

**THE ADMINISTRATION OF SIR  
ARTHUR E. HAVELOCK AS  
GOVERNOR OF NATAL,  
1886 - 1889**

by

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**SIR ARTHUR E. HAVELOCK**

*To my family for their  
patience and sacrifice*

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*Opinions expressed or conclusions reached, are those of the author and are not to be regarded as a reflection of those of the Human Sciences Research Council.*

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M. Moodley.

Durban

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ABBREVIATIONS.

|        |   |
|--------|---|
| A.G.O. | Attorney General's Office.                |
| B.P.P. | British Parliamentary Papers.             |
| C.O.   | Colonial Office Records.                  |
| C.S.O. | Colonial Secretary's Office               |
| E.I.   | European Immigration Department           |
| G.H.Z. | Government House Zululand .               |
| I.I.   | Indian Immigration Department.            |
| N.B.B. | Natal Blue Books.                         |
| N.G.G. | Natal Government Gazette.                 |
| N.G.R. | Natal Government Railways.                |
| N.H.   | Legislative Council Hansard Debates.      |
| N.H.D. | Natal Harbour Department.                 |
| N.P.P. | Natal Parliamentary Papers.               |
| N.T.   | Natal Treasury.                           |
| S.G.O. | Surveyor General's Office.                |
| S.N.A. | Secretary for Native Affairs.             |
| V.P.   | Legislative Council Votes and Proceedings |

PREFACE.

The period under review, 1886-1889. is but one facet of the history of Natal and covers the brief governorship of Sir Arthur Elibank Havelock.

The Secretary of State, Stanley, in his famous despatch of 1870 alluded to the "*effective co-operation between the Government and the Legislature, without which it is impossible that the Colony should flourish.*" The Havelock period is a period where this "*effective co-operation*"<sup>1</sup> between the Governor and the Legislative Council was sadly lacking. It was also a period of conflict and compromise in Natal's relations with the Cape, Orange Free State, and the South African Republic.

Although Sir Arthur Havelock occupied the dual position of Governor of Natal and Special Commissioner for Zulu Affairs, this study deals essentially with his administration of Natal, and Zululand only in so far as it affected Natal. A brief history of Zululand up to the Usutu Rebellion of 1888, and of the New Republic is given as a background in the study of their relations with Natal, since these issues created a great deal of bitterness among Natal politicians and in the press; furthermore Natal was both directly and indirectly involved in the affairs of Zululand. The Natalians were always anxious to have British authority extended beyond their northern border. This constituted Natal's natural hinterland and a possible outlet for her redundant native population. From 1865, the Natal government strongly urged the British

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1. Natal Witness, 19.2.1886.



Colonial office to incorporate Zululand with Natal, but this ideal was not realised until the 30th December 1897. Zululand then extended to Portuguese East Africa.

As a result of discussion with my Supervisor I did not consult Government House Zululand (G.H.Z.) and Zululand Archives (Z.A.) documents to any great extent for the chapter on Zululand and the New Republic, as these had been extensively used by Prof. M.C. van Zyl in his study, "*Die Uitbreiding van Britse Gesag oor die Natalse Noord-grensgebiede*," and A.J. van Wyk in his work, "*Dinizulu en die Usutu-Opstand van 1888*".

I have given much attention to the financial problems of Natal during this period since these dominated Havelock's period of administration, and brought him into open conflict with the Legislature and as well as inviting the hostility of the press and colonists. An excellent work on the subject is Dr. B.J.T. Leverton's "*Government finance and political development in Natal, 1843 to 1893*."

The railway and harbour development during the period under consideration was of great importance because of the discovery of gold (1886) on the Witwatersrand area. This led to bitter rivalry between the Cape and Natal, leading to the failure of two customs conferences. The works of W.J. Busschau, *The Development of the Natal Government Railways; an economic survey and critique*; E.G. Hobson, *The Effect of Durban Harbour on Natal's politics*; and Jean Van der Poel's *Railway and customs policies in South Africa, 1885-1910*, summarily cover the period under review.

There was considerable agitation for the granting of responsible government in Natal, but because of numerous difficulties it was only granted in 1893. T.R.H. Davenport's work, *The Responsible government issue in Natal, 1880-1882*, and J. Konczacki's *Economic factors leading to*

*the granting of responsible government, 1888-1893, and the more recent work of J. Lambert, Sir John Robinson and responsible government, 1863-1897, afford good background material.*

The Non-white problem has also received some attention and the more important laws affecting native interests are discussed. Special attention has been paid to the Report of the Wragg Commission respecting the conditions of Indians in Natal. The secondary materials consulted have placed very little emphasis on this important report, some works, in fact, dismissing it in a few lines.

European immigration came to a standstill during the depression of 1884. When finances began to improve, immigration received an impetus. The European Land and Immigration Board played an important part during this period to foster immigration into Natal. The works of A.J. Christopher: *Natal; a study in colonial land settlement*, and D. Bagwandeem's *European immigration into Natal, 1862-1884*, offer good introductory material.

The Extra-Territorial regions, namely, Griqualand East, Pondoland and Swaziland, played an important role in the commercial and political relations between Natal and her neighbours. The South African Republic, too, was inextricably involved in the affairs of Swaziland. Two works which deal specially with these areas are Agnes M. Hatton's thesis, *Pondoland, her Cape and Natal neighbours*", and N.G. Garson's *The Swaziland question and the road to the sea, 1887-1895*.

Contemporaneous primary material offered no great difficulty as all local documentary evidence was readily available in the archives depots of Natal and the Cape.

Considerable use was made of documents in the Public Records Office, London. Microfilm copies of the documents were obtained for the period under review. Private collections in archives depots and elsewhere were consulted during the course of my research. Parliamentary Papers used in this research are primarily those published by Irish University Press (1971), whose page numbering has been used throughout this dissertation.

A considerable amount of difficulty was experienced in trying to arrange a chronological discussion in this work. To circumvent the problem, Havelock's whole administration has been divided into "themes". It was found that in the study of Havelock, a number of themes or aspects of his administration were clearly discernible, hence they formed the basis of such a study.

Havelock held numerous posts before his appointment as Governor of Natal, for example, that of Governor of Trinidad. In September 1885 he was appointed Governor of Natal and Special Commissioner of Zulu Affairs and assumed duty in February 1886. In 1887 he was also appointed Governor of Zululand. In May 1889 Havelock went on leave for a few months and was subsequently appointed Governor of Ceylon in December 1889.

SUMMARY.

Havelock came to Natal in February 1886 and left in May 1889. He occupied the dual position of Governor of Natal and High Commissioner for Zulu Affairs. In this brief period of three years, the political and economic conditions in Natal were tremendous.

Havelock arrived in the colony at a most unfortunate time. The colony's finances were in a critical state. Revenue for 1885 had fallen short of expenditure by more than £112,000, and accumulated savings had been overspent by £47,849. Havelock suggested public works cut to the extent of £65,000. He was hopeful too that the Legislature would approve of additional taxes in regard to land, property tolls, customs dues and an income tax.

In order to avoid futile discussions the Governor dissolved the Council so as to facilitate the 1887 financial proposals. To the new Legislature he announced an excess of expenditure over revenue in the region of £185,000, of which £66,000 would have to be obtained through taxation. The Legislative Council decided that the 1887 estimate was sufficient to cover expenditure without recourse to taxation. A Public Loans Bill to raise £500,000 was passed. The government's taxation proposals were thrown out, and instead salaries were cut.

The financial history of Natal between 1886 and 1889 was inextricably bound up with the development of the Durban Harbour as well as the construction of railways into the interior. The latter development was boosted by the mineral discoveries in the interior, and more particularly the discovery of gold in the Witwatersrand complex. This discovery inevitably led to increased commercial rivalry

between Natal and the Cape Colony, with the former suffering considerably vis-a-vis the republics through her refusal to allow to the interior states a fair share of the customs revenue collected at Durban. The upperhand gained by the Cape upon the trade of the republics almost reduced Natal to bankruptcy. This led the Natalians indirectly to accept the responsibilities of responsible government.

As far as the progress towards responsible government was concerned, the defence issue in Natal was exceptionally important, coupled with the fact that the Imperial government required certain guarantees as to the protection of native interests. Thus the Natalians were offered very little opportunity for political development. With the chronic shortage of able men and leaders, as well as limited participation in local affairs, financial or otherwise, the ultimate granting of responsible government seemed premature.

The Zulu question evoked political disputes between the Governor and the Legislature, especially Boer claims on the territory and the apparent disregard of the Imperial authorities for the interests of Natal in the negotiations. The promise of a protectorate over the remainder of Zululand did not appease the Natalians. This issue was aggravated by the government's secret negotiations with the Free State government in regard to customs arrangements. The Council only became aware of this as a result of its publication in the Free State Gazette. They claimed their rights to be consulted at all times. The Governor was censured for his actions, which inevitably led to a reduction in his salary from £4,000 to £3,000.

Some attempts were made for the advancement of the non-Whites during Havelock's term of office. The Wragg Commission Report (1887) was an important document reflecting on the

plight of the Indians in Natal. The Report covered every possible point upon which grievances could be founded, or any complaints made, either by the Indians or their employers.

Natal's interest in Swaziland, Griqualand East and Pondoland was commercially orientated. The South African Republic had planned to approach Kosi Bay on the Tongaland coast via Swaziland and the Trans-Pongola territory but this was refused by the British government. Thus the Republic was effectively cut off from the sea. Attempts to incorporate Griqualand East and Pondoland into Natal were thwarted by the all powerful Cape Ministry.

Some half-hearted attempts were made during the years 1886 to 1889 to induce immigrants to come to Natal, for example, only 5 immigrants arrived in 1886, in 1887, 26, in 1888, 212, and finally in 1889 the greatest number had arrived - 755.

*I do not think the Government  
ought to share, in its entirety,  
the conviction which seem to  
prevail among the public of  
Natal, that the present prosperity  
is likely to be lasting.*

CHAPTER 1.FINANCE - PROBLEMS AND PROSPECTS.

The discovery of valuable minerals was an important economic event in the history of South Africa. As M.H. de Kock says in his book, "Selected subjects in the economic history of South Africa", it set in motion certain economic forces which were destined to speed up the development of agriculture, stock farming, industry and trade. In consequence of this discovery, valuable commodities for export, capital for the expansion of modern facilities of transportation, communication and banking, a larger European population, a greater diversification of occupations, a wider and more competitive local market, and more productive sources of revenue were gained by the Colonies and Republics in South Africa.

During the period from 1870 - 1886 considerable material progress was made. The discovery of diamonds led to a rush of immigrants from Europe and the importation of foreign capital for the exploitation of the diamond mines and the development of all the facilities required for the expansion of the diamond industry. The diamond industry occasioned a considerable increase in the trade and revenue of the South African territories, more particularly the Cape Colony. The exports from the Cape and Natal ports advanced from about £3 million in 1870 to £9 million in 1882 and imports from £2,780,000 in 1870 to £11½ million in 1882. But by 1886 exports had dropped to £8 million<sup>1</sup> while imports during the years 1884 - 1886 declined at the rate of £200,000 per annum. This decline was most

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1. M.H. de Kock: Selected subjects in the economic history of South Africa, pp. 108-110.



especially felt in the luxury class, spirits declining from £57,724 in 1884 to £28,284 in 1886.<sup>2</sup> This decline in exports and imports was the result of a depression following upon the speculative boom which had been set in motion by the expansion of diamond mining and brought to its bursting point by the Transvaal secession and the Basuto War in the early eighties.<sup>3</sup> Like the rest of South Africa, Natal succumbed to the depression. A contributing factor was the sudden drop in the purchasing power of the Transvaal which punished Natal severely for its over-trading and speculation.<sup>4</sup>

Various causes can be advanced for this state of trade depression, some local, and others external in character.<sup>5</sup>

The most important cause within the Colony was the inflated condition of the demand and supply from 1878-1881 caused by the Zulu War of 1879, and the exceptional prosperity which accompanied it. Consequently a period of stagnation followed with the withdrawal of troops. And in its wake large stocks of imported goods, accumulated during the war, became unprofitable and redundant.

External causes which contributed to the depression were, among others, the prolonged drought in the Free State and the Transvaal in the 1880's, with the accompanying losses of stock. This obviously led to the impoverishment of

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2. B.J.T. Leverton: Government finance and political development in Natal, p. 234; See G.H. 614 Despatches Received from High Commissioner for Southern Africa: No. 40, Robinson - Havelock, 3.8.1888, Minute: C. Bird - G. Rutherford, 14.8.1888.
  3. B.J.T. Leverton: Government finance and political development in Natal. p. 207-210.
  4. C.W. de Kiewiet: The Imperial factor in South Africa, p. 307.
  5. These causes are well summarised in the Report of the Trade Commission, 1885-1886, pp. 8-10. N.B.B. 1886 Supplements. Dept. Reports. Reports of the Trade Commission, 1885-1886.

the farmers and producers and in turn was followed by a falling off in the demand for imported goods, a result necessarily affecting the value of wool and other produce purchased or taken in exchange from Natal.

The fall in the English market price of staple colonial exports had also materially affected sugar, a colonial product wholly domestic in its growth and manufacture. The sugar industry represented a large capital investment, and its condition tended materially to worsen the general depression then prevalent.

A further blow to the Colony's trade was the incorporation of Griqualand West (Kimberley) in 1878 and Griqualand East in 1880. Prior to their incorporation Natal had enjoyed a large trade in these areas. This position was aggravated by inland Custom Houses being established on the Colonial frontier in Griqualand West in 1883 and afterwards Griqualand East (Umzimkulu boundary) in 1885. At both these points the full duties of sea customs were imposed on all goods introduced into the Colony. This led to a loss of valuable trade.

Another very serious factor which helped to place Natal in the midst of her depressed condition was the extension of the Cape railway system to Kimberley by 1885 - an extension which resulted in the loss to Natal of all trade of the western portion of the Transvaal. The trade was then confined to the districts immediately adjoining its border.

The increasing trade of Delagoa Bay was another condition affecting the Colony in so far as it relates to its trade with the interior. The geographical position of Lourenco Marques was strengthened by the opening of the gold fields in the Transvaal. In order to get the lion's share of the Transvaal's trade an agreement was reached between the Government of Portugal and the Republic, whereby all goods imported at Lourenco Marques passed through the Transvaal,

Free State and countries beyond, at a low ad valorem rate of 3 per cent. It seemed quite obvious that with such a low rate of duty, goods imported through Natal at higher rates of duty stood no chance of competition - or survival.<sup>6</sup>

Even in the financial sphere the onset of the depression was clearly noticeable, the amount of coinage in circulation falling from a boom level to £700,000 where it remained until the end of the decade. Insolvencies rose rapidly in 1885 and further accelerated in 1886, and in April 1886 the South African Bank went into liquidation.<sup>7</sup>

The population in Natal during the depression was in such a sorry plight that large numbers moved to the gold fields. In fact the Natal Mercury remarked in January 1886 that the Natalians predominated at the Transvaal goldfields.<sup>8</sup>

Again in September 1888, the Natal Mercury stated that the white population of both the Free State and Transvaal was almost double that of Natal.<sup>9</sup>

The position in Natal became so critical that the Executive once again decided in 1888 to favour the introduction of government directed immigration in order to increase the value of landed property and to enhance the revenue.<sup>10</sup>

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6. N.G.G. vol. 38, 15.6.1886, pp. 349-351; G.H. 1300 Confidential Despatches to the Secretary of State, (C.O. 179/164 No. 13821) Havelock - Granville, 30.6.1886; Natal Mercury, 18.6.1886; The Natalian, 20.3.1886; See C.O. 179/164 No. 14711, Havelock - Stanhope, 19.7.1886; Minute, Herbert - Bramston, 30.12.1886. C.O. 179/164 No. 14711, Havelock - Stanhope, 19.7.1886, Minute, Herbert - Bramston, 30.12.1886.
  7. Natal Witness, 12.4.1886; Mercury, 14.4.1886.
  8. Mercury, 20.1.1886.
  9. Mercury, 25.9.1888.
  10. E.C. 19 Minutes of the meeting No. 22, 10.9.1888, G.H. 1069 Letters received from private individuals: W.L. Hartley, M.L.C. - Havelock, 8.9.1888; Sir Walter Peace Newspaper Collection (in Killie Campbell Africana Library) p. 37.

When Havelock therefore arrived in Natal in February 1886 he found the finances in a critical state. The actual revenue for the year 1885 was £662,915 and the actual expenditure was £744,159.<sup>11</sup> The revenue of 1885 therefore fell short of the expenditure by £111,244. What made the picture more gloomy was the fact that the accumulated savings had been overspent by £47,849. At the end of 1881 there was a large accumulated balance to the credit of the government, which, by the successive deficits of 1882, 1883, 1884 and 1885 was swept away. By the end of 1885, not only were all the savings exhausted, but there was now an accumulated debt of £47,849.<sup>12</sup> It was rather unfortunate that as soon as the accumulated surplus was exhausted during 1885, no arrangements were made for an equalization of revenue and expenditure, so that there would have been no cause for anxiety.

Havelock ascribed this state of affairs mainly to the tendency to overestimate<sup>13</sup> the proceeds of nearly all the items of revenue, which again led to overspending. Customs revenue for the period 1883 to 1885 was £169,575, but yet an amount of £197,800 was estimated, a shortfall of £28,225. The average railway income for the period 1883 to 1885 amounted to £150,593, but had been estimated at an exorbitant figure of £273,750 due to overconfidence as to the expected results of the opening of the extensions to Escourt. These poor results were due largely to ox-wagon transport competing with the railways. Although

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11. G.H. 1225 (C.O. 179/164 No. 12582) Copies of Despatches to the Secretary of State: No. 75, Havelock-Granville, 10.6.1886.
  12. N.H. IX, 13.9.1886; pp. 22-27; N.H. 23.9.1886, pp. 67-82; N.H. IX, 27.9.1886, pp. 85-93; G.H. 1225 (C.O. 179/164 No. 12582) Copies of Despatches to the Secretary of State: No. 75, Havelock - Granville, 10.6.1886.
  13. The following figures will be found in G.H. 1225 (C.O. 179/164 No. 12582) Copies of Despatches to the Secretary of State: No. 74, Havelock - Granville, 10.6.1886.

rail charges were reduced to the lowest paying rates, the competition of the ox-wagons continued in spite of the general depression in trade, resulting in the railway income for the first four months of 1886 being short of that for the corresponding period of 1885 by £13,839 - although 174 miles of railway had been opened for traffic<sup>14</sup> as compared to 116 miles the previous year.

The overriding problem that beset Havelock was to find ways and means to offset the huge deficit. He found that even if all the cash balances were used towards meeting the authorised and probable supplementary expenditure for 1886, a deficit of £107,022 would still exist. He estimated a possible reduction on the railway expenditure to the amount of £60,331. But on examination of the remaining items of expenditure he found that there was little scope for reduction. Public works, education and the remaining branches of the public service, with the probable exception of Colonial Defence, were inadequately catered for. Nevertheless he felt that a saving of £45,750 could be effected in these departments.<sup>15</sup>

The Executive<sup>16</sup> saw difficulty in reducing establishments and Havelock suggested instead public works cuts to the extent of £65,350, and also measures to counter the competition of the ox-wagon trade with the railways. Havelock was hopeful, too, that the Legislature would approve of additional taxes in respect of custom dues, land, property tolls, and income tax. The British government<sup>17</sup>

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14. Busschau, W.J.: The Development of the Natal Government Railways, pp. 72-73, 78.

15. See G.H. 1225 (C.O. 179/164 No. 12582) Copies of Despatches to the Secretary of State: No. 75, Havelock - Granville, 10.6.1886.

16. See G.H. 1225 (C.O. 179/164 No. 12582) Copies of Despatches to the Secretary of State: No. 75, Havelock - Granville, 10.6.1886.

17. C.O. 179/164 No. 12582, Minute, Fairfield - Meade, 16.7.1886.

felt that if the Legislature rejected such proposals it would have only itself to blame and would prove thereby that Natal was not ready for responsible government.

Meanwhile Havelock in consultation with the Executive,<sup>18</sup> and without the knowledge of the colonists, asked the British government for a refund of the £250,000 paid on account of the expenses of the Zulu War. He based his claim on the grounds that the war had only for a short while increased the colonial revenue while certain individuals who had materially benefited had since then left the colony with the money. Furthermore, the prosperity, which Sir George Colley had anticipated, when he approved of the contribution, had not materialised from the results of the railway extension during the War. Instead the railways had become one of the most serious "embarrassments" of the colony. The Secretary of State felt that "*no useful purpose would be served by opening up the question of the refund.*"<sup>19</sup> Havelock suggested that if this refund did not meet with their approval the British government should guarantee the interest on a loan of £300,000 for liquidating the colony's liabilities, and also for developing the coal resources of Natal. These were, in his opinion, Natal's "*best prospects.*"<sup>20</sup> Havelock then suggested that since the Cape Colony had been given an imperial loan at 3½% in 1885 for the development of the railway from Hope Town to Kimberley, Natal should be accorded the same privilege for its pressing liabilities. A loan raised under such conditions would enable the Natal government to avoid the necessity of appropriating the

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18. E.C. 18, Minutes of the Meeting, No. 19, 29.5.1886; Natal Witness, 26.7.1886.

