, or by carelessness, &c.

**Forgery.** This is when one person unlawfully signs another one's name on a document, or utters a false document, &c.

**Perjury.** When a man declares under oath in the Court what is untrue, or makes a false sworn declaration.

The other crimes referred to in the Schedule speak for themselves.

It will therefore be quite clear to you from this that your jurisdiction is exclusively restricted to civil disputes, and to those crimes not mentioned in the Schedule, but that the punishment which may be inflicted by you for them in no case may be in conflict with civilised laws or customs.

The Protocol having been read to you and made clear, I warn you all, for the last time, that in case of the least transgression of any of the provisions of it, either by you, Bunu, yourself, by your Council, the Swazi Headmen, or any other Swazi, the punishment threatened by the law will be applied to the transgressor, and I charge you to make known as widely as possible to the Swazis the contents of this Protocol and this warning of mine.

For the sake of humanity, it is expected of you all that you will assist the authorities to maintain peace and quiet, to prevent crimes, and to bring transgressors before the Court.

You, Bunu and Swazi Headmen, you can assist greatly in attaining this object by giving up any harmful and evil practices, for instance, the use of intoxicating drinks, which always have evil results for natives, and the carrying of dangerous weapons by Swazis and impis, which are sources of danger. Against the last, General Joubert has already warned you at Nkaneni in March, 1895. It cannot be denied that in consequence of this innocent blood has often been spilt, especially at beer drinkings; therefore it is my duty most emphatically to warn you against these bad and harmful practices.

Finally, I trust that you will think over and take to heart the words spoken to you to-day.

J. C. KROGH,  
Special Commissioner for Swaziland.

## ADDRESS of BRITISH CONSUL respecting Protocol.

IBDHLOVUKAZI, Nococo, Chiefs, Headmen, and Indunas of the Swazi Nation, I have some words to speak to you. I speak to you, too, Ngwani, for, though your powers as Paramount Chief are for a time in abeyance, the matter with which we are dealing to-day concerns you personally, and will more particularly concern you when you are once again allowed to exercise your powers.

I am disappointed that so few of the Chiefs I desired to see here are present. It is not my fault, for ample time was given, and I must consider this as the formal notice given by the Queen's Government to the Swazi Nation of the important matter with which we are dealing to-day. It is a matter which every Swazi Chief, Headman, and Induna ought to have heard personally.

The Special Commissioner has read to you the Protocol or addition to the Convention which has been agreed upon by Her Majesty's Government and the Government of the South African Republic, and he has spoken to you on the subject. Before I say anything further, I shall read the Protocol in English, and have it translated to you, so that we may be sure you have heard every word of it. When I have read it, I shall hand you an official copy of it, and also a translation into the Swazi language which my interpreter has made. Some parts of it have been difficult to translate, but I hope my interpreter has made everything clear. In order that there may be no chance of mistake, a translation is also being made in Natal, and you will receive a copy as soon as it reaches Browsersdorp.

(Protocol read and interpreted.)

The first clause of the Protocol makes it clear that certain of the European Courts in Swaziland shall alone be competent to deal with any of the crimes specified in the Schedule, which may be committed by natives upon natives, and that if the Paramount Chief or any of the other Chiefs are charged with committing any such crimes, they will be liable to be tried by those Courts. It also provides that neither the Paramount Chief nor any other native Chief shall be competent to exercise jurisdiction in regard to any such crimes. This clause wants no explanation, and as long as a man does not commit crime it will not affect him. Any white man in Swaziland, no matter who he may be, can be tried before the European Courts if charged with a crime, and from henceforth the Paramount Chief, other Chiefs, and all natives will stand in the same position if they are accused of committing any of the crimes mentioned in the Schedule to the Protocol.

You will have heard from Clause No. 2 that only the Landdrost's Court as at present established and the High Court can exercise jurisdiction in cases of crimes committed by natives upon natives, and, in consequence of the nature of the crimes specified, most of the cases will have to be tried before the High Court in accordance with the law of the country, though all preliminary examinations must be held by the Landdrost.

The third clause puts natives, in cases where natives only are concerned, in the same position as whites in respect to the sentences which can be imposed upon them by the Landdrost, and natives cannot therefore, for instance, in such cases, be flogged by order of the Landdrost except where he may have similar powers over whites. I may here tell you that under the law in force in Swaziland native chiefs may not be flogged.

The fourth clause entitles natives to have a lawyer to defend them in the Courts, and if they are too poor to pay for a lawyer, the Court must appoint one to do the work. It is, I believe, a practice that a man charged with a crime gets ample notice of the date when he is to be brought up for trial. He is served by the Sheriff with a paper setting forth the charge against him. At the time this is done the accused native can say he wants a lawyer to defend him, but is unable to pay for one; and if the Judge is satisfied that the native is too poor to do so, he will appoint a lawyer for the defence. The lawyer will thus have time to work up the case for the accused.

With the exception of the crimes which you have heard read, the Paramount Chief and other native Chiefs will, under the provisions of the fifth clause, be able to continue to exercise jurisdiction in criminal cases between native and native, such cases, for instance, as common assault and theft, but they cannot inflict the punishment of death or any barbarous punishment inconsistent with civilized usage. The Protocol makes no change in the jurisdiction hitherto exercised by the Paramount Chief and other Chiefs in civil cases, so that all trials connected with your native laws and customs of lobola, inheritance, succession, ownership of cattle, land rights, &c., may be conducted as hitherto.

The provisions of the Protocol do not apply to any crime committed before the 5th of this month, that is, 17 days ago.

I will now speak of the list of crimes between native and native which the European Courts can try:—

(a) Killing, whether the act is planned beforehand and malicious, or whether it is the result of carelessness, neglect, or a foolish or improper act of the accused. For instance, if one man is quarrelling with another, and stabs him with an assegai, or strikes him on a part of his body where a blow is likely to cause death, though he may have had no intention to kill, yet, if the man dies as the result of the act, he can be tried, but it will be for the Court to say to what extent he is guilty, or whether he is guilty at all. It is difficult to explain all the ways of killing which would make a man liable to trial, but you may take it generally that unless it is clear a person was killed by pure accident, the person causing his death can be tried.

(b) As the Governments are taking away the power of the Paramount Chief to punish his people for serious crimes, he is entitled to receive protection against such of his people as conspire against him or refuse to obey his lawful commands. It has therefore been made a crime which the European Courts can punish, to conspire against the Paramount Chief or to resist his authority, which the Convention and the Protocol recognise.

(c) Common assaults can be tried by the native authorities, but when the assault is a serious one, showing intent to do grievous bodily harm, the European Courts alone can try the case.

(d) to (h) I need not now further explain to you what is meant by rape, kidnapping and abduction of children, forgery, perjury, or arson, and the malicious destruction of property, which the Schedule describes. They are clear from the translation, but if you don't understand this or any other part of the Protocol, you can ask the Special Commissioner or myself when I cease speaking.

(i) I wish to explain to you the difference between theft and robbery. Theft is the taking of another man's property without his consent, and such cases the Paramount Chief or competent native Chief will be still able to try, but robbery is taking another man's property from him by violence, and such cases the European Courts only can try.

(j) What witchcraft is you all know. It is a practice abhorrent to civilized people, and it leads, as much as drink does, to many crimes of violence which are committed in native countries. It is also the cause of many cases of "killing off" and "eating up." The Governments say it must be stopped; if not, those who practise it will be punished.

Now I want to explain why this Protocol is necessary. The Convention of 1894 gave the Paramount Chief and other Swazi Chiefs the right to manage their own affairs, in so far as the native laws and customs were not inconsistent with civilised laws and customs, but the three years' working of the Convention has shown that it is difficult under it to prevent practices inconsistent with civilized laws and customs, such as "killing off" and "eating up," which are allowed under Swazi laws. The Governments, therefore, agreed to make an addition to the Convention, which will stop such practices or will render offenders liable to punishment. Now the Paramount Chief and the other Chiefs may not at first look upon this Protocol with favour, but they ought soon to realise that it is a good thing for them. No man who does not commit crime will be interfered with, and therefore the Protocol won't touch him, whilst the fact that European Courts instead of the Paramount Chiefs and other Chiefs will have to try cases will relieve the Swazi nation of great responsibility. As far as I know, death and fining are the two usual forms of punishment amongst natives, but there are crimes for which the former punishment is too severe and the latter too light, according to civilized laws; and under the old conditions the Chiefs would have remained unable to do what Europeans regard as justice towards persons guilty of such crimes. Now the Chiefs are relieved of their responsibility of seeing that serious crimes are properly punished, accused natives will be fairly tried by European Courts, they will have every chance of proving their innocence, and if found guilty they will be punished according to civilized laws. The Paramount Chief's lawful authority is protected and native civil jurisdiction maintained; altogether I feel sure that the Protocol is in the Paramount Chief's interests, as well as in those of the Chiefs and people. I advise you all to look upon it as such, and I tell you it is a document to which the Queen's Government has agreed, and which, I trust, therefore, will be carefully observed.

J. SMUTS,  
British Consul.

22nd October, 1898.

## EXPLANATION by BRITISH CONSUL.

October 24, 1898.

I WISH to make clear a point which may have been misunderstood in my explanation of the Clause of the Protocol respecting a native being entitled to have a lawyer for his defence. The Protocol does not define the time when the Court shall appoint a lawyer to defend a native who is unable to provide for one. That rests with the Court itself, and you must therefore regard my words as explaining a course which seems to me good for an indigent native accused of a crime to adopt, and one to which I don't think there will be any objection, seeing that the Court must at some time appoint a lawyer to defend such indigent native.

J. S.

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 Enclosure 2 in No. 53.

The HIGH COMMISSIONER to the ACTING BRITISH CONSUL, Swaziland.

SIR,

November 7, 1898.

You have doubtless perused the correspondence that has taken place between the High Commissioner and Her Majesty's Consul for Swaziland with respect to the enquiry held before the Landdrost into the circumstances connected with the death of Mbaba and his followers, and it therefore only remains for me to instruct you as to the action to be taken by you at the meeting of the Swazi Council, at which the decision of the Governments of Her Majesty and the South African Republic will be announced.

I have not had the advantage of seeing the notes finally exchanged between the Government of the South African Republic and Her Majesty's Acting Agent on this subject, but I have not thought it necessary to await their receipt in view of the importance of terminating the present interregnum at the earliest possible moment, and if I find on their arrival that any modifications of the present despatch are required, I shall communicate with you by telegraph.

You are doubtless aware that the Government of the South African Republic advanced the opinion that the evidence brought forward at the enquiry showed that Bunu was guilty of the murder of Mbaba and his servants. The High Commissioner, however, took a totally opposite view, holding that the evidence entirely failed to fix upon Bunu direct responsibility for the crime, and refused to agree to any course implying that the Paramount Chief was guilty of the murder of Mbaba. He agreed, however, that a substantial fine should be inflicted on Bunu because he, as Paramount Chief, must be held to be to some extent responsible for the barbarous practices revealed by the enquiry, and it was eventually arranged that a communication should be made to the Paramount Chief and the Swazi Council by the Special Commissioner and the British Consul to the following effect:—

1. The two Governments have agreed that a fine of £500 should be inflicted on the Paramount Chief, because they are both satisfied that Bunu, as Paramount Chief, cannot be held free from blame for the continuance of the barbarous practices of "smelling out" and "killing off," which the Government of the South African Republic, with the full concurrence of Her Majesty's Government, is determined to put a stop to.