19. G.H. 288 Confidential Despatches received from the Secretary of State: Stanhope - Havelock, 8.9.1886.

20. G.H. 1300 Confidential Despatches to the Secretary of State: Havelock - Granville, 30.6.1886 (C.O. 179/164, No. 13821).

sinking funds. However, the Secretary of State felt that the circumstances under which the Cape Colony was given the imperial guarantee for the interest on the loan were different to those of Natal at this time, and therefore could not be used as a precedent.<sup>21</sup>

Havelock then started to prepare the public for severe measures which he regarded as inevitable. In March 1886 at a Municipal banquet in Durban he drew attention to the state of the Colony's finances and warned that additional taxation and retrenchment would be necessary.<sup>22</sup>

In June of that year Havelock informed Granville of the serious financial position of the colony, and outlined his taxation and retrenchment proposals. He realised, however, that the Legislature would not be prepared to accept his measures, and in order to avoid wasting unnecessary time in futile discussions he dissolved the Legislative Council and issued writs for an election for a new Council in June 1886.<sup>23</sup> The electorate was taken completely by surprise by the dissolution. The Mercury remarked that there was hardly any reason for the dis-

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21. G.H. 288 Confidential Despatches Received from the Secretary of State: Stanhope - Havelock, 8.9.1886; G.H. 1300 Confidential Despatches to the Secretary of State: Havelock - Secretary of State, 30.6.1886; See also D.H. Heydenrych: Die Geskiedenis van die Spoorweë in die Kaapkolonie tot 1885, p. 90.
22. J. Lambert: Sir John Robinson and responsible government, 1863-1897, p. 155.
23. C.O. 179/164 No. 10018, Havelock - Granville, telegram, 8.6.1886; C.O. 179/164 No. 12583, Havelock - Granville, 11.6.1886, C.O. 179/164 No. 12584, Havelock - Granville, 11.6.1886; See C.O. 179/164 No. 17573, Havelock - Granville, 28.8.1886; See G.H. 139 Numbered Despatches Received from the Secretary of State: No. 50, Granville - Havelock, 27.7.1886; Mercury 10.6.1886; See G.H. 1066 Letters Received from Private Individuals: G.H. Lampert - Private Secretary. 31.8.1886, N.G.G. vol. 38, No. 2182, 7.6.1886.

solution and that the Governor's presumed object of enabling the constituencies to express their opinion on the financial crisis was unconvincing.<sup>24</sup>

On the 22nd July 1886 Havelock published his measures of financial reform in the Government Gazette.<sup>25</sup> The deficit at 31st December was estimated at £233,191; revenue for 1887 was estimated at £682,450 against an expenditure of £756,494. The difference between the two (£74,044) was to be made up by a land tax of £22,000, a house tax of £12,000, an income tax of £17,400, and increased custom duties of £15,000. Havelock therefore proposed raising £66,400 through additional taxation. Though these figures revealed hardly any evidence of retrenchment, they nevertheless showed how "*erroneously sanguine*" the Government had been in 1885. This was emphasised by the revelation that "*the original estimate of the Revenue of 1886 was £781,950, but there is no hope of raising that amount from existing sources of Revenue.*"<sup>26</sup>

In opening the first session of the new Council in September 1886 Havelock drew attention to the unsatisfactory state of the Finances. He pointed out that after deducting the average debt charges, a balance of £337,000 was available for the ordinary purposes of Administration and Public Service for the period 1882 - 1885. This sum had been found insufficient. While the debt charges had increased from £95,787 in 1882 to £187,388 in 1885, the actual available revenue remained almost stationary. The state of things had its climax in 1886 when the revenue was about

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24. Natal Mercury, 8.6.1886.

25. N.G.G. vol. 38, No. 2190, 22.7.1886, pp. 507f.

26. See N.G.G. vol. 38, No. 2190, 22.7.1886, pp. 507f.



£550,000. It was estimated that the excess of the expenditure over the revenue for 1886 would be about £185,000. To meet this deficit revenue of £66,000 would have to be obtained partly by indirect taxation,<sup>27</sup> as already outlined in the Government Gazette.

Havelock's taxation proposals met with much adverse criticism, both among the colonists<sup>28</sup> and in the Legislative Council. The new Council was wholeheartedly opposed to them. They were furious that the Governor had persisted in sending down these proposals without any modification and in what it called "*a most uncompromising spirit.*"<sup>29</sup> Havelock indicated to Stanhope, the Secretary of State, that the Council was unwilling to recognise the gravity of the financial situation by rejecting his taxation proposals and insist upon the prosecution of costly public works, which meant a further increase in the already embarrassing liabilities of the Colony.<sup>30</sup> The British authorities supported Havelock. They felt that his opening address displayed more courage and conviction than his predecessors' which the Legislative Council did not fully appreciate.<sup>31</sup>

Newspapers were general in their condemnation of the Government's financial programme and sided with the Legislative Council. The Natal Witness, foremost of its critics, criticised the Government's proposal for taxation as

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27. V.P. XXXVIII, 8.9.1886, pp. 3-5; N.H. IX, 13.9.1886, pp. 4-16; See N.G.G. vol. 38, No. 2190, 22.7.1886, pp. 507f.
28. Natal Witness, 9.9.1886.
29. N.H. IX, 13.9.1886, pp. 4-16, Natal Witness, 13.9.1886.
30. G.H. 1225 (C.O. 179/164 No. 18922) Copies of Despatches to the Secretary of State: No. 150, Havelock - Stanhope, 16.9.1886.
31. C.O. 179/164 No. 18922, Minute: Herbert - Meade, 23.10.1886.

"wholesale and indiscriminate,"<sup>32</sup> and demanded the £250,000 retained in connection with the Zulu War.<sup>33</sup> And the "Natal Afrikaner" asked the Governor to be more objective and realistic in his policy.<sup>34</sup> The Natal Mercury had already soon after Havelock's arrival in the Colony warned him that when drawing up his taxation proposals, it would be well to remember that the conditions of Natal were not the same as in the West Indies.<sup>35</sup> This was indicative of the widespread feeling that existed against Havelock in the Colony right from the start.

The Governor's proposals for taxation had caused such an uproar that Harry Escombe, member for Klip River County and Chairman of the Harbour Board, moved in the House that a Finance Committee be appointed to go into the question of ways and means for 1887.<sup>36</sup> It was felt that the Supply Bill for 1887 had been prepared in June 1886 under conditions which had entirely ceased to exist and that now with the revolutionary developments taking place on the Gold Fields the financial prospects of Natal had entirely changed.

The Report of the Finance Committee resolved on three main points: first, that the estimated revenue of the Colony for 1887 was too low; secondly, the expenditure proposed for 1887 was out of all proportion with the probable revenue, and finally, that certain items charged to ordinary revenue belonged to a totally different class, that is, to expenditure which should have been spread over a number of years as distinguished from being debited against the income of any particular year. The Committee therefore came

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32. Natal Witness, 24.7.1886 and 26.7.1886.

33. The Governor had done just that in a previous despatch. See C.O. 179/164 No. 13821, Havelock - Granville, 30.6.1886.

34. Natal Afrikaner, 17.9.1886.

35. Natal Mercury, 25.3.1886.

36. N.H. IX, 13.9.1886, pp. 16-18.

to the conclusion that "*it is necessary to bring the ordinary expenditure of the Colony for the year 1887 within the probable revenue for that year, and without recourse to new taxation.*"<sup>37</sup> This Committee therefore rejected Havelock's taxation proposals.

The Committee further emphasised that the Government's public service retrenchment proposals were too narrow in scope, and unlike the Executive, it thought that the public servants were being overpaid. In commenting on the Government's proposals (which were prepared in June 1886) it argued that the Executive had taken insufficient account of the effect of the opening up of the Transvaal goldfields, and that public works should be continued since the Colony's economic future lay in the development of its roads and harbour.<sup>38</sup> This opinion was not shared by the Colonial Office. One of its officials, Meade, warned Havelock in private correspondence, that the Legislature should guard against a too "*spirited policy*" for fear of bankruptcy.<sup>39</sup>

In a heated debate, the Acting Colonial Secretary, F.S. Haden, accused the Finance Committee of trying to "*usurp the functions of the House*". The Government nevertheless admitted that circumstances had changed since the estimates were drawn up in 1886 and that there was a fair possibility of the estimates of revenue being realised.<sup>40</sup> In pursuance of resolutions, adopted by the Legislative Council, the Land Tax Bill and the Income Tax Bill were thrown out.<sup>41</sup>

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37. N.H. IX, 20.9.1886, pp. 54-56, N.H. IX, 27.9.1886. pp. 85-93; Natal Mercury, 25.9.1886.

38. N.P.P. 302, Select Committee Report: No. 2, 1886-1887.

39. C.O. 179/164, No. 18044, Meade - Havelock, 14.10.1886.

40. N.H. IX, 27.9.1886, pp. 85-93; N.H. IX, 28.9.1886, pp. 95-103.

41. C.O. 179/167, No. 3020, Havelock - Stanhope, 17.1.1887.

In the Supply Law of 1887 as it was finally passed by the Legislature the gap between revenue and expenditure was narrowed so that expenditure exceeded revenue by the small sum of £669.8.3. The Council had thought it proper, in case of general heads of revenue, to alter by way of increase, the final estimates of the Government. On the expenditure side the Council had reduced further the sum already proposed by the Government. Further reduction was envisaged on the estimated expenditure on harbour dredging, and at least one third on the Resident Engineer's department, the total reduction amounting to £9,000. These charges had been defrayed from current revenue and was now to be charged against borrowed capital.<sup>42</sup> The Legislative Council's action seemed illogical, since on the one hand it sought to cut down the cost of establishments and on the other hand maintain and even increase expenditure by expediting the execution of public works.

At the beginning of 1887 the elective members of the House held a meeting to consider what action they should take regarding the Government's financial policy. The members decided that the revenue for 1887 would be sufficient to cover expenditure without recourse to taxation and that a loan bill should be passed for the promotion of public works. Consequently a Public Loans Bill to raise £500,000 was passed of which £360,000 was to be used for railway extension and harbour works.<sup>43</sup>

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42. C.O. 179/167 No. 4604, Havelock - Stanhope, 7.2.1887.

43. G.H. 1225 Copies of Despatches to the Secretary of State: No. 208, Havelock - Stanhope, 17.12.1886; See J. Lambert: Sir John Robinson and responsible government, 1863-1897, p. 158; See also G.H. 143 Numbered Despatches Received from the Secretary of State: No. 55, Holland - Havelock, 19.5.1887.

Havelock proposed that the offices of Postmaster and Superintendent of Telegraphs which had previously been held separately with salaries and allowances amounting to £780 be now combined to effect a saving.<sup>44</sup> He also proposed that the appointment of a Forest Officer,<sup>45</sup> and a Non-commissioned officer for the Trigonometrical Survey<sup>46</sup> be both deferred until the finances of the Colony improved. The Colonial Engineer agreed that the primary triangulation of the Colony could be shelved for the present. The commencing of the new Legislative Council buildings were temporarily stopped. The Secretary of State also suggested that the estimated cost of the Durban Gaol be reduced.<sup>47</sup> And lastly Havelock announced his intention of limiting allowances to members of the Legislative Council, in respect of the time for which they were to be payable.<sup>48</sup>

These attempts by Havelock to solve the financial crisis did not satisfy or convince the Council. The latter introduced drastic measures for retrenchment as far as salaries of officials were concerned.<sup>49</sup> These extreme measures adopted by the Council were regarded by Havelock

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44. G.H. 1225 (C.O. 179/164 No. 16640) Copies of Despatches to the Secretary of State, No. 122, Havelock - Granville, 17.8.1886.
45. C.O. 179/163 No. 5334, Havelock - Granville, 30.3.1886.
46. C.O. 179/163 No. 8135, Havelock - Granville, 10.4.1886.
47. G.H. 1225 (C.O. 179/164 No. 16237) Copies of Despatches to the Secretary of State: No. 117, Havelock - Granville, 10.8.1886, G.H. 140 Numbered Despatches Received from the Secretary of State: No. 27, Stanhope - Havelock, 4.10.1886; G.H. 1225 (C.O. 179/164 No. 17176) Copies of Despatches to the Secretary of State: Havelock - Granville 17.8.1886.  
For British opinion see Minute in C.O. 179/164 No. 17176, 17.8.1886.
48. G.H. 137 Numbered Despatches Received from the Secretary of State: No. 15, Stanhope - Havelock, 18.9.1886.
49. G.H. 1225 (C.O. 179/167 No. 4606) Copies of Despatches to the Secretary of State: No. 33, Havelock - Stanhope, 8.2.1887.

as injudicious and unjust, because one section of the community was affected, that is, the Public Servants, who in reality were by no means overpaid. He still maintained that there was ample scope for additional taxation and in the process of bringing about an equalisation of revenue and expenditure, retrenchment should have been supplemented by taxation.<sup>50</sup> He was so perturbed with these reductions that he asked Stanhope to intervene, and suggested that salaries should still be paid at the 1886 rates.<sup>51</sup> But Holland, the new Secretary of State, advised Havelock that the salaries should be paid at the rates voted by the Council as he did not think he would be warranted in disregarding even temporarily the votes of the Council, by continuing the payments of the salaries on the old scale.<sup>52</sup> The futility of the salary reductions was evident from the fact that the Legislature was able to effect a saving of only £13,000 out of a total expenditure of £673,000.<sup>53</sup> In some cases salary cuts were impracticable and the Committee of Supply found it better to make no reductions at all.<sup>54</sup> The Secretary of State regretted that the Legislature should see fit to make a 50% reduction in the salary of its Speaker, "*an old and distinguished servant of the Colony.*"<sup>55</sup> The Natal Mercury made an issue of this and felt that so large a reduction was unwarranted since his

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50. G.H. 1225 (C.O. 179/167 No. 4606) Copies of Despatches to the Secretary of State: No. 33, Havelock - Stanhope 8.2.1887.
  51. G.H. 1225 Copies of Despatches to the Secretary of State No. 33, Havelock - Stanhope, 8.2.1887.
  52. G.H. 141 Numbered Despatches Received from the Secretary of State: No. 32, Stanhope - Havelock , 3.2.1887.
  53. N.P.P. 302 Select Committee Report: No. 2, 1886-1887.
  54. G.H. 143 Numbered Despatches Received from the Secretary of State: No. 15, Stanhope - Havelock 18.9.1886.
  55. G.H. 143 Numbered Despatches Received from the Secretary of State: No. 60, Holland - Havelock, 25.5.1887.

role was an important one.<sup>56</sup> In this matter the Council therefore did not even get the support of the Press.

There was also considerable reduction in salaries of railway officials. The Secretary of State made special mention of the General Manager of the Railways who was engaged under a written agreement with the Crown Agents, in which a certain salary was promised. The Secretary of State felt that the Colony was morally obligated in respecting such an agreement.<sup>57</sup> The salaries of judges also came under the hammer, but the Attorney General maintained that these salaries could not be changed except by a law.<sup>58</sup>

In November 1886 the Legislature went further and requested that all appointments with a salary of over £200 per annum should be made by the Governor with the advice of the Council, but subject to the approval of the home authorities.<sup>59</sup> In a despatch to the Secretary of State, Havelock accused the Legislature of trying devious methods to gain an indirect control over civil service appointments.<sup>60</sup>

The question of the salaries of the Colonial Secretary and the Governor assumed a constitutional and political character and the Secretary of State was drawn into the controversy. Secretary Holland emphasised that there was a traditional understanding that the salaries of public servants once fixed by executive authority cannot summarily

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56. Natal Mercury, 16.12.1886

57. G.H. 143 Numbered Despatches Received from the Secretary of State: No. 60, Holland - Havelock, 25.5.1887; N.H. IX 17.12.1886, pp. 533-534.

58. N.H. IX, 17.12.1886, pp. 533-534.

59. N.H. IX, 10.11.1886, pp. 288-290, N.H. IX, 11.11.1886, p. 297.

60. G.H. 1225 Copies of Despatches to the Secretary of State: No. 215, Havelock - Stanhope, 23.12.1886.

be changed. This was a "*principle of the highest importance and on the faith of it the public is able to command men of character and ability.*"<sup>61</sup> The post of Colonial Secretary had been temporarily filled by F.S. Haden since 1885 at an annual salary of £1,000 and the Legislature now proposed to reduce it to £700 per annum. Havelock felt that this reduction was unwarranted, and that this post was exceptionally difficult and important. The clash between Havelock and the Legislature over the office of Colonial Secretary actually started because the Governor had previously approved the appointment of Mr. F. Fleming, Attorney General of Ceylon, to be Colonial Secretary of Natal. The Council preferred someone locally for the post. Havelock opposed the reduction and suggested instead the abolition of the post of Assistant Colonial Secretary, and as a result of this amalgamation F.S. Haden was appointed permanently as Colonial Secretary.<sup>62</sup> It would seem that the Legislative Council was trying as it had done in the case of this appointment, as well as over the other civil service appointments, to hamper the action of the Executive in the exercise of its right to appoint and that it was now exceeding the bounds of its power. Ironically the Legislature approved of the increase in this salary from £700 to £800 without much debate. The intrigues of the Council can easily be

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61. G.H. 143 Numbered Despatches Received from the Secretary of State: No. 60, Holland - Havelock, 25.5.1887.
62. G.H. 143 Numbered Despatches Received from the Secretary of State: No. 60, Holland - Havelock, 25.5.1887; C.O. 179/164 No. 16239, Havelock - Granville, 7.3.1886; G.H. 288 Confidential Despatches Received from the Secretary of State: No. 15, Holland - Havelock, 21.10.1886; C.O. 179/164 No. 13788, Telegram: Governor Natal - Secretary of State, 21.7.1886; C.O. 179/165 No. 1079, Havelock - Stanhope, 21.12.1886; G.H. 1225 Copies of Despatches to the Secretary of State: No. 166, Havelock - Stanhope, 11.11.1886; C.O. 179/169 No. 23645, Havelock - Holland, 24.11.1887; C.O. 179/169 No. 23647, Havelock - Holland, 26.10.1887; G.H. 145 Numbered Despatches Received from the Secretary of State: No. 146, Holland - Havelock, 3.12.1887.



noticed; the salary was reduced to such a point where no one outside Natal would accept the appointment, and then after Haden's appointment increased to a point where the Colonial Office could itself have filled the post easily.

A matter of greater controversy and conflict than the affair of the Colonial Secretary, was the question of the reduction of the Governor's salary. The salary attached to the post was £4,000 a year. In an address to the Governor the Legislature conveyed the following resolutions:

- (1) *"That as long as His Excellency, the Governor of this Colony occupies a dual position as Governor and Special Commissioner for Zululand, his salary as Governor of Natal should not exceed £3,000.*
- (2) *That such a reduction is further rendered imperative by the necessity of retrenchment in the cost of the Civil Service, of the Colony.*
- (3) *That whatever Natal and Zululand are united under one Government, the salary of the Governor should be increased to £4,000."*<sup>63</sup>

The Finance Committee submitted a suggestion that the salary of the Governor be reduced by £500 or £1,000, and Mr. H. Escombe proposed the reduction of this stipend from

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63. Sessional Papers 1887 L.C. No. 7, 28.7.1887, p. 44; G.H. 1225 (C.O. 179/165 No. 188) Copies of Despatches to the Secretary of State: No. 198, Havelock - Stanhope, 6.12.1886; N.H. IX, 18.11.1886, pp. 359-360; N.H. IX, 23.11.1886, p. 383.

£4,000 to £3,000 on the grounds that the difference should be charged upon the revenue of Zululand, with whose affairs the Governor as Special Commissioner had so much to do.<sup>64</sup> Haden at once denounced this proposal as a breach of faith with the Imperial Government, and as a breach of faith with a particular officer. He declared that if it had been known four years earlier when the increase was expressly proposed by the Council, that the Governor would be invested with his present powers, an even higher amount would have been agreed to. The Council was clearly in the wrong, he said, in entertaining such a proposition, and they were going the wrong way to gain their end.<sup>65</sup> The Attorney General opposed the reduction and contended at some length that the Council by past votes had distinctly bound itself to vote this salary to the Governor, but the Speaker said that the 1856 Royal Charter referred to salaries of officials who were officers at that time and did not affect any subsequent salaries as fixed jointly by the Legislative and Executive. But the Attorney General argued that the Council had endorsed and implemented the policy when it raised the salary in order that the Colony might have the services of a "Governor" as distinguished from a "Lieutenant-Governor."<sup>66</sup> This was clearly revealed in a resolution passed by the Legislative Council on the 25th of November 1881 in the following terms:

*"That as an inducement to Her Majesty's Government to appoint as Resident Governor of Natal, as distinguished from Lieutenant Governor an Officer of the Civil Service of the*

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64. N.H. IX, 18.11.1886, pp. 359-360; N.H. IX, 23.11.1886, p. 383, Mercury, 4.8.1886.