2. Bunu is now reinstated in all the powers of Paramount Chief, but he and the Swazis must clearly understand that the Governments can recognise no divided responsibility. The Paramount Chief is fully responsible for the good conduct of the Swazis as a nation, and no excuses for him can be admitted, such as that he is not yet of age, or not fully installed as Paramount Chief according to Swazi customs. His duty is to do all in his power to prevent acts such as the killing off of Mbaba, and if they occur despite his efforts, to report at once to the Government, and to help in bringing the offenders to justice. Not only will perpetrators of such acts be liable to trial by the High Court, and to the punishment of death if found guilty, but the Paramount Chief himself will incur the displeasure of both Governments if he fails to do everything in his power to prevent them.

It will be advisable that you should prepare your communication to the Swazis beforehand, and show it to the Special Commissioner, who will doubtless similarly communicate to you the terms of his proposed address, so that there may be no divergence

between them. I understand that the Government of the South African Republic will entirely waive the question of Bunu's guilt, and you should satisfy yourself that nothing will be said by Mr. Krogh inconsistent with the view taken by the High Commissioner on the subject, as it will, of course, be impossible for you to assent, or to seem, by silence, to assent, to any statement giving the impression that the two Governments held Bunu on the evidence to have been guilty of the murder. Previous conference with Mr. Krogh will obviate the possibility of the expression of any open difference of opinion on this point, which, it is needless to observe, would be most unfortunate.

Besides the fine of £500, the High Commissioner has agreed that the Government of the South African Republic shall be at liberty to retain the sum of £1,000 on account of the maintenance of Bunu and his followers at Bremersdorp during the enquiry from the arrears due to Bunu under the private Revenue Concession, and a further sum of £146 due to the Government of Natal for the maintenance of Bunu and his followers while in Zululand will be repaid from the same source. It will probably be well to explain this matter at the time that the general statement referred to above is delivered, but it should be made clear to Bunu that these further sums are not in the nature of an additional fine, but in repayment of expenses incurred on his behalf.

The question of the amount of arrears of revenue, from which the three payments I have mentioned are to be deducted, should not be mixed up with the communication to be made at the Council, but should be left for separate treatment.

I have, &c.,

GEORGE COX,

Administrator and Acting High Commissioner.

His Honour

Her Majesty's Acting Consul,  
Bremersdorp.

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Enclosure 3 in No. 53.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, November 3, 1898.

I HAVE the honour to enclose herewith, with reference to my despatch of the 18th ultimo, copies of two notes, dated respectively on October 27th and November 2nd, which I have exchanged with the State Secretary, relative to the fine to be inflicted upon the Swazi Paramount Chief for having failed in his duty as head of the Swazi nation, and having taken steps to prevent such acts of "killing-off" as the death of Mbaba and his two servants in April last.

As I have already informed Your Excellency by telegraph, I on this occasion adopted the plan of having this exchange of notes submitted first in draft form, previous to signature, in order that I might thereby avoid the necessity of further correspondence as regards the amount of the fine, and the terms in which the Special Commissioner should announce its imposition to the Paramount Chief. As Your Excellency will observe, the terms of the State Secretary's note of November 2nd, as regards the manner of imposing the fine of £500, which was the sum fixed as a maximum by Your Excellency, are practically identical with the proposed terms contained in mine of the 27th ultimo, and in accordance with the instructions contained in Your Excellency's telegram of that date.

I signed that note at the same time as the State Secretary signed his reply, to-day, considering that there appeared to be no further reason to object to any of the expressions used, which I had approved in verbal conference.

I have, &c.,

EDMUND FRASER.

His Excellency

The High Commissioner.

P.S.—I have this day addressed a despatch to the Acting British Consul at Bremersdorp, enclosing copies of these notes for his information, pending instructions to him from Your Excellency.—E. F.

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SIR,

Her Majesty's Agency, Pretoria, October 27, 1898.

I HAD the honour to communicate your note of the 18th instant, with the Landdrost's notes of the recent preliminary enquiry into the charges against Bunu, and the State Attorney's report, to the High Commissioner, and His Excellency now desires me in reply to acquaint the Government of the South African Republic that he has carefully read this report, and that he is extremely surprised at the conclusion at which the Government of the South African Republic has arrived, namely, that Bunu is guilty of the murder of Mbaba and his two servants.

His Excellency had read carefully through the account of the proceedings in notes furnished to His Excellency by the British Consul in Swaziland, which are substantially in accord with the Landdrost's notes which reached His Excellency later. Before seeing any comment upon the evidence from either side, the High Commissioner had come to an exactly opposite conclusion, namely, that, although the Mbaba affair is shrouded in mystery, the evidence fails to fix upon the Paramount Chief the direct responsibility for this crime. Moreover, the arguments advanced by the State Attorney, which the High Commissioner has carefully considered, but which, in His Excellency's opinion, admit on many points of a conclusive answer, while they ignore some of the strongest points raised by the defence, have not shaken the High Commissioner's opinion.

This being so, His Excellency desires me, while regretting the difference of opinion, to state at once that he is totally unable to agree to any course implying that Bunu is guilty of the murder of Mbaba.

At the same time, the High Commissioner concurs, to a great extent, in what the State Attorney says in the first paragraph, and thinks that a fine ought to be inflicted upon Bunu, because he, as Paramount Chief, must be held to some extent responsible for the barbarous practices revealed by the enquiry, and that such a fine should be substantial in amount, but not greater than five hundred pounds.

The High Commissioner would propose that the imposition of this fine should be communicated to the Paramount Chief and to the Council by the Special Commissioner and by the Acting British Consul, and that those officials should each inform them that both Governments, having arranged to act together in this matter, have now agreed to a fine, because they are both satisfied that Bunu, as Paramount Chief, cannot be held free from blame for the continuance of such barbarous practices as "smelling-out" and "killing-off," which the Government of the South African Republic, with the full concurrence of the High Commissioner, is determined to put a stop to. They should be informed at the same time that Bunu is now reinstated in all the powers of the Paramount Chief, but that they must understand that the Government cannot recognize any divided responsibility; that the Paramount Chief is fully responsible for the good conduct of the Swazis as a nation; that no excuses for him can be admitted, such as his not being yet of age, nor fully installed as Paramount Chief; that Bunu's duty is to do all in his power to prevent acts like the "killing-off" of Mbaba, and, if such acts should occur despite his efforts, to report the facts at once to the Government, and to help to bring the offenders to justice; and that, not only will the perpetrators of such acts be liable for trial before the Judge of the High Court, and to the punishment of death if found guilty, but also the Paramount Chief himself will incur the displeasure of both Governments if he fails to do all in his power to prevent them.

I have, &amp;c.,

EDMUND FRASER.

The Honourable F. W. Reitz,  
&c., &c., &c.,  
State Secretary.

(Translation.)

SIR,

Government Offices, Pretoria, November 2, 1898.

I HAVE the honour to acknowledge receipt of your note of 27th ultimo, with respect to the preliminary enquiry held in the matter of the Swazi Paramount Chief, and to inform you that this Government deeply regrets that His Excellency the High Commissioner is unable to concur in the views of this Government as regards the Paramount Chief's guilt of the murder of Mbaba and his two servants, although His Excellency agrees that the Paramount Chief must be in a certain degree held responsible for barbarous acts which were proved at the preliminary enquiry to have occurred.

This Government, however, while considering that it must maintain its views as regards Bunu's guilt, as stated in my note of the 18th ultimo, yet is of opinion that, with a view to the speedy settlement of this affair, it is not desirable to make the guilt of Bunu a question for further discussion, and prefers rather to express its thanks to His Excellency for the friendly suggestion as regards the infliction of a fine, which His Excellency has given at its request. The Government has accordingly inflicted upon the Paramount Chief a fine of £500; and I am directed to inform you that the infliction of this fine upon the Paramount Chief will be made known to the latter and to the Swazi Council by the Special Commissioner, and that the latter official will inform them that this Government has decided, in accord with Her Majesty's Government, to inflict this fine upon Bunu because it is convinced that Bunu, as Paramount Chief, is not without blame for the continuance of barbarous customs, such as "smelling-out" and "killing-off," which this Government is determined to put an end to; that the Government of Her Majesty entirely agrees with this Government that such cruelties and barbarities shall not take place; that Bunu is now reinstated in all the powers of the Paramount Chief, according to the Convention, but that he must thoroughly understand that the Government cannot admit any divided responsibility; that the Paramount Chief is fully responsible for the good conduct of the Swazies as a nation; that no excuses for him can be accepted, such, for instance, as his not yet being of age, or that he is not fully installed as Paramount Chief; that it is Bunu's duty to do all in his power to prevent such acts as the "killing-off" of Mbaba, and, if such should occur, in spite of his efforts to prevent them, to report them at once to the Government, and to aid the Government in bringing the offenders to justice; and that, not only will the perpetrators of such acts be liable for trial by the Judge of the High Court, and, if found guilty, to the punishment of death; but also the Paramount Chief himself will incur the displeasure of the Government if he should fail to do all in his power to prevent them, a displeasure which, according to the assurance of the High Commissioner, would also be shared by Her Majesty's Government.

This Government would be very grateful to His Excellency the High Commissioner if the British Consul at Bremersdorp would address to Bunu another solemn warning, after the address of the Special Commissioner on behalf of this Government, and would point out to Bunu that Her Majesty's Government entirely concurs in the imposition of the fine, and will not approve the occurrence of such cruelties and barbarities as "smelling-out" and "killing-off," &c., or that such should be permitted or not prevented by the Paramount Chief.

I have, &c.,

F. W. REITZ,

State Secretary.

Edmund Fraser, Esq.,  
Her Majesty's Acting Agent.

Enclosure 4 in No. 53.

The ACTING BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, November 3, 1898.

WITH reference to the subject of certain expenses incurred by the Government of Natal, during the recent stay in Zululand and return to Swaziland of the Swazi Paramount Chief and his followers, I have now the honour to enclose copies of three notes which I have exchanged with the State Secretary, relative to the retention of this sum of £145 15s. 4d. out of the arrears of revenue due by the Government to the Paramount Chief since May last.

In acceding to my proposal to retain this sum from the revenue due to Bunu, the State Secretary informed me that this Government had also incurred maintenance expenses at Bremersdorp, and in connection with the absence and return of Bunu and his followers, who were present at Government expense in very large numbers during the recent enquiry. The Government estimated this sum at about £1,000, and, having obtained Your Excellency's telegraphic approval, I proceeded to sign my notes on the subject, along with the State Secretary, to-day, the arrangement having been arrived at first by means of notes in draft form.

I have also communicated copies of these notes to the Acting British Consul, for his information, pending his instructions from Your Excellency as to the time and manner of communicating with the Swazis.

This Government will instruct its Special Commissioner in Swaziland to arrange with the Acting British Consul as to the time of the meeting of the Paramount Chief and his Council, which is to take place in connection with the decision in Bunu's case.