65. N.H. IX, 23.11.1886, p. 383.

66. N.H. IX, 23.11.1886, p. 383; N.H. X, 14.7.1887, pp. 217-223. C.O. 179/165 No. 188, Havelock - Stanhope, 6.12.1886.

*Crown of recognised standing and experience, this Council will be willing to increase the Governor's salary to £4000 per annum."*<sup>67</sup>

The Legislature stuck to their argument that as long as the Governor occupied the dual position of Special Commissioner for Zulu Affairs as well as that of Governor of Natal, his salary should not exceed £3,000. This argument was not well founded because Sir Henry Bulwer had been appointed in a similar capacity in January 1882 at a salary of £4,000. When it became known in September 1885 that Havelock was to succeed Bulwer, the Legislature had all the opportunity then to put forward the resolution that the Governor's salary should be reduced but this was not done.<sup>68</sup> The depression had its beginning during the time of Bulwer, yet the Legislature made no provision for such a reduction in salaries of officials nor did it make any other attempts to offset the depression until it was too late.

The Legislature further argued that in keeping Natal in the dark about official negotiations with the Free State, the Governor had broken faith with the Colony, and that the status of the Natal Governor was being much reduced because it displayed his subserviency to the High Commissioner<sup>69</sup> (See Chapter 2). But it seemed that the real reason for the attack on the salary issue was the question of Zululand. They further expressed their displeasure with the Governor by censuring him because they were not consulted during the negotiations with the Boers of the New Republic.<sup>70</sup> (See Chapter 6).

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67. See G.H. 143 Numbered Despatches Received from the Secretary of State: No. 61, Holland - Havelock, 25.5.1887.

68. C.O. 179/165 No. 188, Havelock - Stanhope, 6.12.1886.

69. See Natal Mercury, 17.11.1886, and 23.11.1886.

70. Times of Natal, 20.11.1886; Mercury, 17.11.1886, and 23.11.1886; N.H. IX, 23.11.1886, p. 383.

The reaction of the Imperial Government was immediately felt and Stanhope intimated that the Legislature had no right to reduce the salary of the Governor during his term of office.<sup>71</sup> This whole question was brought before the law officers of the Crown and it was confirmed that the Legislature had no right to reduce the Governor's salary. A reduction could, however, be agreed upon for his successor. In view of this the Imperial Government felt that they would be justified in leaving inoperative the 1887 Appropriation Law which had been passed giving effect to the intended reduction, but this step was not resorted to because it would have jeopardised the finances of the country.<sup>72</sup>

The Natal newspapers came to the rescue of the Council. The Commercial Advertiser maintained that the higher officials were "*scandalously overpaid, and the pruning knife should be applied vigorously.*"<sup>73</sup> The Newcastle Herald approved of the reduction only as a protest against a Governor filling the office of Special Commissioner for Zululand.<sup>74</sup> The division between the official and unofficial members in the Legislature was pretty clear, said the Times of Natal, and was indicative of the Governor's settlement of the Zulu question which had a good deal to do with this decision.<sup>75</sup>

When this issue came before the Legislature again in July 1887, there was a strong opinion that the full salary of £4,000 be voted for the Governor, but with the provision

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71. G.H. 143 Numbered Despatches Received from the Secretary of State: No. 61, Holland - Havelock, 25.5.1887.  
 72. G.H. 143 Numbered Despatches Received from the Secretary of State: No. 61, Holland - Havelock, 25.5.1887; C.O. 179/165 No. 1072, Havelock - Stanhope, 16.11.1886; Sessional Papers 1887, L.C. No. 7, pp. 43-46.  
 73. Commercial Advertiser, 15.4.1886.  
 74. Newcastle Herald, 27.11.1886.  
 75. Times of Natal, 20.11.1886.

that until Zululand was annexed to Natal the salary of the Governor be provided to an amount of £1,000 from Zulu Funds. This change of opinion was partly due to the diplomacy displayed by the Secretary of State when he proved to the Council that they were clearly in the wrong. The effect of this "salary struggle" showed that the Legislature was a greater force than Havelock had realised. It also proved to the Governor and the Imperial Government that any matter affecting the interest of Natal, had to receive the full approval of the Legislature. This motion of censure on the Governor was historic, because it was extremely rare for a British Colony to impeach its Governor.<sup>76</sup> Sir John Robinson, speaking in the House, admitted that the gravity of the situation centred on the whole financial question, and insisted that the regulation and control of finance was a privilege of the Council.

This motion must be further seen against the background of the Zululand question and the Free State correspondence.<sup>77</sup> In all these cases the Council had insisted on its rights to be consulted, and was advancing claims which Havelock believed to be unjustifiable. The lack of confidence of the Council in the Governor must have come as a shock to many colonists, specially since previous Governors had worked in close cooperation with the House. Although Havelock emphasised that the Council had no such rights and although Stanhope upheld his actions, the clash between the Governor and the Legislative Council can be seen as a stepping stone on the road to responsible government.

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76. Natal Mercury, 18.12.1886.

77. See N.H. IX, 13.12.1886, p. 480; See Chapter 2 and 6 See J. Lambert: Sir John Robinson and responsible government, 1863-1897, p. 160.

This pattern of conflict and compromise early in the Governorship of Havelock continued to persist in many other spheres of his administration.

The Legislative Council's hopes and expectations regarding the improvement in the finances were realised and in June 1887, Havelock telegraphed the Secretary of State on the improved conditions in trade, revenue and railway receipts maintained for five months. In the opinion of the Treasurer the estimates for 1887 would be exceeded by the end of the year. This increased prosperity was artificial, in that it did not emanate from Natal, but was due largely to the increased trade with the Transvaal goldfields, and the consequent demand for transport on the Government railways. The rise in the price of wool also helped to some extent to increase the revenue. While the value of the imports and the amount of the customs revenue of the first six months of 1887 were almost double those of the second half of 1887, the value of the exports of the first six months of 1887 was less than one fifth in excess of the value of the exports of the corresponding period of 1886. Gold exported during the first six months of 1886 was £60,000, whereas for the corresponding period in 1887, gold to the value of £51,674 was exported.<sup>78</sup>

The actual revenue for 1886 was £600,177.17.0 whereas the revenue for 1887 was £816,815.16.8. This amounted to an increase in revenue of £216,637.19.8. The actual expenditure for 1886 was £717,414.12.0 whereas the expenditure for 1887 was £689,572.17.0. This amounted to a decrease in expenditure of £27,841.15.10.<sup>79</sup>

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78. C.O. 179/168 No. 16056, Havelock - Holland, 11.7.1887 (G.H. 1225 No. 163)  
 79. G.H. 1225 Copies of Despatches to the Secretary of State: No. 92, Havelock - Knutsford, 9.4.1888.

Economic prosperity was due largely to the opening of the Transvaal goldfields, in the Barberton, Heidelberg and Witwatersrand areas. The bulk of the trade with Barberton would be diverted from Natal to Delagoa Bay as soon as the railway towards Barberton was completed, but the geographical position of the Heidelberg or Witwatersrand areas with respect to Natal, and the facilities for transport which the Natal route offered, would secure to Natal a large permanent share of any trade which the development of the goldfields may create.

In the light of the increased prosperity in the revenue for 1888, it was decided to place the salaries of the Governor, the Clerk of the Executive Council and Private Secretary, the Secretary for Native Affairs, the Speaker of the Legislative Council and the Private Secretary to the Chief Justice at rates previously attached to them. In the case of the salary attached to the office of the Colonial Secretary, the Executive Council advised that it should be placed on the estimates at the rate of £900 per annum which was an increase of £100.<sup>80</sup>

The Supplementary Supply Law provided for a refund of all deductions made from salaries under the retrenchment scheme which were embodied in the Supply Law of 1887.<sup>81</sup> In one of a very few instances the Legislative Council acted in unison with the Governor when it took the initiative on the salary issue to provide for the refund in the Supplementary Estimates.<sup>82</sup>

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- 80. G.H. 1300 Confidential Despatches to the Secretary of State; Havelock - Knutsford, 17.1.1888.
  - 81. G.H. 1226 Copies of Despatches to the Secretary of State: No. 250, Havelock - Knutsford, 18.11.1888.
  - 82. G.H. 1225 Copies of Despatches to the Secretary of State: No. 150, Havelock - Holland, 14.6.1887.

In the Public Works and Survey Departments it was also proposed to revive the office of Assistant Colonial Engineer and Surveyor General, with a salary of £400 per annum. Votes for Indian and Native Education were also increased. Railway expenditure was increased to nearly £10,000 to accommodate the increase in traffic.<sup>83</sup> The Secretary of State urged Havelock to be cautious in dealing with the creation of offices or the increase of salaries as the financial prosperity of the Colony may not last long. Even the Governor was rather pessimistic on this issue. In a despatch to Knutsford, he said "*I do not think the government ought to share, in its entirety, the conviction which seems to prevail among the public of Natal, that the present prosperity is likely to be lasting.*"<sup>84</sup> The prevailing prosperity he said, was not due in any great measure to the development of Natal, but to the fact that the best trade route to the Gold Fields passed through Natal. On the same note, Sir Donald Currie, British M.P., warned the Colony "*against risking too much to secure a trade with the Gold Fields which may, or may not, be successful.*"<sup>85</sup> In a further despatch to the Secretary of State, Havelock assured the former that the estimates of 1888 were framed on a basis of strict economy.<sup>86</sup> But contrary to their expectations the ordinary revenue for 1888 was £990,614.0.0, an increase of £173,798.3.4 over the 1887 figure. Railway revenue showed an increase of £90,000.<sup>87</sup> Railway revenue for 1886 was £108,878, in 1887 £257,877 and in 1888, £347,982, an increase of nearly

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83. G.H. 1225 Copies of Despatches to the Secretary of State: No. 150, Havelock - Holland, 14.6.1887.  
 84. G.H. 1300 Confidential Despatches to the Secretary of State: Havelock - Knutsford, 17.1.1888.  
 85. G.H. 1300 Confidential Despatches to the Secretary of State: Havelock - Knutsford, 17.1.1888.  
 86. C.O. 179/172 No. 24984, Havelock - Knutsford, 18.11.1888. (G.H. 1226 No. 250.)  
 87. G.H. 1226 Copies of Despatches to the Secretary of State: No. 57, Havelock - Knutsford 15.3.1889.



220% in two years. Similarly the revenue from customs duties showed an increase of 106½% over two years.<sup>88</sup>

At the time of Havelock's departure the actual ordinary revenue for the first nine months of 1889 was £974,143.10.4., whereas the actual ordinary revenue for the same period in 1888 was £713,608.11.9. This amounted to an increase in revenue of £260,535.4.7. The actual ordinary expenditure during the first nine months of 1888 was £525,839.7.4. The actual ordinary expenditure for 1889 for the same period was £719,500.13.5, showing an increase in ordinary expenditure of £193,661.6.1. The increase in the expenditure was due mainly to the augmented cost of working the railways as a result of the continued heavy traffic, and also the purchase of additional maintenance material and rolling stock.<sup>89</sup>

By the end of 1890 the total revenue was £1,422,688 and the ordinary expenditure was £1,328,468.<sup>90</sup>

#### AN OVERVIEW.

The financial situation in 1889 showed a striking contrast to that of 1886 at the time of Havelock's arrival. When he addressed the Council at the opening of its first session in 1886, the Colony was still in the depths of the depression. He had to proclaim a deficit and to insist upon taxation. The year 1889 proved to be very different. The deficit had been replaced by a surplus which was probably accumulated at a swifter rate than any previous

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88. Natal Mercury, 15.2.1889.

89. G.H. 1226 Copies of Despatches to the Secretary of State: No. 266, Mitchell - Knutsford, 4.12.1889.

90. Colony of Natal: Statistical Yearbook, 1890. pp. 6-7

surplus.<sup>91</sup> The prospects of trade and railway traffic had been revolutionised. It was in a spirit altogether different and in a comparably more cheerful and confident note that the Governor opened the last session of the Council in 1889. Three years previously there had seemed to be little chance of railway extension and all schemes of public improvement were in suspense. But now at the time of his departure the Governor proposed projects of railway extensions,<sup>92</sup> and shared the view that had been freely expressed in other quarters that the treasury balance should be spent on railways and on other public works for which provision would otherwise have to be made out of further loans.<sup>93</sup>

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91. Natal Mercury, 31.12.1889.

92. Natal Witness, 22.6.1889; See the Natalian, 7.12.1889.

93. Natal Witness, 31.12.1889.

*For myself, I feel that no opportunity should be lost of furthering a scheme which has for its object the strengthening of the bonds of friendship and common interest between Natal and her neighbours.*

CHAPTER 2.CUSTOM POLICIES

AND

INTERSTATE RAILWAYRELATIONS

Havelock's period as Governor in Natal was marked by intense rivalry over customs and railway extension. This period saw not only a conflict between the two British colonies in South Africa but also a conflict between the two Republics, the Transvaal and the Orange Free State. All eyes were focused on the Transvaal, for in 1886 gold was discovered on the Rand.

With the discovery of gold commercial rivalry between the various colonies and states reached alarming proportions; moreover there was rapid development of the colonies' ports and railways. Each of the colonial ports now vied with each other for the major share of the Transvaal trade. Their immediate goal was their railway development which had to reach the Transvaal at all costs. The Free State, being in the middle, was inevitably drawn into the web. Kruger's isolation policy further complicated the commercial rivalry of the various states.<sup>1</sup>

Ironically the Transvaal had proposed in 1885 the formation of a customs union. This request was repeated in 1886 and was coupled with the wish that the Cape extend

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1. J. van der Poel: Railway and custom policies in South Africa, p. 25.

its railway from Kimberley to Pretoria.<sup>2</sup> These overtures were rebuffed by the Cape which created a great deal of resentment in the Transvaal. Now, after the discovery of gold, the Cape began to make a move in that direction, but the Transvaal, holding the whip hand, showed a lack of interest. On the other hand, Kruger made a determined effort to win President Brand of the Free State over to his policy. These overtures led to a conference between the two Republican governments in October 1887 at which the Transvaal pressed for a federal union and cooperation in railway matters. Kruger's intention was the construction of a line to Bloemfontein as an extension of the Delagoa Bay line and the closing of the Free State to railway extension from the Cape. These proposals, however, proved unsuccessful.<sup>3</sup>

From the very beginning Natal contended for its legitimate share of the trade, the consequence of which was the rapid extension of its railway and the development of its harbour.<sup>4</sup> In order to make the most of the Colony's improving prospects, the Legislative Council passed a tariff law in 1886, called "The Customs Duties and Transit Dues Law, 1886", whereby certain articles of trade (spirits, tea, blankets and tobacco were made subject only to a small transit duty, instead of the ordinary customs levy. The ad valorem (customs) tariff was maintained at 7%.<sup>5</sup>

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2. Cambridge History of the British Empire, vol. 8, p. 513.
  3. Cambridge History of the British Empire, vol. 8, p. 551.
  4. Sir John Robinson: A Life time in South Africa, p. 239.
  5. G.H. 1225 Copies of Despatches to the Secretary of State: No. 217, Havelock - Stanhope, 28.12.1886; N.B.B. 1887 Dept. Reports. Supplements, pp. D159-166; N.H. IX, 18.11.1886, pp. 343-59, 22.11.1886, pp. 364-372, 3.12.1886, p. 424, 7.12.1886, pp. 434-49; See also J. van der Poel: Railway and custom policies in South Africa, p. 25.

The combination of two factors greatly improved the competitive position of Natal - the demands of the gold fields population and the far-sighted Tariff Law of 1886. Consequently by 1890 Durban's imports were not much less than half of those of the entire Cape with its three ports and its white population, roughly eight times that of Natal.<sup>6</sup>

But a far more important competitor than either the Cape or Natal was the Delagoa Bay route. In 1883 the Portuguese Government had granted a concession to build a railway line from Lourenco Marques to the Transvaal borders because of the opening up of the Lydenberg gold fields. It ran into difficulties in 1885, but in 1886 the idea was boosted by the discovery of gold at Barberton. The first section began in May 1887 and was opened for traffic in December of the same year. Natal colonists did not realise the inherent danger of this route to their commercial interests with the interior states. The Natal Mercury stated clearly in 1886 that it had some grave doubts about the success of this route.<sup>7</sup>

However, the Delagoa Bay line began to be viewed in a serious light when it became generally known that special advantages were given to Portuguese trade to the detriment of British trade. In March 1885 the Pietermaritzburg Chamber of Commerce drew attention to the publication in the Transvaal Gazette of a supplement purporting to be a rider to Law No. 4, 1882 which stipulated "*that goods, not of Portuguese origin, cleared at Delagoa Bay, may be conveyed in transit through the (South African) Republic, on payment of a transit duty of 3% ad valorem, subject to*

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6. Natal Mercury, 3.1.1890.

7. Natal Mercury, 4.1.1886.

certain conditions."<sup>8</sup> It further stipulated that power was reserved for the South African Republic to allow a similar privilege on goods introduced from territories other than Mozambique, "*if such shall appear to be in the interests of the country.*" The Chamber of Commerce thus complained that Delagoa Bay was given an advantage over Natal. They regarded this as a violation of Article XIII of the London Convention known as the "*most favoured Nation clause.*" The State Secretary only replied to this query on the 5th January 1886 by saying that the Convention spoke of "*customs dues*" and not "*transit dues*" as was the case with Law No. 4 of 1882. Taken from this point of view the rider to Law No. 4 of 1882 cannot be regarded as a violation of the Convention. The intention of the government was not to exclude either the Cape or Natal from a similar regulation, and since this was an experiment with Mozambique, the feasibility of such a move could only be judged a year later, he maintained.<sup>9</sup> The Pietermaritzburg Chamber of Commerce was satisfied with the State Secretary's reply of the 5th January 1886.<sup>10</sup>

In the same despatch the State Secretary also commented on the High Commissioner's letter of the 18th December 1885 in an enclosure to which the Durban Chamber of Commerce complained of additional advantages being given to

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8. G.H. 609 Despatches Received from the High Commissioner for Southern Africa. S.A. No. 3, Robinson - Mitchell, 31.1.1886, Enclosure, Minute Paper 615/86, C. Bird - Havelock, 1.5.1886, p. 10.
  9. G.H. 609 Despatches Received from the High Commissioner for Southern Africa: S.A. No. 3, Robinson - Mitchell, 31.1.1886, Enclosure: Minute Paper 615/86, C. Bird - Havelock, 1.5.1886. G.H. 139 Numbered Despatches Received from the Secretary of State: No. 3, Stanhope - Havelock, 12.8.1886.
  10. G.H. 1327 Copies of Despatches sent to the High Commissioner for Southern Africa: Havelock - Robinson, 10.5.1886.

Portuguese industry. The products of Portuguese industry were introduced into the Republic at a 5% ad valorem duty, while goods of British origin were subject to a higher tariff. The High Commissioner regarded this as a violation of Article XIII of the London Convention. The Transvaal government agreed with Robinson's view that goods from any British territory must be subjected to the same rate of duty as goods coming from Portugal, but denied the correctness of the report. Portuguese products were subjected in the Transvaal to exactly the same duties as British. But Mr. Cohen, the Portuguese Consul in the Republic, maintained that Portugal had a right to import into the Republic under the above condition. The Transvaal government, said Bok, denied the validity of this contention, and were now in correspondence on the subject.<sup>11</sup>

The Durban Chamber of Commerce were not happy with the State Secretary's reply. On the 11th March 1886 they gave the following reasons for their objections:

- (a) Portuguese produce and manufactures entering the Transvaal were subject to 5% import dues only, whereas British manufacturers paid from 15% to 200% - with 33-1/3 added on invoice.
- (b) Under Article 1 of the Supplement to Law No. 4, 1882 as published in the Transvaal Gazette, goods imported through the Transvaal were subject to a duty of 3% only.

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11. G.H. 609 Despatches Received from the High Commissioner for Southern Africa: S.A. No. 3, Robinson - Mitchell, 31.1.1886, Enclosure: State Secretary Pretoria - High Commissioner, 5.1.1886.



- (c) Under Article 2 of the Supplement, Portuguese products manufactured in Mozambique, entered the Transvaal free of duty.

The Durban Chamber argued that if the Portuguese Government were correct in their view in claiming the privileges as referred to, then British imports should enjoy the same advantages. With reference to Article XIII of the Convention, this Chamber found that the words "customs dues" were not used, the exact words being "no other or higher duties."<sup>12</sup> Again on the 16th April, the Chamber of Commerce in a special Committee report called on the government to take further action to remove the disabilities inflicted on British trade by the South African

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12. G.H. 609 Despatches Received from the High Commissioner for Southern Africa: S.A. No. 3, Robinson - Mitchell, 31.1.1886, Enclosure: Report of the Special Committee of the Durban Chamber of Commerce, 11.3.1886; G.H. 139 Numbered Despatches Received from the Secretary of State: No. 3, Stanhope - Havelock, 12.8.1886. Article XIII of the London Convention reads:

*"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."*

Republic.<sup>13</sup> Stanhope<sup>14</sup> and Robinson<sup>15</sup> concurred in the view that the action of the Transvaal government was contrary to the Convention. The South African Republic therefore had a choice of two possibilities, that is: either to repeal the concession or grant the same privileges to Natal and the Cape.

This issue was further complicated by a concession granted to the Netherlands South African Railway Company by the Transvaal whereby all goods carried by it would enter and leave the South African Republic free of duties. The Prospectus of the Netherlands South African Company had been published in the Berlin papers. As a result of a request from the Durban Chamber of Commerce, Havelock enquired from the High Commissioner whether such a concession had been granted, and if so, whether the British government would have the right to claim under Article 13 of the Convention "*like-favoured treatment*" for Natal.<sup>16</sup> The Natal Mercury regarded this as a flagrant violation

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13. G.H. 1327 Copies of Despatches sent to the High Commissioner for Southern Africa: Havelock - Robinson, 10.5.1887, Enclosure: Durban Chamber of Commerce - Colonial Secretary, 16.4.1886.
  14. G.H. 139 Numbered Despatches Received from the Secretary of State: No. 3, Stanhope - Havelock, 12.8.1886.  
The Board of Trade showed that the common use of the words "imports" in the applicability of the term importation as used in Article 13 of the Convention of London was not limited by any consideration for the purpose of which goods could be brought into the country, or their ultimate destination, and consequently the words "duties on importation" applied also to duties on goods introduced for consumption. Consequently this was an infringement of the Convention.
  15. G.H. 609 Despatches Received from the High Commissioner for Southern Africa: S.A. No. 21, Robinson - Havelock, 15.7.1886.
  16. G.H. 1327 Copies of Despatches sent to the High Commissioner for Southern Africa: Havelock - Robinson, 9.12.1887.

of the Convention, and urged on the British government the imposition of the "*most favoured nation clause*."<sup>17</sup> The government of the South African Republic in reply to the despatch sent out by the High Commissioner maintained that this concession granted to the Netherlands South African Company had existed since 1884 and it was Article 39 which read:

*"For all goods, inclusive of cattle carried by the Company over the Railway for third parties, freedom from import and export duties is allowed as an exclusive privilege granted to it by the Government of the South African Republic."*<sup>18</sup>

The contention of the Transvaal Government was that because goods may be imported into the South African Republic by railway from Delagoa Bay free, without distinction as regards place or country or origin, Article 13 of the Convention was not infringed. The implication was that they did not favour any particular route of entry but rather one mode of transport (the railway) over the other (for e.g. ox-wagon transport). The opinion expressed by the Law Officers of the Crown was nevertheless that this concession was a breach of the Convention of London. They further emphasised that the Netherlands South Africa Company was not "*empowered by the terms of the concession to establish differential*

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17. Natal Mercury, 29.11.1887.

18. G.H. 611 Copies of Despatches Received from the High Commissioner for Southern Africa: Natal No. 17, Robinson - Havelock, 5.4.1888, Annexures: Enclosure 1, Robinson - State President, No. 30, 22.12.1887, Enclosure 2, State Secretary - High Commissioner, B.B. 12/88, 6.1.1888; G.H. 611 Copies of Despatches Received from the High Commissioner for Southern Africa: S.A. No. 54, Robinson - Havelock, 22.12.1887.

*charges without the concurrence of the government of the South African Republic."* In like manner the South African Republic was not entitled to authorise any differential treatment without a breach of the Convention.<sup>19</sup>

It is not clear what Kruger's real motives were behind this infringement of the Convention. Perhaps he hoped that the concessions he made out to the Netherlands South African Company, and the special advantages attached to Portuguese trade would go unnoticed by the British colonies. On the other hand he could have been really ignorant of the implications of the London Convention.

It is interesting to note that it was Natal which on both occasions noticed this infringement, clear evidence that she was all out to protect her commercial interests. This conflict between the various states made it imperative that a conference be held to sort out all the problems, so that an amicable arrangement could be effected.

In July 1886 the Cape Ministers informed Natal that an enquiry was to be held into the question of border customs and duties with a request that the colony should be represented.<sup>20</sup> The reason behind this move was that the Cape was acutely aware of the great distance from the Transvaal gold fields, as well as the fear of consolidation of a south-eastern block which would inevitably shut her off completely from the trade of the north.

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19. G.H. 614 Despatches Received from the High Commissioner for Southern Africa: Natal No. 38, Robinson - Havelock, 27.7.1888, Annexure: Lord Knutsford - Sir H. Robinson: S.A. No. 78, 4.7.1888.

20. G.H. 609 Copies of Despatches Received from the High Commissioner for Southern Africa: S.A. No. 22, Robinson - Havelock, 22.7.1886.

Kruger also received an invitation from the Cape Ministers, but realising the rebuff he had received from the Cape some months ago, flatly declined the invitation.<sup>21</sup> Similarly, the Legislative Council of Natal regarded this as "*an inopportune time for holding such a conference.*"<sup>22</sup> No reason was given by Havelock for Natal's refusal, but all indications seemed to point to a possible commercial alliance with the Transvaal. In order to protect her commercial interests, the Legislature passed the Custom Duties and Transit Dues Law, 1886, whereby a duty was imposed on manufactured tobacco imported by land from the neighbouring states. This was done because tobacco imported by sea into Natal for exportation beyond the borders only paid transit dues. This duty was to prevent such tobacco from being re-imported into Natal without additional payment of duty. Duties had also to be paid on tobacco grown in the inland states and imported by land, but a return of duty would be allowed in each case.

The whole issue of customs duties on the produce of the Cape Colony, Natal and the neighbouring states needed much contemplation, and Havelock suggested to Robinson the need for reciprocity between the two with regard to duties on colonial produce.<sup>23</sup> Havelock wrote the same letter about reciprocity simultaneously also to the Presidents of

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21. J. van der Poel: Railway and customs policies, p. 25.  
 22. G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - Robinson, 10.8.1886; G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - Robinson, 5.2.1887, N.H. IX, 28.1.1887, pp. 626-627.  
 23. G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - Robinson, 24.2.1887; G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - Robinson, 19.4.1887.

the Orange Free State and the South African Republic.<sup>24</sup> The Cape Ministers replied by saying that it was not their intention to enter into any special arrangements with Natal, but the proposals relating to railways and customs duties between the various states and colonies were under consideration.<sup>25</sup> The need for such a reciprocal arrangement was specially felt since goods produced in the Cape (with the exception of manufactured tobacco) or imported into that colony were accepted duty free into Natal, whereas articles imported into the Cape Colony overland from Natal (with the exception of maize and wheat) were subjected to the same duties as if imported by sea. The duties on sugar and rum were exceptionally high. The Cape was even at a further advantage in regard to livestock which were sent overland into Natal entirely duty free. What Natal required was a more liberal term than which already existed.<sup>26</sup> But the Cape Ministers did not show the least bit of concern and said that no good purpose would be served by entering into correspondence on this subject. They stated however that Havelock was under some misapprehension; that under Section 11 of Law No. 4 of 1886 of Natal, the colony secured protection for its own customs revenue against the re-importation of goods which had passed through Natal on payment of transit duty. Further to this, Act 22 of 1884 Section 4 had clearly stipulated that "*all the produce of*

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24. G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - President Brand, 24.2.1887; G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - President of the South African Republic, 24.2.1887.
25. G.H. 610 Copies of Despatches Received from the High Commissioner for Southern Africa: S.A. No. 22, Robinson - Havelock, 5.5.1887, Enclosure: Minute No. 1/52, Ministers - Governor, 29.4.1887.
26. G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - Robinson, 28.1.1887.

*South Africa*" was admitted over the inland border into the Cape duty free, with the exception of wine, beer, spirits, tobacco, coffee, sugar and molasses.<sup>27</sup>

This was a tremendous rebuff to Natal. But the reaction of the Cape Ministers was understandable in the light of the rejection by Natal of the Cape overtures a few months earlier.

While there was so much difference in custom rates between the two colonies, Kruger on 25th May 1888 asked assurances from Natal and the Cape that they had no intention of buying out the Delagoa Bay Railway or purchasing a controlling interest in that railway or in McMurdo's Company. It seemed that the Transvaal government and McMurdo were in conflict over the tariff question, and <sup>who</sup> Kruger expressed fear that McMurdo would perhaps get the support of Natal.<sup>28</sup> This was a golden opportunity for the British Government for they realised that they were now in a position to dictate terms. Kruger on his part was in a dilemma and was placed in such a position that he would adhere to any conditions the British Government might impose or stipulate. He desperately wanted to safeguard the Delagoa Bay railway from imperial control.

Robinson telegraphed Kruger on behalf of the Cape and Natal stating that the British Government was prepared to give such an undertaking if he would adhere strictly to

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27. G.H. 610 Copies of Despatches Received from the High Commissioner for Southern Africa: S.A. No. 14, Robinson - Havelock, 10.3.1887.
28. G.H. 611 Copies of Despatches Received from the High Commissioner: Minute Paper 120/88, Telegrams, State President (Pretoria) - Havelock, 25.5.1888; Governor, Natal - High Commissioner, 26.5.1888; High Commissioner - Governor, Natal, 28.5.1888.

the terms of the London Convention - that no higher duties would be imposed on the colonial routes than those in force on imports via Delagoa Bay.<sup>29</sup> As was to be expected Kruger gave the necessary undertaking by saying that he had never intended to make distinctions on import duties as between goods arriving by colonial routes and those arriving by the Delagoa Bay route.<sup>30</sup> As a proof of the Transvaal's earnest in this matter it was agreed to alter the concession to the Netherlands South African Railway Company by cancelling Article 39.<sup>31</sup> This was indeed a major triumph for the British colonies in their dealings with the South African Republic over customs matters. But more problems loomed ahead for Natal. Before making an attempt to discuss these problems it is necessary to go back to the years 1882 - 1884 to find the cause of the conflict between Natal and the Cape.

In the difficult years between 1882 and 1884 the Cape and Natal became aware of their position as competitors for the trade of the Diamond Fields and the two Republics. Natal, as always, was trying her best to boost the volume of traffic passing through her port and over her railways. The Cape, too, was struggling and consequently in 1883 set up a customs house on the border of Griqualand West, which succeeded in keeping Natal out. She was also aware that Natal was encroaching upon her trade with the Republics, by means of a customs tariff that was far lower than her

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29. G.H. 611 Copies of Despatches Received from the High Commissioner for Southern Africa: Minute Papers 120/88, Telegram: High Commissioner, Cape Town - Governor, Natal, 18.6.1888.
  30. G.H. 611 Copies of Despatches Received from the High Commissioner: Minute Paper 120/88, Telegram: High Commissioner - Governor, Natal, 22.6.1888.
  31. G.H. 611 Copies of Despatches Received from the High Commissioner for Southern Africa: Minute Paper 120/88, Telegram: Commissioner - Governor, Natal, 23.6.1888.



own. Natal went as far as to tempt the Free State to build her railway to the Drakensberg instead of to the Cape border. In June 1882 Natal invited the two Republics to a conference proposing to offer reductions in customs tariff in return for railway connection with the inland states. But this plan misfired since the invitation had to be sent through the High Commissioner in Cape Town, and because Sir Hercules Robinson was not only High Commissioner but also Governor of the Cape, he showed the invitation to his Ministers. This caused the collapse of the scheme and gave rise to great indignation on the part of Natal.<sup>32</sup> Robinson in reply said that he failed to understand how his action could be interpreted as a total disregard for Natal as a separate colony for:

*"Occupying as I do the double position of Governor of the Cape and High Commissioner for South Africa, I think I should have been wanting in courtesy and fairness, if I had concealed from my Ministers that in my capacity as High Commissioner I was at the instigation of the Natal Legislature about to submit to the Governments of the Transvaal and the Orange Free State proposals which might possibly affect prejudicially the interests of this Colony."*<sup>33</sup>

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32. G.H. 1326 Copies of Letters Despatched to the High Commissioner and General, 1878-1883: Bulwer - President, Orange Free State, 1.7.1882; G.H. 604 Despatches Received from High Commissioner: No. 77, Robinson - Bulwer, 21.8.1882, with enclosures; G.H. 118 Numbered Despatches Received from the Secretary of State: No. 466, Kimberley - Bulwer, 22.8.1882; G.H. 1326 Copies of Letters Despatched to High Commissioner and General: No. 56, Bulwer - Robinson, 16.12.1882; G.H. 1222, Copies of Despatches to Secretary of State, 1881-1884: No. 161, Bulwer - Kimberley, 14.9.1882; J. van der Poel: Railway and customs policies in South Africa, 1885-1910, p. 13.
33. See G.D. Quinn: The Government and High Commissioner of Sir Hercules Robinson, 1881 - 1889, p. 60.

This incident served to illustrate the weak bargaining position of Natal vis-a-vis the Cape Colony in the matter of customs.

In 1883 Natal made a further attempt to win the Republics by inviting them to a discussion on railways and customs, but the Free State insisted that the Cape should be represented as well at the conference. However, the Cape Parliament was in recess at the time and as a result the Cape Ministers could not put the proposal before it. The Transvaal was busy negotiating with the Portuguese government and declined the invitation. And finally when Natal and the Free State delegates met in March 1884 no compromise could be reached. The Free State felt disappointed because she was hoping that Natal would be willing to concede to her a share of the customs duties.<sup>34</sup> This was yet another slap in the face for Natal.

A more successful and amicable arrangement was reached over the boundary question which was defined and ratified on the 11th May 1886 by Havelock and President Brand and subsequently published in the Government Gazette on 25th May, 1886. Bulwer who was Governor at that time had appointed A.H. Hime, the Colonial Engineer, and J.E. Fannin, Land Suveyor, who met the Free State commissioners on the 30th September 1885 to beacon off the boundary line between Natal and the Free State. It extended from a point on the water-shed of the Drakensberg Range on the Mount Aux Sources where Natal, the Free State and Basuto-land meet; from there it followed the water-shed of the Drakensberg Range in a north-easterly direction to a point on the water-shed of the Drakensberg Range on the hill

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34. J. van der Poel: Railway and customs policies in South Africa, 1885-1910, pp. 12-14.

known as "Lange Krantz" where Natal, the Free State and the South African Republic meet.<sup>35</sup> In view of the success of the Boundary Convention, President Brand enquired from Havelock whether the Government of Natal would be willing to enter into a convention for the mutual benefit of both countries. The proposals made by President Brand were:

1. Reciprocal import of the products of Natal and the Free State to be secured without payment of import duties;
2. Goods imported through Durban for the Free State to be subject to only a small transit duty in favour of Natal;
3. Grain, mealies, cattle, seeds, fruit, etc. from the Free State sent through Natal for exportation to be conveyed over the Natal railway at a reduced rate.<sup>36</sup>

Havelock's immediate reaction to Brand's letter was one of excitement and hasty acceptance. In a minute to the

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35. N.G.G. vol. 38 Govt. Notice No. 223, 1886, pp. 320-321; G.H. 849, Letters from Foreign Governments, OFS: President Brand - Havelock, 2.2.1886; G.H. 849 Letters from Foreign Governments, OFS: President Brand - Havelock, 11.5.1886; G.H. 840 Letters from Foreign Governments, OFS: President Brand - Havelock, 25.5.1886; G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - President Brand, 21.1.1886; G.H. 139 Numbered Despatches Received from the Secretary of State: No. 1, Stanhope - Havelock, 9.8.1886  
It is interesting to note that the Colonial Office asked C.B.H. Mitchell to sign the Convention with Havelock, although he was not the Colonial Secretary during Havelock's term of office. In this respect see C.O. 179/163 No. 11490, Minute Herbert - Fairfield, 2.7.1886, Minute Mitchell - Fairfield, 3.7.1886.
36. G.H. 849 Letters from Foreign Governments, OFS: President Brand - Havelock, 1.6.1886.

Colonial Secretary, he said:

*"I think it us a matter for congratulations that such a proposal should have come from the Orange Free State."*<sup>37</sup>

He even went as far as to propose a reduction in the railway rate. But after a careful analysis of Brand's letter, Havelock found that there was very little that Natal could benefit from President Brand's proposals. The first proposal - reciprocal import of local produce of Natal and the Free State without import duties - was not new. Such an arrangement already existed. Local produce of Natal and the Free State with the exception of Natal rum which had an excise duty of 6d. per gallon was allowed to pass both ways without toll or duty.

The second proposal regarding a transit duty on goods for the Free State was also not without drawbacks. The Cape had already in existence such a concession which granted rebates on the rates of duty levied under the Customs Tariff on goods imported into the Colony and conveyed across the frontier into the Free State. As far as Natal was concerned this would tend to increase the volume of the trade between the two countries, and at the same time it would most likely divert the trade from the Cape to Natal. But there were some obvious objections. The concession would entail a loss of revenue if the transit duty were made so high as to defeat the object in view. The share of the customs revenue paid on goods exported into the Free State amounted to approximately £32,500 per annum. If a transit duty of 5% ad valorem was charged

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37. G.H. 849 Letters from Foreign Governments, OFS: President Brand - Havelock, 1.6.1886, Minute, Havelock - Colonial Secretary, 9.6.1886.

on the same goods this would result in a revenue of only £15,000, a loss of £17,500. Another decided disadvantage was that there would be a difference between the rates of duty on imported goods for home consumption and goods imported for transmission to the Free State. In the former case the rates were higher and this would encourage smuggling back into Natal of goods exported into the Free State. In other words the greater the difference between the two rates the greater would be the smuggling. It would cost the government a great deal to curb such smuggling.

As far as the last proposal was concerned Havelock could not recommend such a reduction in rates since that would place the local producers at a disadvantage. The down rates from Ladysmith to Durban on the Natal railways had already been reduced to 30s. a ton which was less than half the corresponding up-rate (Ladysmith was the nearest point on the railway to the Free State boundary).<sup>38</sup> Stanhope agreed entirely with the Governor. The existing financial conditions of Natal prevented the Imperial Government from entertaining proposals that would involve the colony in a heavy loss financially, he told the Governor.<sup>39</sup> He therefore asked Havelock to communicate to President Brand the undesirability of a convention.<sup>40</sup>

The Legislative Council was totally unaware of these negotiations. They felt that they were barred from the friendly overtures of the Free State Government. They

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38. G.H. 1225 Copies of Despatches to the Secretary of State: No. 112, Havelock - Granville, 9.8.1886.  
 39. G.H. 140 Numbered Despatches Received from the Secretary of State: No. 24, Stanhope - Havelock, 30.9.1886.  
 40. G.H. 1327 Copies of Despatches to the High Commissioner and General: Havelock - President Brand, 15.11.1886; G.H. 850 Letters from Foreign Government, OFS: President Brand - Havelock, 30.11.1886.

felt further annoyed because they only became aware of this correspondence as a result of its publication in the Free State Gazette. The Governor was heavily censured for his lack of interest in the welfare of the colony. The resolution that was finally passed showed that the gap between the Governor and the Council was wider than ever. The resolution was strongly worded:

*"That this House, therefore, regrets having to record its opinion that, in thus ignoring the existence and over-riding the claims of the Legislature of the Colony as by Charter established, His Excellency the Governor has forfeited the confidence both of this Council and of the Colony; and this House deems it necessary in defence of the high interests of both, to pray that Her Majesty will be pleased to appoint, as Her Representative in this Colony, an officer fitted by experience to direct the affairs of a Colony possessing representative institutions."*<sup>41</sup>

This was a completely unwarranted accusation by the Council. Havelock had performed an executive function and he was justified in his claim that the Council was usurping power.<sup>42</sup>

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41. G.H. 930 Natal Legislative Council Addresses: No. 70, 16.12.1886; Sessional Papers 1886, L.C. No. 40, 26.1.1887, pp. 315-316; N.H. IX, 13.12.1886, pp. 480-481; 15.12.1886, pp. 504-505; 16.12.1886, pp. 518-531.
42. G.H. 1225 Copies of Despatches to the Secretary of State: No. 213, Havelock - Stanhope, 20.12.1886, The powers conferred by the Charter on the Governor:

*"We do hereby authorise and empower our said Governor of Natal, with the advice and consent of the Legislative Council thereof, to make all such Laws as may be necessary for the Peace, Order and good Government of the said Colony."*

In their claim the Council was aided and abetted by the Natal press. The Times of Natal, for example, called it a "deliberate breach of the Charter," and asserted that the Governor had "usurped the power of the executive and the prerogative of the Council."<sup>43</sup> The Natal Witness regarded the action of the Governor "as the last drop in the bucket of colonial dissatisfaction."<sup>44</sup> Havelock's only reason for not laying this correspondence before the Legislative Council was that the negotiations did not prove advantageous to the interests of Natal. The Governor with the concurrence of the Secretary of State had given his decision to President Brand, and had these negotiations been brought before the Council it would have meant reopening the question and this would have served no useful purpose.<sup>45</sup> The Natal Mercury contended that the first body to be consulted by the Governor in regard to President Brand's letter should have been the Legislative Council and not the Secretary of State.<sup>46</sup>

The Council had on numerous occasions pursued a policy that called for the resistance of both the Governor and the Secretary of State.