I have, &c.,

EDMUND FRASER.

His Excellency  
The High Commissioner.

SIR, Her Majesty's Agency, Pretoria, November 1st, 1898.

I HAVE the honour to inform you that the High Commissioner has received a despatch from the Governor of Natal, requesting a refund of the sum of £145 15s. 4d., being the expenses incurred by the Government of Natal, in connection with the maintenance in Zululand, and return to Swaziland, of Bunu and his followers.

The High Commissioner had contemplated these expenses being paid at the time by the Swazies themselves, but it has not been found possible to arrange this. It now seems to His Excellency that these charges might be recovered by the Government of the South African Republic from the funds held by them on behalf of, or due to, the Paramount Chief, and I should be obliged if this could be arranged.

I have, &c.,

EDMUND FRASER.

The Honourable F. W. Reitz,  
&c., &c., &c.,  
State Secretary.

(Translation.)

SIR, Government Offices, Pretoria, November 2, 1898.

I HAVE the honour to acknowledge receipt of your note of the 1st instant, requesting that a sum of £145 15s. 4d. may be brought into account on behalf of the Government of Natal, at the time of paying out the arrears of money retained at present on account of the Swazi Paramount Chief, the said sum being for expenses incurred during Bunu's stay in Zululand, and to inform you that this sum will accordingly be retained in paying these monies to Bunu.

Further, I desire to bring to your notice that this Government has also incurred certain expenses in connection with the absence, the return, and the maintenance of Bunu and his followers at Bremersdorp, and that it is proposed to retain on this account a sum of one thousand pounds from the monies to be paid over to Bunu.

I have, &c.,

F. W. REITZ,

State Secretary.

Edmund Fraser, Esq.,  
&c., &c., &c.,  
Her Majesty's Acting Agent.

SIR, Her Majesty's Agency, Pretoria, November 3, 1898.

I HAVE the honour to acknowledge receipt of your note of yesterday's date, on the subject of the expenses incurred by the Government of Natal, while the Swazi Paramount Chief and his followers were recently in Zululand.

As regards this sum and the retention from the arrears of revenue due to the Paramount Chief of a further sum of one thousand pounds on account of expenses of maintenance, &c., of Bunu and his followers at Bremersdorp, which has been incurred by the Government, I have the honour to inform you that the High Commissioner shares the view of the Government of the South African Republic that the Paramount Chief should be informed of the retention both of this sum of £1,000 and of the Natal expenditure of £145 15s. 4d., at the same time as the general statement is made to him on the occasion of the imposition of the fine of £500, and of his reinstatement as Paramount Chief, in the terms of my note of the 27th ultimo, and of your reply to that note of yesterday's date.

I have, &c.,

EDMUND FRASER.

The Honourable F. W. Reitz,  
&c., &c., &c.,  
State Secretary.

No. 54.

**HIGH COMMISSIONER COX to MR. CHAMBERLAIN.**

(Received December 10, 1898.)

SIR,

Government House, Cape Town, November 22, 1898.

IN continuation of my despatch of the 9th instant,\* I have the honour to transmit, for your information, a copy of further correspondence respecting the position of affairs in Swaziland.

I have, &amp;c.,

**GEORGE COX,**

Major-General,

Administrator and Acting High Commissioner.

Enclosure 1 in No. 54.

From the ACTING BRITISH CONSUL, Swaziland, to the ACTING HIGH COMMISSIONER, Cape Town.

TELEGRAM.

18th November. Had interview with Special Commissioner this afternoon. Our addresses or statements to be made on Monday to Swazis tally or correspond on all essential features. He proposes to say something additional about natives going out to work and as to Paramount Chief assisting Government to put stop to liquor traffic among natives. Said I had no objections. Repeated to Agent.—STUART.

Enclosure 2 in No. 54.

From the ACTING BRITISH CONSUL, Swaziland, to the ACTING HIGH COMMISSIONER, Cape Town.

TELEGRAM.

18th November. I notice no reference made to strong message from Queen delivered 9th April, 1890, by Colonel Martin to Swazis, *re* killing off, or to one of a similar kind delivered a few months later, vide Blue Book C. 6200 and C 7212, pages 278 and 8 respectively. Would Your Excellency prefer that I should not touch on that point?—STUART.

Enclosure 3 in No. 54.

From the ACTING HIGH COMMISSIONER, Cape Town, to the ACTING BRITISH CONSUL, Swaziland.

TELEGRAM.

19th November. Your telegram of yesterday. No objection to your alluding generally to these messages, as indicating consistent attitude of Her Majesty's Government and their repeated warnings against such practices.

Enclosure 4 in No. 54.

From the ACTING BRITISH CONSUL, Swaziland, to the ACTING HIGH COMMISSIONER, Cape Town.

TELEGRAM.

21st November. We have had the meeting. About fifty natives present, including Paramount Chief, Queen, Nococo, Tikuba. Everything went off satisfactorily. Repeated to Agent.—STUART.

\* No. 53.

No. 55.

HIGH COMMISSIONER SIR W. F. BUTLER to MR. CHAMBERLAIN.

(Received December 24, 1898.)

[Answered by No. 56.]

SIR,

Government House, Cape Town, December 7, 1898.

WITH reference to previous despatches respecting the recent crisis in Swaziland, I have the honour to transmit, for your information, a copy of a despatch from the Acting British Consul in Swaziland, containing a report of the proceedings at the meeting at which the decision of the two Governments was communicated to the Paramount Chief and the Swazis.

I have, &amp;c.,

W. F. BUTLER,

Lieutenant-General,

Administrator and Acting High Commissioner.

Enclosure in No. 55.

From the ACTING BRITISH CONSUL, Swaziland, to the HIGH COMMISSIONER, Cape Town.

The British Consulate, Bremersdorp, Swaziland,

SIR,

November 23, 1898.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatch of the 7th instant, instructing me as to the communication to the Swazi Council of the decision arrived at by the Government of Her Majesty and the South African Republic in respect to the recent "killing-off" of the Induna Mbaba.

2. I beg to inform Your Excellency that a meeting of the Swazi Council was arranged for, and duly took place, at Bremersdorp, on the 21st instant, at about 10 o'clock in the forenoon, and that I, in accordance with Your Excellency's instructions, communicated to the assembled natives (who represented the Swazi people) the decision arrived at by Her Majesty's Government and that of the South African Republic, acting conjointly. A copy of the address made by Mr. Krogh, the Special Commissioner, at this meeting, is enclosed, as well as one made by myself, delivered immediately after that of Mr. Krogh.

3. No discussion of any kind followed the delivery of either of these addresses, which were listened to intently by all the assembled natives. Amongst those present—who did not, I think, exceed 50 in number—were Ngwane, alias Bunu, Paramount Chief, the Queen Mother, Alpheus Nkosi, Nogcogco, Tikuba, Mgudhlula, Bili, Giba, Mnkonkoni, Mjokovu, Mkankuyana. Tikuba's presence is noteworthy. This man was Mbandeni's Prime Minister or Chief Induna, and fled from the country about August, 1894, with Mjokovu and Mancibana, fearing death for the part taken by him in the establishment of the "Concession Court" and the granting to Harington of what is known as the "Private Revenue Concession"—affirmed by the said Court.

4. The Special Commissioner was quite at one with me as to the character of the finding of the two Governments in respect to Ngwane's offence.

5. In accordance with Your Excellency's desire, I prepared beforehand my communication to the Swazis, and showed it to Mr. Krogh, who expressed to me his full approval of all the terms thereof. His own address, that part of it which dealt with liquor traffic and labour, was likewise approved by myself.

6. I propose to deal in another despatch with the question of expenses arising out of the flight of Ngwane to Zululand, and his detention at Bremersdorp at the time of what is known as the "Mbaba Enquiry."

7. I am of opinion that the communication of this decision has had a good effect and the whole case will be a lasting lesson to Ngwane and his people.

I have, &amp;c.,

J. STUART,

Acting British Consul.

His Excellency

The High Commissioner,

&amp;c., &amp;c., &amp;c.,

Cape Town.

(Translation.)

ADDRESS by the SPECIAL COMMISSIONER for SWAZILAND to BUNU, on the 21st November, 1898.

BUNU, I have called you up in order to make known to you to-day what has been decided about you in consequence of the preliminary inquiry respecting the death of Umbaba and his two servants.

I am instructed by the Government to inform you that it has, in consultation with Her Britannic Majesty's Government, decided to impose a fine upon you, because it is convinced that you, as Paramount Chief, are not without blame for the continuance of barbarous practices, such as "smelling-out" and "killing-off," to which this Government will put a stop. The Government of Her Britannic Majesty fully agrees with this Government that such atrocities and barbarities may not take place. You, Bunu, are now again invested with all the power of the Paramount Chief, according to the Convention; but you must clearly understand that the Government will not allow any divided responsibility; you, as Paramount Chief, are fully responsible for the good conduct of the Swazis as a nation. No excuses for you can be admitted, such, for example, as that you are not yet of age, or that you are not fully installed as Paramount Chief. It is your duty to do all in your power to prevent acts such as that of the "killing-off" of Umbaba, and should such acts occur despite your efforts to prevent them, you must immediately report them to the Government, and must help the Government in the punishment of the offenders; and that not only will the perpetrators of such acts be liable to trial by the Judge of the High Court of Swaziland, and to the punishment of death if found guilty, but that you also, Bunu, yourself, will incur the displeasure of the Government, if you should fail to do all in your power for the prevention thereof, a displeasure which, according to the assurance of the High Commissioner, would also be felt by Her Britannic Majesty's Government.

The amount of the fine to be paid by you to the Government of the South African Republic is £500 sterling.

In conclusion, I trust that it will be your endeavour in the future to promote and improve the communal status of the Swazis, by admonishing them to give up their idle life, and by urging them on to labour, for a nation which does not work cannot expect any prosperity; on the contrary, it lapses into misery.

You are aware that the use of intoxicating liquors by Swazis is forbidden by the Convention, and that, despite the utmost endeavours made by this Administration, it has not wholly succeeded in suppressing the illicit liquor traffic. You can be of great assistance in this matter, by most strictly forbidding the Swazis the use of strong drink, and by assisting the officials to bring before the Judiciary offenders, whoever they may be.

I request your co-operation in this matter.

J. C. KROGH,  
Special Commissioner for Swaziland.

ADDRESS by the ACTING BRITISH CONSUL to the Paramount Chief NGWANE, alias BUNU, Bremersdorp, on the 21st November, 1898.

ON the 23rd September last, about eight weeks ago, when the preliminary examination in connection with the killing of Mbaba and his two followers came to an end, you were spoken to by His Honour the Special Commissioner and the British Consul, Mr. Smuts. You were then told that the whole of the proceedings in the case would be submitted to the President and the High Commissioner, who would come to a decision as to what should be done in the matter.

I am directed by the High Commissioner to inform you now that he and the President have duly considered the whole of the evidence adduced at the said preliminary examination, and, acting conjointly, find you guilty of an offence.

Here are His Excellency's words:—

The High Commissioner concurs in the imposition of a fine of £500 upon Bunu, because he agrees entirely with the Government of the South African Republic that Bunu, as Paramount Chief, cannot be held free from blame for the continuance of

such barbarous practices as "smelling-out" and "killing-off," which the Government of the South African Republic, with the full concurrence of the High Commissioner, is determined to put a stop to.