The Secretary of State assured the Governor that he had the fullest confidence in him, and that he had no intention to override or ignore the Legislature. Holland's decision was that diplomatic negotiations for treaties or conventions must be conducted by the executive governments of the states concerned, and as such it would have been most improper to communicate papers to the Legislature

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43. Times of Natal, 16.12.1886.

44. Natal Witness, 18.12.1886.

45. G.H. 1225 Copies of Despatches to the Secretary of State: No. 213, Havelock - Stanhope, 20.12.1886.

46. Natal Mercury, 18.12.1886 and 15.12.1886.

whilst such proceedings were in progress.<sup>47</sup> Havelock was correct in the attitude he had adopted and in this case he was fully supported by the Secretary of State. The Legislative Council were not fully justified in their claims and rights regarding executive functions. In insisting on the recall of the Governor, the Council was going beyond the reach of its normal function.

The whole matter of inland customs duties was again revived a few months later when railway communication with the Republics came under discussion. In February 1887 Law No. 25 was passed authorising the extension of the railway from Ladysmith to the Sunday's River which was halfway between Ladysmith and Biggarsberg Junction.<sup>48</sup> Financial conditions had improved tremendously and consequently the Legislative Council<sup>49</sup> in 1887 expressed the desire that a communication be addressed to the Presidents of the Orange Free State and the South African Republic on the desirability of extending the Natal railway system to the borders of Natal, the Republics on their part should be prepared to continue within their own territories the continuation of the Natal system.<sup>50</sup> Natal received an encouraging response to this proposal from the

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47. G.H. 141 Numbered Despatches Received from the Secretary of State: No. 5, Holland - Havelock, 27.1.1887; Sessional Papers 1886, L.C. No. 40, 26.1.1887, pp. 315-316.
48. G.H. 1225 Copies of Despatches to the Secretary of State: No. 90, Havelock - Holland, 30.3.1887; G.H. 1225 Copies of Despatches to the Secretary of State: No. 41, Havelock - Stanhope, 12.2.1887.
49. N.H. IX, 1.2.1887, pp. 627-628.
50. Sessional Papers 1887, L.C. No. 3, 6.6.1887, pp. 13-15; G.H. 1327 Copies of Despatches to the High Commissioner and General: Havelock - President Brand, 4.2.1887; G.H. 1327 Copies of Despatches to High Commissioner and General: Havelock - President Kruger, 4.2.1887; G.H. 1327 Copies of Despatches to the High Commissioner and General: Havelock - Robinson, 12.2.1887; G.H. 1225 Copies of Despatches to the Secretary of State: No. 41, Havelock - Stanhope, 12.2.1887.



Free State. President Brand realised the immense importance of railway development not only in respect of the Free State and Natal but in the general interests of the whole of South Africa. The Volksraad had previously decided (27th May 1886) that due to the uncertainties that existed about customs dues at the seaport and inland frontier, the construction of a railway towards Natal should be postponed. But the recent discovery of gold on the Rand had given new urgency to this question. Consequently Natal was now informed that if she was prepared to grant the Free State an equitable share in the customs dues levied at Natal on goods destined for consumption in the Free State, the matter would be considered again.<sup>51</sup> The Transvaal did not share in this enthusiasm of its republican neighbour. Kruger had already given his wholehearted support to the Volksraad's wish that the Pretoria-Delagoa Bay railway should receive preference and consequently that government was not prepared to give its support in the construction of any other line.<sup>52</sup> In some way Kruger's preference of Delagoa Bay railway was selfish. He did not have the general interest of South Africa at heart and his policy of isolationism was evident in his preference of the Delagoa Bay route that was independent of British control.

In spite of the indifference of the Transvaal, the Council still tried to woo both republics. Consequently the Council resolved in July 1887 that a rebate would be granted if a percentage of customs duties collected on goods destined for any inland state, providing that the neighbouring state agreed to arrangements for the con-

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51. G.H. 850 Letters Received from Foreign Governments, OFS: President Brand - Havelock, 15.2.1887.

52. See Sessional Papers 1887, L.C. No. 3, 6.6.1887, p. 15.

struction through its territory of a railway to connect with the Natal system.<sup>53</sup> However, at the same time the Cape Colony had made a definite proposal to the Free State with respect to the construction of railways through the State in connection with its own system.<sup>54</sup> The basis of any agreement as far as the Free State was concerned was the question as to how much she would collect from Natal to extend her own railways. In other words the intention of the Free State was to keep the question of customs dues and the question of railway extension apart.<sup>55</sup> The Cape, too, did not want to lose out on any proposals that might be beneficial to her, and in consequence Robinson proposed to Havelock that a conference be held in Cape Town to discuss the important issue of customs and railways.<sup>56</sup> It would be a very good thing, the Imperial Government said, if the South African Colonies could arrive at some mutual understanding on this point which would probably be the first step towards federation.<sup>57</sup> Such a conference became even more necessary because Natal's relationship with the Cape was strained. Havelock's previous overtures to the Cape for reciprocal treatment for Natal's produce had not received favourable reception from the Cape Ministers. Duties imposed by the Cape customs on such produce as

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53. N.H. X, 27.7.1887, pp. 308-311; G.H. 1225 Copies of Despatches to the Secretary of State: No. 178, Havelock - Holland, 2.8.1887.
54. G.H. 1225 Copies of Despatches to the Secretary of State: No. 209, Havelock - Holland, 23.9.1887.
55. G.H. 850 Letters Received from Foreign Governments, OFS: President Brand - Havelock, 4.10.1887.
56. G.H. 610 Copies of Despatches Received from the High Commissioner for Southern Africa: S.A. No. 32, Robinson - Havelock, 11.8.1887; G.H. 611 Copies of Despatches Received from the High Commissioner for Southern Africa; S.A. No. 52, Robinson 1 Havelock, 21.11.1887; N.G.G. 39, No. 2273, Govt. Notice. No. 570, 1887, 30.11.1887, p. 1704.
57. C.O. 179/164 No. 16638: Minute, A.W.L.H. - Bramston, 17.9.1886.

sugar and rum were exceptionally high.<sup>58</sup>

This sudden change in the attitude of the Cape government was connected with the discovery of gold in the Transvaal. It was now recognised that a close economic union between the different states of South Africa was needed, and the assistance and cooperation of the Free State was vital to the interests of both the Cape and Natal. This was especially so because of Kruger's isolation policy, and the British colonies had to work through the Free State in order to reach the Transvaal. Brand was therefore placed in a very good bargaining position. The President was naturally delighted at this development. He asked that the two issues of customs dues and railway extension be kept apart. Brand feared that if the two issues were taken together, he would either lose a fair share of the custom dues or such compensation on the railway extension. This was in direct contrast to the approach of Natal which wanted to link the customs question with that of railway extension.<sup>59</sup>

The Conference opened in Cape Town on 30th January 1888, Natal being represented by the Colonial Secretary, F.S. Haden, Sir John Akerman, Speaker of the House, and John Robinson, M.L.C.; the Free State by John Fraser, Abraham

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58. See G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa and General: Havelock - Robinson, 28.1.1887; G.H. 610 Copies of Despatches Received from the High Commissioner for Southern Africa, S.A. No. 14, Robinson - Havelock, 10.3.1887, G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa and General: Havelock - Robinson, 19.4.1887; G.H. 610 Copies of Despatches Received from the High Commissioner for Southern Africa: No. SA 22, Robinson - Havelock, 5.5.1887.
59. See N.G.G. vol. 39, No. 2273, Govt. Notice No. 570, 1887, 30.11.1887, pp. 1704, 1706; See Colonial Secretary's Minute in G.H. 610, SA No. 32, 11.8.1887.

Fischer and Petrus Myburg, while Sir Gordon Sprigg and J. Hofmeyer were amongst the Cape delegates. The Transvaal was not represented.<sup>60</sup>

Special instructions were given to the Natal delegates by the Governor, these being:

- (a) that the delegates must submit a report of the proceedings at the culmination of the conference together with any recommendations.
- (b) if necessary, the delegates were to append any report or opinion either individually or collectively.
- (c) finally, Havelock emphasised the following instruction which could be regarded as the most important instruction to the delegates:

*"I would further remind you that, while it is, of course, out of the power of the Delegation, or anyone of the Delegates, to pledge the Government, it is also undesirable that the delegation should, as a Body, pledge itself to any particular policy."*<sup>61</sup>

Although the Cape initiated the Conference, the Free State delegates dominated the whole proceedings. The Natal delegates lost no opportunity in placing before the Con-

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60. G.H. 1572 Memoranda: Public works and Railways: Conference on Customs Union and Railway Extension: Report and Minutes of the Conference (Printed Copy) p. 3.

61. G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - F.S. Haden, I.W. Akerman, J. Robinson, 12.1.1888: Instruction to the Delegates appointed to meet in Conference, Delegates from the Cape Colony and the Orange Free State at Cape Town on the 30th day of January, 1888, pp. 302-304.

ference the views of the Legislative Council as to the inseparable connection between customs and railways. But the Free State insisted on their claim of a share of the customs duties levied in Natal and the Cape Colony before any question of railway extension through their country could be considered. In order to prevent the collapse of the negotiations the Conference started with the premise "*that the Orange Free State is entitled to a share in the Customs Duties collected on goods imported through the Maritime Colonies and consumed in that State.*" The Natal delegates found themselves in a difficult predicament because the fiscal policy of the colony was opposed to that of the Cape and Free State. The Cape Colony had adopted a high customs tariff whereas Natal, on the other hand, had maintained a low tariff. While the Cape Colony had therefore to consider proposals put forward by Natal for a considerable reduction of the Cape duties on many articles, the Natal delegates found that in order to arrive at the basis of a customs union it was necessary to materially increase the duties levied in Natal. The Cape Colony refused to reduce their customs duties below 12% ad valorem. And at the same time the Free State adopted a threatening attitude to establish customs houses on the borders of the Cape Colony and Natal if no finality could be reached on an equitable share of customs duties. If Natal had refused to consider a basis of possible agreement with the Cape and the Free State, the consequences would have been as follows:

- (a) the levying of high border duties by the Free State;
- (b) the possibility of the Cape combining with the Free State in the implementation of a high tariff;
- (c) the likelihood of a fiscal union between the Free State and the Transvaal, probably together with the Cape, which would inevitably be hostile to Natal;
- (d) the complete isolation of Natal from its neighbours.

The Natal delegates found themselves in a most awkward situation. They refrained from committing themselves on the resolution, but undertook to submit them for the consideration of their Government.<sup>62</sup>

In spite of the divergent views the Conference did produce a framework for a customs union and much common ground was discovered as all parties agreed on the desirability of free trade in South African produce.

The rate of duty on Natal sugar was reduced by  $\frac{1}{4}$ , whereas the rate on sugar produced in other areas was increased by 50%.<sup>63</sup> But no agreement was reached on the general ad valorem rate, which was in the case of the Cape 15% as against Natal's 7%. The Conference agreed on the principle that every member of the customs union must collect the duties payable on goods imported into its territory from outside the union, and, secondly, every member must collect the duty on goods exported to another member and pay over three-fourths of such duty to the receiving member state.<sup>64</sup> The Conference also agreed to recommend the Cape railways should be extended from Colesberg via Bloemfontein to the Vaal River, and that the Natal railway should be extended via Harrismith and Bethlehem to join the former at Ventersburg.<sup>65</sup>

Havelock, although critical of some of the details of the scheme as put forward by the Conference, nevertheless ex-

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- 62. G.H. 1572 Memoranda: Public Works and Railways: Report of the Natal Delegates, 18.2.1888.
  - 63. G.H. 1572 Memoranda: Public Works and Railways, Report of the Natal Delegates, 18.2.1888, p. 133.
  - 64. G.H. 1572 Memoranda: Public Works and Railways, Resolutions of Conference on South African Customs Union, p. 70.
  - 65. C-5390 Correspondence Respecting the Conference of Delegates from the Orange Free State and the Colonies of the Cape of Good Hope and Natal: Robinson - Holland, 22.2.1888, p. 431.

pressed general satisfaction with the outcome and was of the opinion that the government should support it during the ensuing session of the Legislative Council.<sup>66</sup> But these resolutions created a great deal of hostility in the Natal press. The Natal Witness vehemently attacked the delegates by saying that the "*Natal Delegates have apparently sat around the table and listened, like good little boys, to the eloquence of pedagogue Sprigg, and have trembled in their shoes at the firmness of the Free State delegates ...*"<sup>67</sup> But in its later issues it toned down its attack considerably.<sup>68</sup> Natal, as the Weekly News said, was bound in self defence, apart from all the grounds of common decency, to be fair and just to the Free State and Transvaal, but honesty to the inland states was impossible if the port was closed to trade by raising the customs.<sup>69</sup>

The Natal colonists were unfair in their criticism of the delegates and rash in their judgements. It was much easier to pull down than to construct - to criticise the action of the delegates than to formulate any scheme of equal merit. Had the delegates, feeling "cornered" by the Free State and the Cape, refused to consider a scheme drawn up by other hands, there would have been complaints in Natal. They would have objected that the opportunity of formulating suggestions for a future conference would thus be lost.<sup>70</sup> But at the same time, assuming all the conditions of the Conference were fulfilled, Natal would have become a willing tool in the hands of the Cape "*destroying all the vitality and nervous energy which the*

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66. G.H. 1225 Copies of Despatches to the Secretary of State: No. 59, Havelock - Holland, 6.3.1888.  
 67. Natal Witness, 2.3.1888.  
 68. Natal Witness, 29.3.1888.  
 69. Weekly News, 10.3.1888.  
 70. The Natalian, 10.3.1888.

*Natal Colonists had exhibited in the Diamond Fields, and of which in many cases the Cape was only too glad to take advantage."*<sup>71</sup>

The Report of the Committee brought out by the Durban Chamber of Commerce in March 1888 to study the implications of the Cape Town proposals, rejected it on the following grounds:

There would be no satisfactory customs union in South Africa as long as the Transvaal were out of it; the levying of high customs duty at Durban as against the existing low tariff at Delagoa Bay would seriously jeopardise the trade and commerce of Natal; payment to the inland states of 75% of duties proposed to be levied was too high, and the balance of 25% was not sufficient to be retained by Natal for her harbour and other expenditure; the Conference did not provide for a uniform railway mileage tariff, and since the question of customs and railway rates were so closely connected, any scheme not taking into account both questions could not be entertained; the duty proposed on Natal sugar was too high in comparison with other colonial produce; further additional customs duties would have a detrimental effect on the people of Natal; it was hardly conceivable that Natal should surrender, without compensation, the advantage she possessed geographically; that even if the proposals were accepted, there was no indication that the Free State would carry out the railway scheme through its territory; and lastly

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71. Weekly News, 17.3.1888.



there were only a few advantages offered to Natal in exchange for her existing position.<sup>72</sup>

In view of the objections entertained in the public press and elsewhere, Havelock urged the Natal delegates to draw up a supplementary report.<sup>73</sup>

In framing this report the Natal delegates outlined the four major objections:

1. the raising of the existing customs tariff;
2. the general difficulty with the sorting-up trade;
3. proposed route through the Free State as regards the extension of the Natal railway; and
4. the absence of a fixed mileage rate.

To these objections the delegates replied as follows:

1. the main feature of a stable customs union must be a uniform customs tariff.
2. It was possible to frame regulations with regard to the sorting-up trade and these should be included in the Articles of a Customs Union.
3. A direct line from the Natal border or from Harrismith to form a junction with the line from the Cape Colony at or near the Vaal River was preferred by some, but such a line would be in

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72. See C.S.O. 2739 Bloemfontein Customs Conference: Minutes, Resolutions, etc. 1392/1888, Durban Chamber of Commerce - Colonial Secretary, 26.3.1888.

73. G.H. 1571 Memoranda: Public Works and Railways: Correspondence with the Secretary of State for the Colonies, the Governor of the Cape Colony and the President of the Orange Free State relative to customs and Railway Construction. (Printed Copy) Havelock - F.S. Haden, J.W. Akerman, J. Robinson, 3.7.1888, pp. 150-151.

direct competition with the Coldstream extension. A proposal that it be left open to the colony to effect its junction anywhere between Kroonstad, in the North and Winburg in the South, was opposed by the Free State delegates, so the alternative point of Ventersburg was recommended.

4. The question of mileage rate should have been of prime importance at the Conference or the Conference should at least have laid down either a uniform mileage rate or a minimum rate throughout the Union.

In concluding their report the Delegates recommended that *"with a view to placing Railway arrangements upon a footing satisfactory to all parties, and to modifying the Customs arrangements as already suggested, the Colony of Natal should invite the Governments of the Cape Colony, the Free State, the South African Republic, and other territories concerned to send representatives to a further Conference to be held before the close of the current year, ..."*<sup>74</sup> The same view was held by the Legislative Council.<sup>75</sup> Even Havelock himself was sympathetic to the general feeling in the colony. He realised that the abandonment of a low tariff policy would involve the inhabitants in indirect taxation, and the financial circumstances of the colony were not such as to justify the imposition of further local taxation. What public opinion

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74. G.H. 1571 Memoranda: Public Works and Railways: Correspondence with the Secretary of State for the Colonies, the Governor of the Cape Colony and the President of the Orange Free State relative to Customs and Railway Construction (Printed Copy): F.S. Haden, J.W. Akerman, J. Robinson - Havelock, 6.7.1888, pp. 151-154.

75. N.H. XI, 18.9.1888, p. 325; See also G.H. 1327 Copies of Despatches to the High Commissioner for Southern Africa: Havelock - Acting State President, 9.11.1888.

in Natal wanted was a general scheme that would give to each country, its legitimate proportion of the trade of South Africa, although this might not necessarily qualify as a Customs Union.<sup>76</sup>

Havelock's views deserved praise. This was one of the few instances where he completely identified himself with the views of the delegates and the Legislative Council. In pleading the cause of Natal, he lost no time in communicating to Knutsford his own feelings:

*"For myself, I feel that no opportunity should be lost of furthering a scheme which has for its object the strengthening of the bonds of friendship and common interest between Natal and her neighbours."*<sup>77</sup>

The Free State realised too that any decision on the customs and railway question could only be reached by a further conference. Realising the need for such co-operation, the Acting State President telegraphed Havelock and enquired whether he would be prepared to send delegates to a convention. The Cape had already agreed to send delegates to such a conference.<sup>78</sup> The Secretary of State approved of Natal being represented but at the same time warned Havelock that difficulties had arisen as

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76. G.H. 1327 Copies of Despatches to the High Commissioner and General: Havelock - British Agent, Pretoria, 8.12.1888; G.H. 1327 Copies of Despatches to High Commissioner and General: Havelock - Acting State President, 8.12.1888; G.H. 1327 Copies of Despatches to High Commissioner and General: Havelock - Robinson, 8.12.1888; Sessional Papers 1889, L.C. No. 7, 8.5.1889, pp. 13-20.
77. G.H. 1226 Copies of Despatches to the Secretary of State: No. 153, Havelock - Knutsford, 15.7.1888.
78. G.H. 1572 Memoranda: Public Works and Railways: State President 1 Havelock, (Telegram) 12.2.1889, p. 150.

to the Cape Colony Customs Union Act, with respect to the most favoured nation clause.<sup>79</sup>

Natal delegates appointed to the Bloemfontein Conference were Sir Michael Gallway, Attorney General, Henry Binns, M.L.C. and B.W. Greenacre. Special instructions were given to them to guide them in their deliberations. Above all the Governor warned the delegates that it was not in their power "*to pledge the Government, in any degree, to any particular policy.*"<sup>80</sup>

The Conference met at Bloemfontein on the 20th March 1889 and was presided over by the State President of the Free State, F.W. Reitz. Apart from the full sittings of the Conference consultations took place between the delegates from the Free State and the Cape Colony and between the Free State and the Natal delegates. The Conference closed on 27th April 1889.

The decisions of the Cape Town Conference were put before the delegates for ratification but were rejected by the Natal delegates on the grounds that the Cape Colony and the Free State delegates were not prepared to discuss a union on the basis of a lower tariff. It was continually asserted that the Natal delegates at the Cape Town Conference had signed the report without reserve or protest, and

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79. G.H. 1572 Memoranda: Public Works and Railways: Secretary of State - Governor (Telegram) 13.2.1889, p. 152.

Robinson was not fully aware of what these difficulties were. He however, assumed what the Secretary referred to was probably referring to the free exchange of products and manufactures of British maritime colonies and a foreign inland state which was in contravention of the most favoured nation clause in certain treaties - G.H. 1572 (Telegram): Governor, Cape Town - Governor, Natal, 15.2.1889, p. 155.

80. G.H. 1573 Memoranda: Public Works and Railways, Instructions to Delegates, 7.3.1889.

further that the Legislative Council had not definitely rejected the proposals. When it became obvious that no unanimity could be reached Binns put forward the following proposals on behalf of the Natal delegates:

- (a) A transit duty of 5% ad valorem to be levied on all imported goods passing through Natal to the interior states.
- (b) Reciprocal free trade in all colonial products.
- (c) Each state or colony to be at liberty to charge its own rates of customs duties on all imported goods for its own consumption. The only provision was that the duties levied on goods imported through Natal, including the Natal transit rate of duty, should not exceed the gross duty levied by the Cape Colony.
- (d) The inland states could either collect their duties on their own border or they could be collected by the Customs authorities at Durban, and paid directly to the government of the inland states.
- (e) All goods sent through the Free State from Natal to areas beyond the Free State borders should be exempt from duty.

These proposals were rejected by the Cape and Free State delegates.

A vote was taken on the resolutions of the Cape Town Conference; it was approved by the Cape Colony and the Free State but Natal refused to bow down to this pressure simply because it was injurious to the interests of Natal. The existing Cape tariff was practically 20% whereas that of Natal was a mere 10%. The Conference tariff was between 17% to 18%. In other words the reduction as far as the Cape was concerned was a meagre 2½%, but yet Natal had

to raise its tariff from 10% to 17½%.

The Natal delegates were in favour of the broad principles of a customs union, but would not agree to enter a union on the principles of a high tariff. Sir Michael Gallway, recorded the protests on behalf of the Natal delegates against the Customs Convention proposed to be entered between the Governments of the Free State and the Cape Colony, in so far as it would cause double duties to be paid on goods crossing the Natal border. It will be seen that the Natal delegates found it impossible to come to an agreement with the representatives of the Cape Colony and the Free State.

Although the Convention was settled between the governments of the Free State and the Cape Colony, it was altered in some particulars to meet the objections of the British Government. The advantage offered to Natal sugar by the Cape Town Conference was rendered inoperative by the refusal of the British Government to sanction this provision. Therefore it was necessary for the Cape Parliament to pass an amendment to give effect to this including at the same time other alterations.

Attention was called by the delegates to the fact that all goods crossing the Natal border for consumption in the Free State would have to pay the rates of duty named in the Convention, as well as the ordinary Natal rates. Natal's choice lay between the adoption of the transit duty principle, which could only be judged after a few years had elapsed, or, on the other hand, inducing the Cape Colony and the Free State to agree to a union based on a lower tariff than that decided at Cape Town.

The question of railway extension from the Natal border was not formally laid before the Conference since the Free State delegates had insisted that the customs issue must

be settled before railway matters could be considered. But the Natal delegates informed the President that it would be advantageous to both countries if the Natal Government were to construct, equip, and work any extension from the Natal border into the Free State. A similar offer had been made by the Cape Colony for the extension of the Cape line towards Bloemfontein. The delegates also informed the President on the advisability of continuing the Natal line through Harrismith and that Natal should have a similar advantage to that of the Cape by having a through railway connection with Bloemfontein.<sup>81</sup>

The Cape and the Free State signed the Convention on the basis of the resolutions of the Cape Town Conference with a provision for the entry of any South African state. Natal protested vainly against the proposed Convention which she regarded as injurious to her Free State trade.<sup>82</sup> She even appealed to the British Government to disallow the Convention on the basis that the Natal delegates rejected the proposals as being inimical to the interests of Natal.<sup>83</sup> The Imperial Government declined to take any

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81. C.S.O. 2739 Bloemfontein Customs Conference: Minutes, Resolutions, etc. Natal Delegates' Report, 1889, (Printed Copy); C.S.O. 2739 Bloemfontein Customs Conference: Minutes, Resolutions, etc.: Customs Union Conference between the Cape Colony and the Free State, 1888. (Printed Copy); G.H. 1572 Memoranda: Public Works and Railways: Bloemfontein Conference, Natal Delegates' Report, 1889; N.G.G. vol. XLI, 1889. Govt. Notice 281, 9.4.1889, pp. 242-249.
82. G.H. 941 Legislative Council Addresses: No. 19, 21.5.1889, Annexures 3135/1889: Customs Convention entered into between the Cape Colony and the Orange Free State, Draft Report and various other enclosures; Sessional Papers 1889, L.C. No. 3, 7.5.1889, p. 5.
83. G.H. 1312 Copies of Telegrams Despatched to the Secretary of State: Governor - Secretary of State, 23.5.1889, Sessional Papers 1889, L.C. No. 14, 27.5.1889, p. 38, N.H. XIII, 6.5.1889, pp. 39-49.

action, simply notifying Natal by telegram:

*"Cape Colony Customs Tariff Act already approved, quite irrespective of Natal's action. Natal had opportunity to join Convention, but declined so (it has) not right of interference in arrangements being made (by) parties to the Convention."*<sup>84</sup>

This was a tremendous blow to Natal in her efforts to retain a portion of the interior trade. The Times put the blame on Natal's inferior political position.<sup>85</sup>

The results of the Conference were a foregone conclusion said the Natal Witness, "and the very first attempt of the Cape cuckoo was to oust the Natal hedge sparrow from its own nest."<sup>86</sup> Even Havelock accused the Cape of trying to monopolise the Free State trade.<sup>87</sup> The Legislative Council, too, realised that they could get no sympathy from the British Government.<sup>88</sup> However, she gained a promise from the Free State that no duty would be charged on goods in transit from Natal to the Transvaal.<sup>89</sup>

As a further measure in trying to safeguard her own interest, she reduced her ad valorem rate from 7% to 5%.<sup>90</sup> This was because the Convention had prevented her from competing for the Free State trade but the growing markets of the Transvaal was still open for exploitation. It was

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84. Sessional Papers 1889 L.C. No. 14, 27.5.1889, p. 38; G.H. 456 Telegrams Received from the Secretary of State: Knutsford - Havelock, 25.5.1889.
85. Times of Natal, 6.9.1889.
86. Natal Witness, 10.4.1889.
87. G.H. 1226 Copies of Despatches to the Secretary of State: No. 87, Havelock - Knutsford, 12.4.1889.
88. N.H. XIII, 4.6.1889, pp. 213-226.
89. See Sessional Papers 1889, L.C. No. 17, 3.6.1889.
90. Sessional Papers 1889, L.C. No. 15, 29.5.1889, pp. 39-4 $\frac{3}{4}$ ; N.H. XIII, 27.5.1889, 153, 30.5.1889, pp. 177-194.



for this particular reason that Natal did not want to bind herself by any customs agreement. Although the colony stood to lose £39,000 in her reduction of the ad valorem rate, this would be amply compensated by the increased volume of the trade.<sup>91</sup>

Having thus made the necessary reduction in her ad valorem rate, Natal pushed on with her railway plans towards the Transvaal, and Escombe even tempted Kruger with an ad valorem rate of 3% if he removed his exorbitant duties on Natal produce. Kruger, intent on stopping any further extension of the Natal railway, bluntly refused such a proposal.<sup>92</sup>

The Free State - Cape Colony customs agreement did not prevent Natal from making her own railway agreement with the Republic. Natal agreed to construct, equip and work the proposed extension of the railway from Van Reenan's Pass to Harrismith.<sup>93</sup> Consequently Law No. 12 of 1889 was passed to give effect to this proposal. Some of the important provisions in the Convention provided that Natal would work the line until such time as the Free State was able to take it over. A maximum tariff was provided but Natal was to bear all the risks, with half the profits going to the Free State.<sup>94</sup> The Cape - Free State Railway Convention formed the basis of the

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91. See Sessional Papers 1889, L.C. No. 15, 29.5.1889, p. 40.

92. J. van der Poel: Railway and customs policies in South Africa, p. 43.

93. G.H. 948 Legislative Council Addresses: Address No. 47, 24.6.1889; G.H. 853, Telegrams Received from Foreign Governments, OFS State President - Administrator, Natal 25.6.1889.

94. Sessional Papers 1890 L.C. No. 11, 8.5.1890, pp. 137-148; N.H. XIII, 6.5.1889, pp. 49-56; 29.5.1889, pp. 169-177; 16.6.1889, pp. 311; 24.6.1889, p. 349-59; V.P. XLI, 26.6.1889, pp. 327-387.

Natal - Free State Convention.<sup>95</sup> Havelock was not here to see the final convention signed between Natal and the Free State representatives but at least he had some share in this respect. His views while in London merit some attention. He regarded the railway extension to the Free State as one calculated to promote the interests of Natal. He concluded by saying:

*"It should tend to increase intercourse and friendly feeling between Natal and the Orange Free State, and thus to strengthen the British influence in the latter country. This section of Railway had special value also, first being a part of the line which it is hoped will eventually intersect and connect Natal, the Orange Free State and the Cape Colony, forming an important trunk line traversing South Africa from East to West."*<sup>96</sup>

It was a distinction unparalleled in the history of Natal when Mitchell in November 1890 performed the ceremony *"of turning the first sod of the Natal-Orange Free State Railway."* It was nearly 13 years since the first sod of the Natal railway system had been turned in Durban by Sir Henry Bulwer.<sup>97</sup>

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95. Sessional Papers 1889, L.C. No. 27, 20.6.1889, pp. 137-139; G.H. 1327 Copies of Despatches to the High Commissioner, General: Mitchell - State President, 2.10.1889; C.S.O. 2739 Bloemfontein Customs Conference: Minutes, Resolutions, etc. See Enclosure: Cape - Free State Railway Convention with remarks of the Natal Committee.
96. C.O. 179/175 No. 15567, Havelock's Minute - Colonial Office, 8.8.1889.
97. Natal - Free State Railway, pp. 3-4; G.H. 1226 Copies of Despatches to the Secretary of State: No. 21, Mitchell - Knutsford, 30.1.1890.

This line was finally completed in 1892. In 1894 the Volksraad of the New Republic granted permission to the Natal Government to extend the line to Johannesburg and by the end of 1895 this had been effected.<sup>98</sup>

The Cape Town and Bloemfontein conferences were important milestones during Havelock's term of office. They revealed for the first time a closer cooperation between the government and the Legislature on matters dealing with customs policies of Natal and the different states in South Africa. This was remarkable in the light of the Governor's previous relationship with the Council when the Free State correspondence and even the Zululand issue had created so much bitterness in the colony that his recall was advocated by the press as well as by prominent members of the Council.

The two conferences at the same time tried to isolate Natal economically from the rest of South Africa, largely as a result of her refusal to adhere to the principles of the conventions. But her subsequent railway convention with the Free State marked the initial breakdown in her economic and political isolation and heralded a new era of South African cooperation, of which Havelock had always spoken.

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98. W.C. Scully: A History of South Africa from the earliest days to the Union, p. 245.

*The course which I think the Legislature should adopt during its approaching Session should be to arm the Government with authority to extend the line of Railway to the Natal Frontier, either at Van Reenen's Pass or at Coldstream, beyond Newcastle or, possibly, to both points, and to give the Government power to raise funds for the purpose.*

CHAPTER 3.RAILWAY AND HARBOUR CONSTRUCTIONA. Railway Construction

The need for rapid and cheap means of transport was evident early in the colony. The expansion of industry and agriculture could not be accelerated without a corresponding growth of railways. The need for railways was further accentuated with the opening up of the gold and diamond fields. Natal began to build railways to share in with this new prosperity of the Transvaal gold fields. Before Havelock's arrival railway expansion was slow and sporadic and only local needs were met. In 1860 only two miles of track connected the Point with the commercial centre of Durban so that exports and imports could move more quickly. By 1867 the Umgeni was reached with an addition of only four miles to meet the increasing production of sugar, maize and coffee along the north coast.<sup>1</sup> Although commercial farming was increasing along the north coast railway extension was slow, and Verulam was only reached in 1879, a distance of twenty miles. At the same time Pietermaritzburg was growing in importance as a commercial, political and military centre which had to be linked with the port of Durban by railways. This was accomplished in 1880.<sup>2</sup> During 1883 the construction of the line beyond Pietermaritzburg began and on the 1st May 1884 the line to Howick was opened. Estcourt was reached in December 1885 and by June 1886 trains ran through to Ladysmith.<sup>3</sup> At the time of Havelock's arrival there were

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1. N. Hurwitz: Agriculture in Natal, 1860-1950, p. 11.
  2. Brookes, E.H. and C. de B. Webb: A History of Natal, p. 79.
  3. E.D. Campbell: The birth and development of the Natal railways, p. 118.

195 miles of railway. Gross revenue from the railways during 1886 amounted to £148,999 and the gross expenditure to £145,443. On the 116 miles opened in 1885 the gross expenditure was £159,149 and the revenue only £135,547.<sup>4</sup>

The Natal railways suffered during the depression of 1883-1886 although passenger fares and rates were cheapest in the colony, much cheaper than ox-wagon rates.<sup>5</sup> The discovery of gold in 1886 intensified the competition from ox-wagons which had previously conveyed all classes of goods traffic that legitimately belonged to the railway.<sup>6</sup> Reduction of the rates in order to drive out the ox-wagon competition would not solve the problem even if all the traffic were absorbed by the railway as this would inevitably result in a greater loss of revenue than if the railway rates were maintained. Therefore many concessions in railway rates were made in order to meet the ox-wagon competition, for example, in July 1884 when the railway extension to Howick was opened the rates were reduced to 23%.<sup>7</sup> In so doing the Department did not reap any financial benefits but it was the merchants and the public who generally reaped the benefits of lower tariffs both by the railway and ox-wagon.

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4. W.J. Busschau: The Development of the Natal government railways, Table opposite p. 75, J.F. Ingram: The Colony of Natal, p. 45.
  5. C.S.O. 1065 Letters Received: No. 2685/1885, Hunter - Colonial Secretary, 13.6.1885.
  6. C.S.O. 1070 Letters Received: No. 1035/1886, Hunter - Colonial Secretary, 10.3.1886.
  7. C.S.O. 1070 Letters Received: No. 1035/1886, Hunter - Colonial Secretary, 10.3.1886.

It was the ox-wagon which lowered the rates to the 1886 level and kept them down effectively. In 1886 the rate between Durban and Pietermaritzburg was 50 to 60 shillings a ton,<sup>8</sup> and when the line to Estcourt was opened in 1886 (the immediate result was a reduction of almost 40% in the ox-wagon rates) the public benefited tremendously in carriage even during the depressed state of the trade.

If the railway rates were reduced further, it would not be surprising if the ox-wagon rates would be lowered even more. The European transport rider was being gradually elbowed out by the competition of the Bantu owner of wagons, and even by the former who employed Bantu drivers during those parts of the year when he was not busy. In both these cases there was no outlay or taxation involved but a licence which cost only twenty shillings a quarter.<sup>9</sup>

During the whole of 1886 the line to Estcourt had been open, and by the latter part of the year, there were 195 miles as far as Ladysmith. From January to April 1886 the earnings showed a decline. In January 1886 the revenue was £10,596, a decrease of £4,589 on the corresponding month of 1885, in February the earnings dropped to £9,059, a decrease of £2,089 as against February of the previous year; in April the earnings were £8,470, being a decrease of £3,877 on the earnings of April 1885. But after April there was a steady increase. In May the revenue increased to £9,132, only £943 less than the corresponding period in 1885; in June the earnings amounted to £9,698, being a shortfall of only £1,114 over the same month of 1885. When the whole line was in operation in

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8. C.S.O. 1070 Letters Received: No. 1035/1886, Hunter - Colonial Secretary, 10.3.1886.

9. N.H. IX, 14.9.1886, p. 19.

July, the revenue increased to £10,519, £182 more than July 1885. The receipts for August were £12,091, an increase of £2,373 against August 1885.<sup>10</sup>

The presence of the Transvaal gold fields brought tremendous prosperity to Natal and the railways. Although the extension from Estcourt to Ladysmith was opened in June 1886, no appreciable increase in revenue was immediately apparent until September when the presence of the gold mining population began to manifest itself and the railway was busily employed.<sup>11</sup> By 1889 Natal's 225 miles of railway was earning 40% more than the 670 miles of the Cape Town-Kimberley system, in spite of the vast stretches of level line in the Cape. Further, by 1890 the gross earnings of Natal's 285 miles were a third of the Cape's whose system of 1650 miles was nearly six times longer.<sup>12</sup>

The effect of the Transvaal gold fields on the revenue of the Natal Railways was clearly reflected in the reports of the General Manager of the Railways:<sup>13</sup>

|         |      |                   |
|---------|------|-------------------|
| Revenue | 1885 | £135,547 . 18 . 6 |
|         | 1886 | £148,999 . 8 . 8  |
|         | 1887 | £257,877 . 8 . 9  |
|         | 1888 | £347,982 . 0 . 7  |
|         | 1889 | £535,260 . 16 . 0 |

*why?* In spite of these increased railway earnings the Council clashed with the Governor over the question of railway extension. The Council felt that railway extension was vital to the prosperity and development of the Colony.

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10. N.H. IX, 14.9.1886, p. 19.

11. Natal Mercury, 6.1.1887.

12. Natal Mercury, 3.1.1890.

13. N.B.B. 1885-1890 Supplements: Reports of the General Manager of Railways.



They therefore resisted the Governor's taxation measures for equalising revenue and expenditure. Moreover, they said that the only taxation the Colony could afford was that for the prosecution of railway extension and harbour development.<sup>14</sup>

In view of the importance attached to railway development a Select Committee was appointed in September 1886 to consider and report upon the condition, management and prospects of the Natal railway system.<sup>15</sup>

The evidence taken by the Committee proved the futility of any effective development of the coal resources of the colony until the coalfields had been brought into contact with the harbour by the extension of railways. The Committee further emphasised that railway extension was vital to the economy of Natal. They were of the opinion that the main line of railway should be extended from Ladysmith to the coal fields of Dundee.<sup>16</sup> The Finance Committee was also instructed to approve the necessary expenditure that would be necessary for the extension of railways in terms of the Railway Committee's Report. The importance of the coal fields could not be over-estimated. In October 1885 Bulwer had written to the Secretary of State in the following words:

*"With reference to the proposal to reach the nearest available coalfields as soon as possible, it is felt generally that*

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14. See Sessional Papers 1886, 8.9.1886, pp. 1-5 (Havelock's opening speech); Reply pp. 1-2; Sessional Papers 1886, L.C. No. 1, 15.9.1886, pp. 1-2; G.H. 1225 Copies of Despatches to the Secretary of State: No. 150, Havelock - Stanhope, 16.9.1886.
15. N.H. IX, 14.9.1886, pp. 18-21.
16. N.H. IX, 14.9.1886, pp. 18-21; 17.10.1886, p. 124.

*this is an object, and there is no doubt that this is so, of very great importance to the Colony, both for the Railway and other purposes."*<sup>17</sup>

Consequently, in December 1886 Havelock wrote to Stanhope submitting a Bill to provide for a loan of £500,000, of which £360,000 was to be used for the construction of the railway extension and the continuation and completion of the harbour works at Durban. It must be remembered that Havelock was not against railway and harbour extension, but owing to the serious financial difficulties, he did not wish to saddle the colony with this additional burden. However, the Legislative Council was determined and in this respect they were supported by the general opinion of the colonists in favour of railway and harbour extensions. Under these circumstances Havelock thought it advisable to yield to a wish that was so generally and strongly expressed.<sup>18</sup>

As a result of this stand by the Council Law No. 25 of 1887 was passed in February 1887 empowering the Governor "*to make, maintain, and equip certain Extensions of the Main Line of Railway in the Colony of Natal.*" After much deliberation the Legislative Council adopted the opinion that the main line of railway should be extended from Ladysmith to Sundays River in the direction of Newcastle. The law as passed allowed for this extension, a distance of 25 miles. This extension ran through an area containing valuable coal deposits. Apart from this it was also the route to the Barberton gold fields, and the mercantile community hoped that the extension would secure

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17. N.H. IX, 19.10.1886, p. 183.

18. G.H. 1225 Copies of Despatches to the Secretary of State: No. 208, Havelock - Stanhope, 17.12.1886.

for it a share of this trade. The advantage of the line to the Transvaal border, near Newcastle, would obviously be affected by the policies of President Kruger, whose avowed intention was the support of the Pretoria - Delagoa Bay route,<sup>19</sup> rather than the continuation of the Natal line. This was a great disappointment to the mercantile community who naturally favoured the extension towards the Transvaal and the Barberton gold fields.

Seeing that President Brand on the other hand was favourably disposed towards railway extension to connect with the Natal system,<sup>20</sup> Havelock opined that it would be in / the interests of Natal instead of having the line extended through Newcastle to the Transvaal border to carry the line to the border of the Free State, and in this way of ultimately connecting with the Cape system.<sup>21</sup> The Executive Council concurred in the opinion that the railways should be extended in the direction of Newcastle rather than to Harrismith. Their strongest motive in favour of this route was the opening of the coalfields adjacent to the Newcastle route.<sup>22</sup>

Havelock compared objectively the respective advantages of the two routes. Because of the existence of a cheap supply of coal for the use of the railway, the Governor found much advantage in the projected line towards Newcastle. At the same time this line would open up a considerable portion of Natal and would thus carry the trade of the south-east portion of the Transvaal. Undoubtedly

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19. G.H. 1225 Copies of Despatches to the Secretary of State: No. 76, Havelock - Holland, 16.3.1887.
  20. G.H. 1225 Copies of Despatches to the Secretary of State: No. 90, Havelock - Stanhope, 30.3.1887.
  21. G.H. 1225 Copies of Despatches to the Secretary of State: No. 76, Havelock - Holland, 16.3.1887.
  22. G.H. 1225 Copies of Despatches to the Secretary of State: No. 90, Havelock - Holland, 30.3.1887.

this would secure to Natal the trade of the Barberton gold fields, but not permanently. He expressed the fear that the great cost in haulage over the Natal system, and the consequent development of the coalfields at Elandslaagte, Dundee and Newcastle would not materially reduce the price of coal at the port, unless this coal was protected by being carried over the Natal railway at a loss. Imported coal was being used at Durban at a cost of 34s 5d a ton. In comparison with Natal coal which costs 20s a ton to convey by railway from Sundays River to Durban. This of course excluded the cost of working the mine, carrying the coal from the pits to the railway, and this left only a small margin of profit to the owners. There was no guarantee at this stage that Natal coal was as good as the imported coal. To protect colonial coal, the Governor had gone even to the extent of reducing the railway charges from Ladysmith to Durban to 17s 3d a ton. In spite of these concessions little or no coal was being sent to Durban from Dundee and other areas. All indications were that Durban could not easily be made an ideal coaling station. The only assured advantage of the coal was in its use on the railway itself.