Bunu is now reinstated in all the powers of the Paramount Chief according to the Convention, but the High Commissioner desired that Bunu and the Swazi Council should fully understand that the Paramount Chief is himself responsible for the good conduct of the Swazis as a nation, and that no divided responsibility can be admitted; that no excuses for him can be admitted, such as his not being of full age, or not yet fully installed as Paramount Chief; that Bunu's duty is to do all in his power to prevent, in future, such acts as the "killing-off" of Mbaba, and, should such acts occur, despite his efforts to prevent them, to report the facts at once to the Special Commissioner, and to help the Government to bring the offenders to justice; and that, not only will the perpetrators of such acts be liable for trial by the Judge of the High Court in Swaziland, and to the punishment of death, if found guilty, but also the Paramount Chief himself will incur the displeasure both of the Government of the South African Republic and of the Government of Her Majesty, if he fails to do all in his power to prevent them.

The Government of Her Majesty therefore entirely concurs in the imposition of this fine, because Bunu has failed in his duty as Paramount Chief, and will, for the future, disapprove of the occurrence of such cruel acts, or of the Paramount Chief either permitting or failing to prevent such acts among the Swazi people.

Those are the High Commissioner's words. But, as it is most important, for your own sake, that you should understand the full meaning of these words, and as, in their present form, they may not have impressed themselves clearly upon your mind, and as you and all those present are most anxious to grasp the position, I, as Her Majesty's Government's Interpreter and Consul, will endeavour to make it still plainer to you.

Let me begin at the bottom.

At Inkanini, Sir Francis de Winton, on 18th December, 1889, nearly nine years ago, told the Queen Regent and Council that the Queen of England was pleased that no people were killed at the time of Mbandine's death. The Queen Regent was, on that occasion, told that the custom of causing people who had not had what European Governments consider to be a fair trial to be killed was one disapproved of by the Queen, and which Her Majesty wished from thenceforth to be discontinued.

In April, 1890, Colonel Martin (now Sir Richard Martin) delivered to the Queen Regent and Council a message from Her Majesty the Queen herself, in which the Queen expressed her detestation of "killing-off" and the wish that such practices should cease if the Swazis desired to remain good friends with Her Majesty. You all remember that message.

And again, six months later, on the occasion of Ngwani's installation as King, a similar message was given by Colonel Martin on behalf of Her Majesty's High Commissioner.

There were other messages, but these are the principal ones, and are enough to show you that the attitude of Her Majesty's Government has been consistent, and that you have had repeated warnings, in regard to this matter.

No one in Swaziland can say he does not know of the Queen's strong disapproval of this custom—this method of government. Moreover, you were told when the Convention of 1894 was explained to you at Inkanini that all customs, such as "smelling-out" and "killing-off," customs, that is, which are inconsistent with civilized laws and customs, must be put a stop to.

The Queen's Government knows your side of the case well, but, as you will see, is in perfect agreement with the Government of the South African Republic, in that Government's determination that such barbarous practices shall cease once and for all.

If anything of the kind occurs again and you find yourself in trouble, do not say you did not hear. I do not now often have the opportunity of speaking to you in public, but when I do speak, and speak on account of Her Majesty's Government, I want you to understand quite clearly. The custom of "smelling-out" and "killing-off" must stop.

Take your own case. You, in connection with the killing of Mbaba, which is an offence in our eyes, have been examined by the Landdrost in the presence of eye-witnesses of the matter wherewith you were charged. What would you have said if the Government of the South African Republic, finding Mbaba and his two men killed at your kraal (for, as you know, although you are Paramount Chief, you have not yet

withdrawn from Zombode) arrested you, and, with full concurrence of Her Majesty's Government, had told you that they were, without any trial, going to put you to death for disobeying what I myself told you was the law of the country? As it is, you have escaped with a fine. No man may kill another without the permission of the King.

The great difference between white people and black people is that the former convict *only on the evidence of eye-witnesses*, and you convict on the evidence of "izinganga" or "izangoma" (diviners), who did *not* witness the deed. We are only sure of anything when we have examined, as thoroughly as possible, the actual *eye-witnesses* of a deed, whereas *you* become convinced when doctors, who were nowhere near when the deed was committed, merely guess or "smell-out." All men, including natives, like to have their guilt established by eye-witnesses. It is when this is not done, when it is done in any manner whatsoever other than through eye-witnesses, that the Queen and the Government of the South African Republic object. That is the nature of the disagreement between your method of governing and ours. It is a very serious disagreement, but it is one that already exists in the country belonging to your kindred the Tongas, in the country of the Zulus, in Natal, in the land of the Pondos, of the Amaxoza-Sambana, Mbikiza, and Mtshelkwana complain precisely of what you complain, that I know of personal knowledge. It cannot be helped; the custom is a bad one, and it must end to-day.

When, in my presence, the Queen Regent, at Inkanini, nearly four years ago, handed over to you your father's people, what did she say? Did she not tell you to keep and look after them? If you break the word of the Queen and of the Government of the South African Republic, like the killing of Mbaba, is that the way to look after them? You have always been told that the Queen is your friend; Colonel Martin has told you, Sir Francis de Winton has told you, Mr. Smuts has told you, I have told you, our presence in the country tells you, and, above all, your own father Somsewu has told you. Deny it. White people do not "kill-off" or "smell-out," their law is that no one shall "kill-off" or "smell-out," and anyone who deliberately kills another is hanged, or, "smells-out," is severely punished. If, then, the Queen punished her own subjects for doing this, shall you, who do it, continue her friend? The Queen will dislike you. Her Majesty will not be able to reconcile your protest of affection for Her with your open disregard of Her will. Mark this point, and lay it carefully to heart.