These advantages were further accentuated by the determination of the Transvaal government not to co-operate with Natal, and consequently the extension of the line to Newcastle ceased *"to form a part of any comprehensive system of Railway Communication, and becomes merely a work of local interest."* But the extension to the Free State frontier forming a trunk line intersecting and connecting Natal, the Free State and the Cape, was in the opinion of the Governor, *"a work calculated to promote the general and permanent interests of South Africa."*<sup>23</sup>

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23. G.H. 1225 Copies of Despatches to the Secretary of State: No. 90, Havelock - Holland, 30.3.1887.

Havelock's own preference of the Harrismith route was "shared by some of the most intelligent and far seeing of the Colonists," but a majority of the colonists and Legislature as well as the Executive preferred the Newcastle route.<sup>24</sup>

The Secretary of State approved the further extension of the main line from Ladysmith to Sundays River on the condition that the Consulting Engineer exercised effective control over the construction of the line. The Loan Law was finally sanctioned in August 1887,<sup>25</sup> bringing tremendous relief to the colonists because the future of their trade was now assured.

There was now a great clamour in the colony to proceed further with railway extension as a result of the success of the gold fields. The Executive Council too expressed its wish unanimously for its continuation without interruption on the completion of the Sundays River project. Havelock, too, was enthusiastic. Factors which influenced this decision were the export of gold which had considerably increased during October to January 1887-1888. The value of gold exported from South Africa during these four months averaged £21,422 per month, whereas the monthly average for the corresponding period of 1886-1887 was under £12,000. During the first eleven days of February 1887 alone, gold to the value of £19,032 was exported through Natal.<sup>26</sup>

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24. G.H. 1225 Copies of Despatches to the Secretary of State: No. 90, Havelock - Holland, 30.3.1887; See G.H. 1572 Memorandum concerning Public Works and Railways: 3666/1887, Railway Extension beyond Ladysmith.
25. G.H. 144 Numbered Despatches Received from the Secretary of State: No. 97, Holland - Havelock, 4.8.1887.
26. G.H. 1225 Copies of Despatches to the Secretary of State: No. 39, Havelock - Holland, 15.2.1888.

In view of all these favourable circumstances Havelock was of the opinion that it was the duty of the government to carry out the work of railway construction. He remarked to Holland:

*"The course which I think the Legislature should adopt during its approaching Session should be to arm the Government with authority to extend the line of Railway to the Natal Frontier, either at Van Reenen's Pass or at Coldstream, beyond Newcastle or, possibly, to both points, and to give the Government power to raise funds for the purpose."*<sup>27</sup>

Thus the whole question of the direction of extension was re-opened. For the construction of the railway to Van Reenen's Pass, a sum of £455,000 would be required; the Coldstream (on the Transvaal border) extension required about £824,000, hence a total outlay of £1,279,000 would cover the cost of both extensions.<sup>28</sup> Consequently Havelock introduced into the Legislature a Bill to empower the Governor to raise from time to time a sum of £1,500,000 as required for the construction of the line to Van Reenen's Pass and to Coldstream. Although the government was in a state of preparedness to proceed without interruptions with the railway extensions, the Governor was still cautious as to the success of the gold fields. But if circumstances should change making further extension unnecessary, the work could be stopped. This was possible because of the Governor's discretionary power. In a despatch to Holland he said:

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27. G.H. 1225 Copies of Despatches to the Secretary of State: No. 39, Havelock - Holland, 15.2.1888.

28. G.H. 1225 Copies of Despatches to the Secretary of State: No. 39, Havelock - Holland, 15.2.1888.

"... were it not for the discretionary power that will thus remain in the hands of the Government, to direct its course of action in accordance with circumstances as they may arise, I should not dare to advocate a measure, the expediency and success of which must necessarily, in a large degree, depend upon a continuance of prosperity, which rests on no firmer basis than the development of the Gold Fields of a neighbouring country."<sup>29</sup>

Thus in spite of these doubts the Government was prepared to push ahead with its railway programme. The discussion of the loan bill was stormy and ironically it was now the duty of the government to convince the doubting Legislature of the advisability of railway extensions. But Robinson rose to the occasion and made one of the most remarkable speeches in favour of the Government. He said, inter alia:

"It cannot be doubted that the Government has risen to the occasion this time. It cannot be doubted that the Government has in the most remarkable manner done its utmost to meet not only the necessities of the country, but the wishes of its people ... that the Government was willing to assent to the extension of this Bill for purposes of general public works was one of the most remarkable concessions to legislative opinion that has come within my experience."<sup>30</sup>

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29. G.H. 1225 Copies of Despatches to the Secretary of State: No. 39, Havelock - Holland, 15.2.1888.  
 30. N.H. XI, 19.3.1888, p.23; See also N.H. XI, 20.3.1888, pp. 27-44, 23.3.1888, pp. 52, 62.

Act 4 of 1888 was passed, authorising the raising of a loan of £1,500,000 for the extensions from Ladysmith to Van Reenen's Pass and from Sundays River to Coldstream, and Act 5 of 1888 authorised the construction of both these lines. The former law was subsequently replaced by Law 12, 1888.

Revenue for the first six months ending June 1888 was illustrative of the importance of the gold fields.

Figures for this period showed a balance of revenue over expenditure of £71,460,19.6.<sup>31</sup> This was pleasing to the Colonial Office.<sup>32</sup>

The Executive advised that the Transvaal line should receive preference since it was a better financial proposition. The Legislative Council experienced some difficulty in determining whether the line to Newcastle should go directly through Dundee or not.<sup>33</sup> The route to the Witwatersrand area through Van Reenen's Pass and Harri-smith was generally preferred by some people using these routes because of its shortness and better roads, but during winter the route via Newcastle was preferred because of better pasturage and warmer climate. It was estimated that about two thirds of the Witwatersrand traffic used the route via Newcastle and Coldstream during winter. The Incandu Bridge (Newcastle) returns showed that the Coldstream route was mainly used - about 56% of the entire traffic used this route.<sup>34</sup>

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31. G.H. 1225 Copies of Despatches to the Secretary of State: No. 163, Havelock - Knutsford, 24.7.1888.
  32. C.O. 179/172 No. 17077, Minute: S.W. - Bramston, 21.8.1888.
  33. N.H. XI, 19.3.1888, pp. 16-26.
  34. C.S.O. 2739 Bloemfontein Customs Conference: Minutes, Resolution etc. 1889. General Manager of Railways - Colonial Secretary, Minute by General Manager on the subject of Railway Extension, 2.1.1887.



On the other hand, it was felt that the Van Reenen's Pass, apart from being the shortest route to the gold fields, had the advantage of direct communication with the Free State. It further had the advantage of a railway connection between the Cape and Natal systems, which could be linked through the Free State between Durban, Port Elizabeth, Cape Town and Kimberley.

The Coldstream route too had certain advantages. The coal fields could be opened up. This route allowed for the completion of a main trunk line from the port to the northern border of the colony. There were approximately 113 miles of railway of comparatively easy grade as compared with 35 miles of severe grade by the Harrismith route. Finally it was a very practical route to the Witwatersrand.<sup>35</sup>

David Hunter, the General Manager of the Railways, advised that the extension from the Sundays River to Coldstream via Dundee should be proceeded with at the same time as that via Harrismith either by the Free State government or by private enterprise. Harrismith was a well-established centre of transport to all parts of the interior states, there would thus be available to Natal a direct hold on the Free State trade, and a double hold on the Transvaal traffic. Natal would thus be placed in a strategic position in regard to the interior trade, whatever other railway construction may be devised.<sup>36</sup> If, on the other hand, the Coldstream extension was opened for traffic to

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35. C.S.O. 2739 Bloemfontein Customs Conference: Minutes, Resolutions, etc. 1889. General Manager of Railways - Colonial Secretary, Minute by General Manager on the subject of Railway Extension, 2.1.1887.
36. C.S.O. 2739 Bloemfontein Customs Conference: Minutes, Resolutions, etc. 1889. General Manager of Railways - Colonial Secretary, Minute by General Manager of Railways on the subject of Railway Extension, 2.1.1887.

Biggarsberg Summit, Newcastle and to the Border successively, the proportion of traffic would largely increase, and if the Free State railway connection was not completed before Coldstream was reached, the Transvaal traffic forwarded through Natal would be carried by that route and the Free State route would become of secondary importance.<sup>37</sup>

Law No. 5 of 1888 had already authorised the construction of the railway from Ladysmith on the existing line of railway to Van Reenen's Pass near the boundary of Natal and the Free State in the Drakensberg Mountains. Now the Legislative Council resolved to carry the railway to the Free State frontier instead of the one approved in the Act, No. 5 of 1888. In another resolution, in 1889, the Legislative Council asked that no time be wasted in building the line - as a consequence of which the survey was dropped.<sup>38</sup> Subsequently Law No. 12 of 1889, entitled "*To authorise the Governor of Natal to enter into and conclude a Convention with the Orange Free State for the construction of a Railway*" was passed.

A Convention was signed between Natal and the Free State regarding the construction of a line between Van Reenen's Pass and Harrismith. "*The Natal Government agreed to construct, equip, maintain and work the Railway, at its own risk and cost, without any guarantee of interest on the part or on behalf of the Free State Government ....*"

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37. C.S.O. 2739 Bloemfontein Customs Conference: Minutes, Resolutions, etc. 1889: General Manager - Colonial Secretary. Report by the General Manager on through up-country traffic in view of the Bloemfontein conference, in reply to Colonial Secretary's telegram dated 5th March, 1889, 8.3.1889.
38. G.H. 1226 Copies of Despatches to the Secretary of State: No. 116, Havelock - Knutsford, 27.5.1889.

The financial implication of this extension was that 50% of the profits would go to each state after the cost of working, maintenance, and interest on capital of 4% per annum had been deducted. A further stipulation was that the Free State would be at liberty to assume ownership of the line whenever it thought fit to do so. But it had also to undertake that its charges would not exceed those on the Natal Railway and construction materials were to be carried over the Natal railways, at the same charges for construction and equipment as on railways in Natal.<sup>39</sup>

Natal pushed ahead with her plans. The inherent fear was that the Cape railways were also making steady progress towards the Transvaal in competition with Natal, and, on the other hand, the Portuguese line through its reduced rates also threatened to steal Natal's trade with the gold fields.<sup>40</sup>

With the rapid advance of the railways the coal industry received a boost as the railways could now use this coal. It was found that Natal coal was not only far superior in quality to Cape coal, but was better situated with regard to possible markets. Tests carried out on the railways "*proved eminently satisfactory*" and the Elandslaagte coal tested early in 1886 resembled more clearly English coal in quality than any other colonial coal that had yet been tried.<sup>41</sup> The importance of colonial coal was further

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39. G.H. 950 Legislative Council Addresses. Address No. 9, 6.5.1890, pp. 49-60; Sessional Papers, 1890 L.C. No. 11, 8.5.1890, pp. 137-148; See also N.H. XIII. 24.6.1889, p. 349.
40. G.H. 155 Numbered Despatches Received from the Secretary of State: No. 115, Knutsford - Mitchell, 19.9.1889.
41. C.O. 179/163 No. 6005, Havelock - Stanley, 9.3.1886; Sessional Papers 1886, L.C. No. 46, (Trial of Colonial Coal) 22.1.1886, p. 335; Natal Witness, 15.6.1887; Natal Mercury 13.8.1886; N.H.D. 1/3/7 Letter Book: 162/854, Chairman - T.J. Carter, 20.7.1888.

stressed by the agreement of a Private Company with the government to construct a branch line from the main line at Biggarsberg Summit to Dundee.<sup>42</sup> This was completed in 1890.

When Havelock assumed office in 1886 there were 195 miles of railway. In 1887 this had increased to 217 miles, and in 1888 to 220 miles. During 1889 an average of 225 miles of railway was open, a slow but steady progress.<sup>43</sup> The line was in operation to Elandslaagte, about 15 miles beyond Ladysmith, but due to the advantages at Ladysmith for goods traffic; this was used as a terminus for goods while passengers and mails were conveyed to Elandslaagte. Goods traffic that took the Newcastle-Transvaal route would have their terminus at Biggarsberg instead of Ladysmith, but goods consigned to the Free State would be dealt with at Ladysmith, where large goods sheds had been built. When Havelock left Natal in June 1889, the line from Biggarsberg to Newcastle, a distance of 38 miles, was still under construction and it was only completed in May 1890.

On the 7th April 1891, the Newcastle-Charlestown section of the railway was opened.<sup>44</sup> In 1894 the Volksraad of the South African Republic granted permission to the Natal government to extend the line to Johannesburg and by the end of 1895 this had been accomplished.

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42. G.H. 1226 Copies of Despatches to the Secretary of State: No. 111, Havelock - Knutsford, 16.5.1889.
43. W.J. Busschau: The Development of the Natal Government Railways, p. 80; J.F. Ingram: An official illustrated handbook and railway guide (1895), p. 45.
44. E.H. Brookes and C. de B. Webb: A History of Natal, p.190 Coal output, estimated at 8,000 tons in 1888 showed a tenfold increase by 1890, and fifteen years later it exceeded one million. Large scale coal mining in Natal was made possible by the extension of the railway line in 1890 to the Newcastle coal fields - Z.A. Konczacki: Public finance and economic development of Natal, 1893-1910, p. 10.

The progress of the line during Havelock's administration is also revealed by the revenue and expenditure. In 1886 the revenue was £148,999.8.8. and the expenditure was £145,443.14.8. In 1887 this increased to £257,877,8.9. and £186,532.2.7 respectively. In 1888 the revenue was £347,982.6.7 and the expenditure was £217,403.18.10. At the end of 1889 railway revenue amounted to £535,260.16.0 whereas the expenditure was only £326,157.10.4.<sup>45</sup>

So great a difference had the presence of gold fields made to the prospects of Natal that Havelock who, in the first year of his administration objected to the Legislative Council's plan for raising a loan for railway extension, had before his departure worked in close co-operation with the Council in promoting railway extension.<sup>46</sup>

#### B. Harbour Construction

One of the greatest problems that confronted Havelock in the early years of his administration was the harbour question. The treatment of the problem of the sand bar at the entrance to the port underwent many changes under

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45. W.J. Busschau: The Development of the Natal Government Railways, p. 83; J.F. Ingram: An Official illustrated handbook and railway guide, p. 45; C.W. Francis Harrison: Natal; an illustrated official railway guide and handbook of general information, pp. 276 l 277; See G.H. 1225 Copies of Despatches to the Secretary of State: No. 113, Havelock - Knutsford, 25.4.1888; G.H. 1226 Copies of Despatches to the Secretary of State: No. 163, Havelock - Knutsford, 24.7.1888; G.H. 1226 Copies of Despatches to the Secretary of State: No. 19, Havelock - Knutsford, 23.1.1889.
46. See G.H. 1225 Copies of Despatches to the Secretary of State: No. 208, Havelock - Stanhope, 17.12.1886; G.H. 1225 Copies of Despatches to the Secretary of State: No. 39, Havelock - Holland, 15.12.1888.

various engineers and even at the time when Havelock left this problem had not been completely solved.

In order to comprehend the complicated nature of the problem a review of the previous attempts at solving the Bar<sup>47</sup> problem is necessary.

In November 1849 John Milne, a Scottish civil engineer, arrived in Natal under the Byrne scheme and within a month received a government commission "to arrest the encroachment of the sea on the customs house and the back beach." In May 1850 he thus became Durban's first harbour engineer. From the beginning Milne came to the conclusion that the silting of the harbour mouth resulted in water-borne sand being deposited across the harbour entrance. Even the ebb and flow of the tide could not clear the sand away.<sup>48</sup>

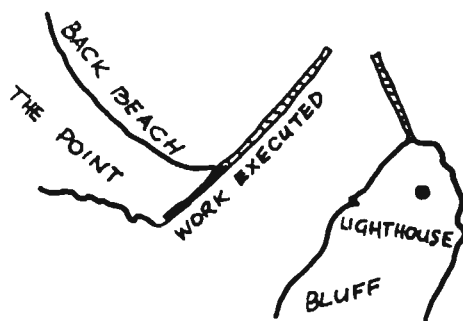


Fig. 1 - Milne's Scheme, 1852  
(Natal Regional Survey, vol. 15)

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47. The Bar was a public nuisance as well as dangerous to ships. During the period 1845-1855 sixty-six ships were wrecked. This broke the morale of emigrants at the "sight of a dozen or more ship's skeleton facing them along the beach, like prehistoric monsters" - J.M. Lindsay: The development of the port of Durban to 1963, p. 2. (This appears to be typescript notes with no publishing details housed at the Durban Africana Library.)
48. Natal Regional Survey vol. 15: The Port of Durban, p. 6.

In order to solve this problem Milne proposed in April 1850 the construction of piers at the entrance consisting of a South Pier running in a northerly direction from the Bluff end, and a North Pier running in a north-easterly direction from the east end of the Point.<sup>49</sup> He hoped that these piers would cause the water to have a scouring effect on the Bar, and in this way form a channel whereby ships might enter the harbour.<sup>50</sup> At the root of the work he "*built wattled walls across the beach, arrested the action and restored the equilibrium profile.*"<sup>51</sup> Before Milne could achieve success, disputes arose over the cost of implementing the scheme, the estimates of which amounted to close on £78,000 of which £68,000 was allocated to the North work.<sup>52</sup> The Durban harbour was fated to suffer many setbacks from then on.

In 1855 a Harbour Board was created by the Legislative Council. Differences of opinion arose between members of the Board and the Lieutenant Governor, John Scott.<sup>53</sup> Consequently Milne's operations were summarily stopped by the government in the latter part of 1857 when less than 500 feet of the North Pier had been completed. John Scott, Lieutenant Governor (1856-1864), had his own engineering ideas which obviously conflicted with Milne's. He accused Milne of adopting "*too finished a style.*"<sup>54</sup>

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49. C.W. Methven: Port and Harbour progress, p. 52.  
 50. South African Panaroma, Feb. 1965, p.39: The Battle against the Bar.  
 51. G.H.T. Hart: The Bar problem of Durban harbour, p. 96.  
 52. H. Colborne-Smith: The History of the Durban harbour (Daily News 1.2.1936). This in fact amounted to two and a half times the colony's annual revenue. The amount spent on the North Pier from 1849-1856 was only £5,500.  
 53. Port of Durban. Supplement to the Natal Mercury, February 15, 1935.  
 54. Natal Regional Survey vol. 15, The Port of Durban, p. 7.

The colony was soon to regret Milne's dismissal for it was followed by the abortive schemes of James Vetch,<sup>55</sup> R.E., and James Abernethy, C.E. The "Addington Pier" beginning near the Fort was to be no less than 4800 feet long; the other pier would be 1880 feet in length.