You are going to assume again your powers of Paramount Chief. Remember my words. Leave off drinking spirits, they will lead you into trouble.

J. STUART,  
Acting British Consul.

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No. 56.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR W. F. BUTLER.

SIR,

Downing Street, December 27, 1898.

I HAVE the honour to acknowledge the receipt of your despatch of the 7th instant,\* and of previous despatches respecting the affairs of Swaziland, from which I learn that, as a result of the enquiry into the circumstances of the death of the Chief Induna Mbaba, the Paramount Chief has been fined £500, and, on being reinstated in his position, has been admonished as to his future conduct, and that the Protocol to the Convention of 1894, by which all doubt is now removed as to the competence of the higher courts in Swaziland to try cases of serious crime even when committed by natives against natives, and the jurisdiction of the Native Chiefs is more clearly defined, has been read and explained to the Swazis.

I trust that the result of the warning which has been given to the Swazis and of the recognition by the Government of the South African Republic of the mutual position of Her Majesty's Government and of itself established by the Convention of 1894 will be that there will be no renewal of such a crisis as Swaziland has recently passed through.

The killing of Mbaba and two other Swazis at the Royal Kraal in April last, for which, at first sight, the Paramount Chief seemed to be directly responsible, and which, at all events, appears to have been done at the instance of the Council or part of the Council of the Swazi Nation, was an incident which could scarcely be overlooked, especially if it was, as was alleged, I fear with good reason, one of a series of instances of "smelling-out" and "killing-off" against which the Swazis had been repeatedly warned.

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\* No. 55.

The Government of the South African Republic, which, subject to the provisions of the Convention of 1894, is responsible for the peace, order, and good government of Swaziland, contemplated the trial of the Paramount Chief on a charge of murder. Sir Alfred Milner held that such a trial was beyond the competence of any Court recognised by the Convention, and I concurred in this opinion. At the same time, it was obviously out of the question to allow such barbarities as the killing of Mbaba to continue under cover of the Swazis' right to administer justice amongst themselves in their own fashion. Such practices were clearly inconsistent with civilised laws and customs, and therefore with the spirit of Article II. Section (3) of the Convention. It thus became necessary to make some special arrangement for the existing circumstances and some provision for the possibility of a recurrence of such circumstances in future.

In both cases Sir Alfred Milner arrived at what I regard as a wise and satisfactory settlement, and I have already, in my despatch of the 1st of November,\* expressed my appreciation of the tact and skill with which he conducted the prolonged and complicated negotiations which led to the enquiry into the conduct of the Paramount Chief, and the conclusion of the Protocol to regulate the future jurisdiction of the Swaziland Courts in native cases, and of the able assistance which was rendered to him by Mr. Fraser, as Acting British Agent in Pretoria, and Mr. Smuts, as British Consul in Swaziland.

The situation with which Sir Alfred Milner had to deal was one of extreme difficulty. The inhabitants of Swaziland were greatly excited by the murder of Mbaba. The Government of the South African Republic moved into that country a considerable body of armed troops, stating that such a force was, in their opinion, necessary for the maintenance of order. A collision between these troops and the natives might have occurred at any moment; and the anxiety and tension of the situation were aggravated by the prolonged and regrettable neglect of the Government of the South African Republic to state what were their intentions and proposals with regard to the Paramount Chief, a matter as to which, obviously, Her Majesty's Government, as a party to the Convention of 1894, were entitled to the earliest and fullest information.

With the flight of Bunu to Zululand, when summoned to appear on a charge of murder, the immediate danger of a collision disappeared, but the question what should be done to vindicate law and order in Swaziland, without vitally impairing the rights intended to be secured to the Natives by the Convention of 1894, remained unsettled.

The arrangements made by Sir A. Milner for Bunu's return (on definite conditions as to the personal safety of himself and of his attendants and as to certain other matters) to attend an enquiry into the circumstances of Mbaba's death, were, I consider, in view of the wide divergence of opinion between Her Majesty's Government and that of the Republic with regard to the competence of the Swaziland Courts, highly satisfactory. Although the enquiry was disturbed by the unwarrantable introduction of evidence which was inadmissible in view of the terms on which Bunu had been induced to return to Swaziland, in the result substantial justice was done. I concur in the view that Bunu must be held to be to some extent responsible for the barbarous practices revealed by the enquiry, and I approve Sir Alfred Milner's decision with regard to the infliction upon him of a fine of £500.

I recognise with pleasure the practical and friendly spirit with which the Government of the South African Republic finally met Sir A. Milner's views both in regard to the institution of the enquiry and in regard to the measures to be taken on its conclusion.

The Protocol, by which provision is made to meet similar circumstances arising in the future, effects all the objects for which it was originally proposed. I observe that no objection to it has been taken by the Swazis, and I trust that under it the barbarous practices of "smelling-out" and "killing-off" will entirely cease.

It would no doubt have been more satisfactory had the Government of the South African Republic been willing to include in it provisions to meet the case of the death or incapacity of Bunu, as was proposed by Sir Alfred Milner, but I agree with the latter that such a provision was not immediately necessary, and I note that he has, in his despatch to Her Majesty's Acting Agent of the 3rd of September, † made it perfectly clear that no change in the self-government of the Swazis can be permitted without consultation with, and the concurrence of, Her Majesty's Government.

I have, &c.,  
J. CHAMBERLAIN.

\* No. 50.

† Enclosure 4 in No. 43.

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SOUTH AFRICA.

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AFFAIRS OF SWAZILAND.

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