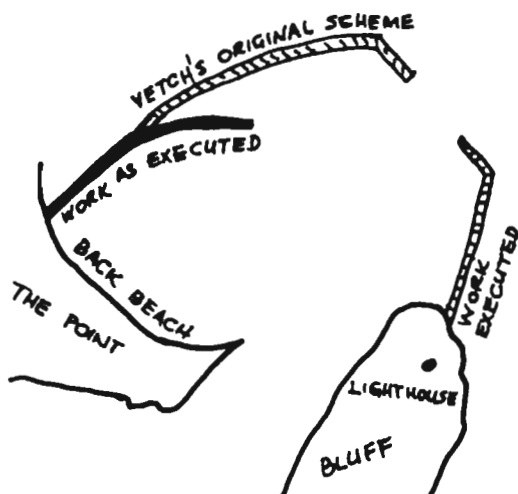


Fig. 2 - Vetch and Abernethy's Scheme, 1860 (Natal Regional Survey, vol. 15)

Both these piers were to end in 30 feet of water and 800 feet apart. The estimated cost of this scheme was £165,000.<sup>56</sup> This scheme was accepted by the government and work on the north pier continued for three years before it was abandoned in 1864.<sup>57</sup> The history of this enterprise has been well-described as "lamentable",<sup>58</sup> and was to play some part in the subsequent agitation for responsible government.<sup>59</sup> For even in 1877 the London Office of Works

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55. Vetch had been a surveyor attached to the Cartographic Department of the Admiralty.
56. Natal Regional Survey, vol. 15: The Port of Durban, p. 7.
57. G.H.T. Hart: The Bar problem of Durban Harbour, p. 98.
58. H. Colborne-Smith: The History of Durban harbour (Daily News, 1.2.1936).
59. E.G. Hobson: The effect of Durban harbour on Natal's politics, 1874-1898, p. 7.



was still trying to justify its faith in the Vetch scheme; "it was pouring money into the sea by bolstering up these wretched structures, in defiance of the wishes of the inhabitants."<sup>60</sup>

The eminent marine engineer, Sir John Coode, was next consulted in 1870. He submitted three schemes dated respectively 1870, 1871 and 1877. These schemes were

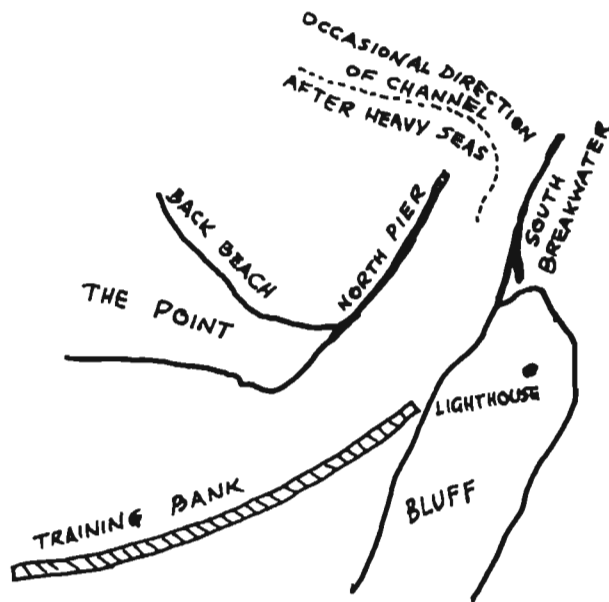


Fig. 3 - Sir John Coode's Scheme, 1878 (Natal Regional Survey, vol. 15)

apparently so conflicting and so costly that the colony declined to adopt them. Briefly Coode's plan advocated the extension of Milne's pier, together with a new South Breakwater. This was estimated to cost £200,000, but with the stipulation that the Colonial Engineer should check to see whether there was any solid rock in the harbour entrance. Later Mr. Patterson, the Colonial Engineer, sent particulars to Coode about an alleged "rocky ledge in the channel."<sup>61</sup>

60. E.G. Hobson: The effect of Durban harbour on Natal's politics, 1874-1898, p. 71

61. Natal Regional Survey, vol. 15: The Port of Durban p. 8.

This led Coode to modify his report in 1871. As a result of this startling announcement Coode himself even advised the abandonment of his scheme, but he warned the colony at the time that Durban would never be more than a second-rate harbour. This revelation brought dismay to the colony.<sup>62</sup>

Coode submitted another scheme in 1877 which was estimated to cost £488,000.<sup>63</sup> Public outcry against the Coode scheme was openly expressed by Harry Escombe in an article "*Sir John Coode and the Half-million.*"<sup>64</sup> "Coode was regarded as a political instrument to bring Natal to heel in Public Works Affairs."<sup>65</sup> Coode's scheme was bitterly opposed by local politicians "who thought they knew better than Sir John Coode."<sup>66</sup> Although the entrance width provided was somewhat narrow, it was quite adequate for the steamships of that day.<sup>67</sup>

In 1877 a second Harbour Board was established. It appointed Edward Innes, a pupil of Sir John Coode, as Resident Engineer. He assumed duty in September 1882 and he resolved on the same principles adopted by Milne<sup>68</sup> and also in some measure that of Coode as well.<sup>69</sup> Innes set

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62. Port of Durban: Supplement to the Natal Mercury, 15.2.1935.
63. C.W. Methven: Port and harbour progress, p. 51; Natal Regional Survey vol. 15: The Port of Durban, p. 9; H. Colborne-Smith: The History of Durban harbour, (Daily News, 1.2.1936).
64. See Harry Escombe: Sir John Coode and the Half-million; an address to the tax-payer (Don Africana).
65. E.G. Hobson: The effect of Durban Harbour on Natal's politics, 1874-1898, p. 10.
66. C.W. Methven: Port and harbour progress, p. 52.
67. C.W. Methven: Port and harbour progress, p. 52.
68. G.H.T. Hart: The Bar problem of Durban harbour, p. 102.
69. E.G. Hobson: The Effect of Durban Harbour on Natal's politics, 1874-1898, p. 24.

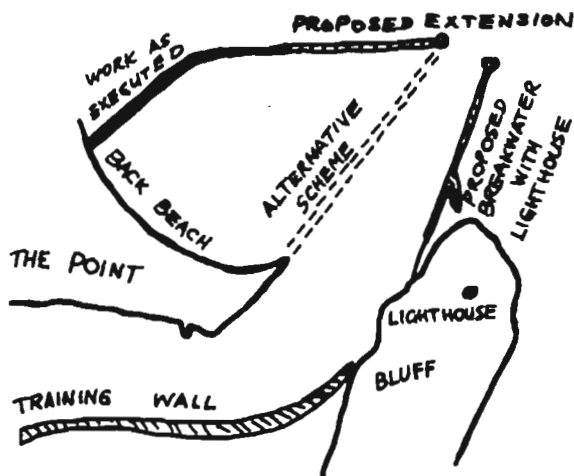


Fig. 4 - Edward Innes' Scheme, 1885 (Natal Regional Survey, vol. 15)

about realising his lifelong ambition. "Money was poured into a hundred-and-one aspects of harbour development, and it soon became apparent, at least to his detractors, that Escombe would very soon bleed Natal white for an extra few inches over the Bar. Escombe manipulated the political strings" while Innes set about the extension of the South Pier.<sup>70</sup>

When Havelock assumed the Government of the colony, he was called upon not merely to take the harbour works into consideration, but to form a judgement on their fate. In welcoming the Governor, Harry Escombe, the Chairman of the Harbour Board, outlined the advantages and problems of the harbour. The harbour with its natural advantages, he said, was prevented from ranking as a first class port by a sand bar at its entrance. The breakwater and training wall were designed in such a way as to remove this obstruction from the fairway of the port. In concluding his speech Escombe said:

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70. B.J. Leverton: The Romance of the Durban harbour (Lantern, March 1964, No. 3), p. 63.

*"The results already attained by the works in their incomplete state appear to justify the confidence which is largely felt that the spirited attempt made by the Colony to open up the Port will be crowned with success."*<sup>71</sup>

Havelock realised and appreciated the importance of harbour development to the economy of Natal. At a time when the colony's trade was threatened by rival routes he felt that the importance of the improvement of the harbour could not be overestimated. The removal of every obstruction in the channel therefore became a matter of great urgency, also in the new Governor's opinion. The Governor completely identified himself with the problems outlined by Escombe, and his encouragement to the Harbour Board deserves special attention:

*"The operations of your Board occupy, therefore, just now, a more prominent place than ever in the affairs of the Colony; and for this reason, more than ever it is necessary, that no measure or precaution that science and experience can suggest for the effectual carrying out of the work, should be overlooked."*<sup>72</sup>

The situation at the time when Havelock took over the reins of the government was critical. The sum of £5,000 which had been voted by the Legislature in 1885 towards the construction of the South Breakwater was now exhausted. The Harbour Board and the Resident Engineer in 1885 requested

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71. N.H.D. 1/1/7 Minutes: Chairman's Minutes, 1886: Welcome Speech, Chairman - Havelock, 12.2.1886, pp. 2-3  
 72. N.H.D. 1/1/7 Minutes. Chairman's Minutes, 1886: Reply to Chairman: Havelock - Chairman, 17.2.1886, p.3.

a sum of £30,000 to be spent on this work. Owing to a misunderstanding of certain statements made by the Chairman of the Harbour Board before a Select Committee on Harbour works, the Council was assured by the Executive that the Board would not need to spend more than £5,000 on the work, and as a consequence the vote was fixed at this ridiculous figure. The blunder was partly to be accounted for by the fact that the Board had expressed its willingness to forego an expenditure of £14,000 for purposes of wharf extension in favour of the more necessary and important work at the Bluff.<sup>73</sup> This was done in order that the *"extension of the South Breakwater might not be imperilled through want of means."*<sup>74</sup>

Fortunately Havelock appreciated the importance attached to the continuation of the harbour works and consequently with the concurrence of the Secretary of State in March 1886, approved an expenditure of £2,000 a month until such time the £5,000 was exhausted. When Innes and Escombe were questioned by the Executive Council in March 1886 on the progress of the harbour work, it was found that some sections of the work were far from complete. The necessity to complete this work was stressed by the Governor. He pointed out that neglect of it would mean that those portions of the work which had been completed would suffer injury by the action of the sea and sand, operations would be disorganised, appliances would rust and rot, and the cost of resuming the work would be increased.<sup>75</sup>

Initially the work at the South Breakwater as envisaged was practically identical to that proposed by Sir John Coode,

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73. N.H. 9.11.1886, pp. 273-284; Natal Mercury, 3.3.1886.

74. Natal Mercury, 3.3.1886.

75. G.H. 1225 Copies of Despatches to the Secretary of State: No. 32, Havelock - Granville, 14.3.1886.

but it was later found to be dissimilar to Coode's proposed North Pier, and consequently its effect on the Bar would be different.<sup>76</sup>

Innes' plan was to keep the South Breakwater ahead of the North Pier. This meant that southerly seas would be shot clear of the entrance, so that there would be no waves across that point to hold back the tidal outflow which would carry the sand out of the harbour.<sup>77</sup> Innes also made provision for the deepening of the entrance channel by removal of rock. The work was made difficult because of the strength of the tide in a narrow fairway, which must necessarily be left open. Other works which required less engineering ability within the harbour and its approaches were dredging and wharf construction.<sup>78</sup>

Col. A.H. Himes, Colonial Engineer, supported the extension of the North Pier and accused the Harbour Board of making too little progress, and consequently in August 1888 opposed the formation of a Committee which he thought would serve no useful purpose. He further supported his conviction by saying that "*a new Engineer is about to arrive, and I think it would be undesirable on that account alone that we should now make any remarks in regard to the future.*"<sup>79</sup> In this respect he was fully supported by the Colonial Secretary.<sup>80</sup>

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76. C.O. 179/163 No. 6421 See Sir John Coode - Crown Agents, 26.5.1886; See also G.H. 1225 Copies of Despatches to the Secretary of State: No. 98, Havelock - Granville, 19.7.1886.
77. Natal Regional Survey, vol. 15: The Port of Durban, p. 11.
78. N.H.D. 1/1/8 Minutes: Chairman's Minutes 1887, pp. 66-67.
79. N.H. XI, 9.8.1888, p. 110.
80. N.H. XI, 9.3.1888, p. 111-112.

Hime further supported his theory in a memorandum<sup>81</sup> in January 1888 by stating that the Bar was a ridge or mound of sand which varied in width, height and position, with the force and direction of the seas and currents. Heavy seas from the south-east heaped up the Bar and drove it inwards, but in good weather it gave the ebb tide fair play, and the depth of the water increased while the Bar at the same time worked outwards. As the South Breakwater advanced, the southern extremity of the Bar also advanced and in the opinion of Hime would continue to do so no matter how far the South Breakwater was extended. The only way this problem could be solved was to extend the North Pier as well in order to reduce the width of the entrance. This would create such a current as to prevent the deposit of the sand which formed the Bar. The further the South Breakwater was extended the greater would be the width of the entrance channel, and the greater the space in which the ebb and flood tides can dissipate themselves, and in this way close their scouring power and effect. Therefore it was absolutely necessary to extend the North Pier, but how far this extension may have to be carried out could only be decided by experience gained as the work progressed. The plan of January 1885 showed a possible extension of the North Pier by 200 feet beyond its termination. A sum of £8,000 was included in the estimates for this extension. The Colonial Secretary, F.S. Haden, also concurred in the view expressed by the Colonial Engineer and he opined: "*.... that the prolongation of the South Breakwater by itself increased the distance between the two pier heads, and consequently weakens the scouring power of the tides - cannot be controverted.*"<sup>82</sup> Innes had contemplated the possible necessity for some extension of that pier but

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81. N.H.D. 1/1/8 Minutes, Chairman's Minutes 1887: Colonel Hime's Memorandum, 2.1.1888, pp. 76-77, Colonel Hime's Further Memorandum, 5.2.1888, p. 79.
82. N.H.D. 1/1/8 Minutes, Chairman's Minutes 1887: Minute by the Hon. Colonial Secretary to His Excellency, 5.1.1888, p. 76.

while working on this project he contracted a "fever" and died on the 16th December 1887.<sup>83</sup> In August 1888 Cathcart Methven, a Fellow of the Royal Society of Edinburgh and a member of the Institute of Civil Engineers of Great Britain became the new engineer.<sup>84</sup>

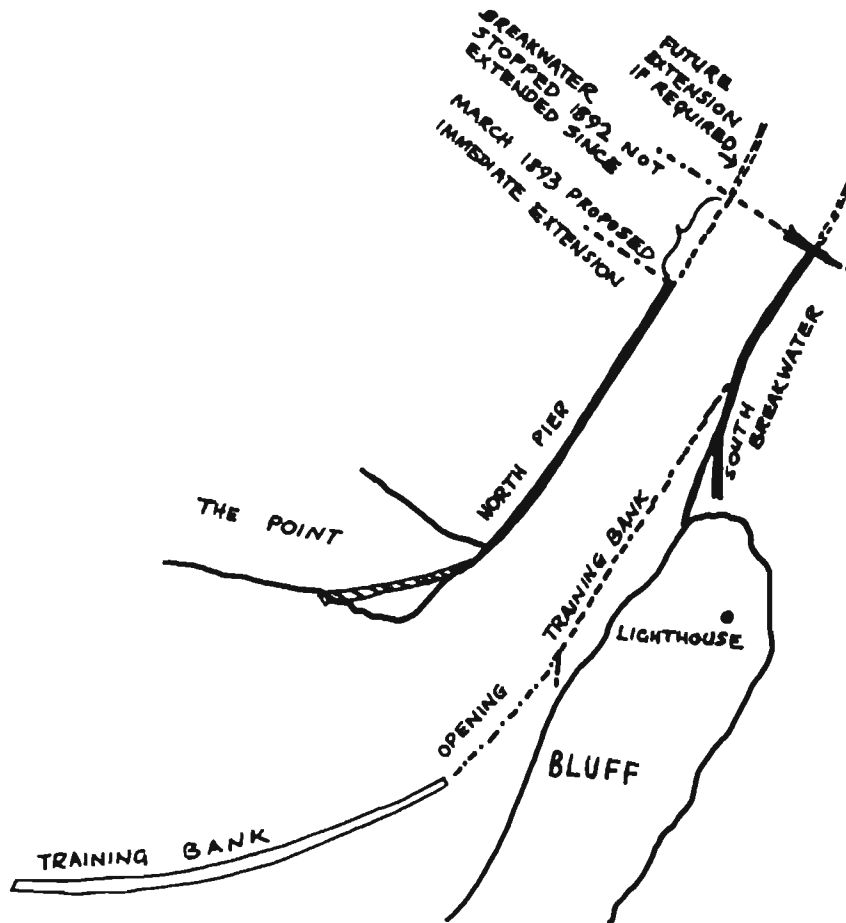


Fig. 5 - C.W. Methven's Scheme, 1893 (Natal Regional Survey, vol. 15)

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83. Natal Regional Survey vol. 15: The Port of Durban, p. 11, G.H.T. Hart: The Bar problem of Durban harbour, p. 102.
84. Natal Regional Survey vol. 15: The Port of Durban, pp. 11-12.



Methven viewed Innes' plan with considerable caution.<sup>85</sup> Looking back at Coode's scheme, Methven realised that had this scheme been carried out in conjunction with modern dredging plant "Durban would have had its harbour opened up for deep draught vessels at least 35 years sooner." But the scheme had been bitterly opposed by Escombe. Methven was practically bound to continue where Innes had left off, though he would have preferred that the North Pier had not been carved northward for the outermost 200 feet. He stated quite categorically in 1889 that the two main controlling works, as designed by Innes, "would not accomplish all that was wanted." In April 1890 he expressed the view that whereas the South Breakwater "serves the purpose for which it was specifically intended, viz. to protect the ebb tide and enable it to do its work of scouring on the bar, its overlap beyond the North Pier is now so great that it affords protection only to a seriously weakened and diverted ebb tide."<sup>87</sup> He therefore recommended the extension of the North Pier without delay. Escombe did not view Methven's theory with any great deal of conviction. Escombe's object in extending the South Pier was to "starve" the Bar,<sup>88</sup> and he was convinced that tidal scour by itself would not clear the harbour entrance. Methven intimated that although dredging would be necessary he wanted to use natural forces as much as possible. He therefore decided to extend the works into deep water and make maximum use of the scouring effect of the tide.<sup>89</sup> The reply of the Chairman of the Board was:

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85. G.H. 1226 Copies of Despatches to the Secretary of State: No. 78, Havelock - Knutsford, 2.4.1889, Enclosure, Natal Harbour Board, C.W. Methven's Report, 6.3.1889.
86. C.W. Methven: Port and Harbour progress, p. 52.
87. Natal Mercury, Centenary No, 31.5.1924: The Railways of Natal.
88. The Harbour question: past and present ... p. 18.
89. G.H.T. Hart: The Bar problem of Durban harbour, pp. 102-103.

"Well, send in your report, but, mark my words, it will be opposed by me, it will be opposed by the whole Port Department, and if you don't carry it you go."<sup>90</sup>

This threat serves to illustrate quite candidly Escombe's lack of faith in Methven's plan, which undoubtedly was in conflict with his own. Escombe seemed to have had tremendous faith in the work so far executed by Innes and was not even prepared to view the whole harbour problem objectively. Escombe's theory proved to be fallacious while that of the Engineer was completely fulfilled. The following table<sup>91</sup> shows the gain of depth when the North Pier came almost abreast of the South Breakwater and the loss when the overlap of the South Breakwater was greatest:

| Date          | Overlap  | Remarks  | Ft. ins. |
|---------------|----------|--|----------|
| June 1887     | 625 ft.  | Average gain in depth for 9 months                       | 2. 3¼    |
| End of 1887   | 775 ft.  | Gain for 18 months.                                      | -11¼     |
| End of 1889   | 1045 ft. | Average loss of the year                                 | - 2¼     |
| April 1, 1890 | 1100 ft. | Loss as compared with the first three months of the year | 2. 2¼    |

When Natal attained responsible government in 1893 Escombe and Prime Minister, Sir John Robinson, dismissed Methven from his post.<sup>92</sup> And in 1895 the Harbour Board was dissolved.<sup>93</sup>

90. C.W. Methven: Port and Harbour progress, p. 55, See S.W. Pechey: Natal harbour; cause of failure on the outer work and suggestions for improvement, p. 8.

91. The Harbour question; past and present . . . ., p. 13

92. Natal Regional Survey vol. 15: The Port of Durban, p. 13.

93. J.M. Lindsay: The Development of the port of Durban to 1963, p. 3.

The Consulting Engineers, Sir Charles A. Hartley and J. Wolfe Barry were next consulted in 1896. Their report to a very great measure vindicated Methven's plan -

*"We need only say for the moment that, believing as we do that tidal scour alone keeps the inner Bay of Natal open to shipping, we fully share the opinions which have been held on this subject by every engineer connected with the port, from Milne to the present time, and especially by Mr. Methven .... who from the progress made with the South Breakwater and the North Pier before and during his term of office had a better opportunity than any one of his predecessors of estimating the real value of tidal scour."*<sup>94</sup>

It is difficult to over-estimate Escombe's role in the harbour issue of the colony, although at times politics had clouded the whole harbour issue; nonetheless Escombe and harbour development were synonymous. One cannot deny Escombe's integrity in this respect and the development of Durban harbour was largely the result of his untiring role. His main objective had always been *"a harbour accessible to ships of any draught at all states of the tide and weather - by day and night."*<sup>95</sup>

The Havelock administration saw some measure of improvement to the harbour, although the problem of clearing the harbour entrance was still unsolved even at the time of his departure.

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94. Port Natal: Proposals for the improvement of Durban Harbour by Sir Charles A. Hartley and Sir John Wolfe Barry, p. 8.

95. From the article "Durban Harbour was his legacy" in Natal Mercury, 11.5.1970.

In 1882 the average annual depth on the bar was 6 feet 1 inch; in 1883, 6 feet 1-5/6 inches; in 1884, 7 feet 2 inches; in 1886, 8 feet 3/4 inches; in 1887 (six months) 10 feet 6 inches.<sup>96</sup> These improvements brought some measure of satisfaction to the Natalians, who were not unaware that stiffer competition also prevailed in the development of the East London and Port Elizabeth harbours.<sup>97</sup> And the only way Natal could maintain her position in the "*fierce conflict of South African trade interests,*" was "*a policy of bold progress in regard to Harbour and Railway development.*"<sup>98</sup> Even Sir John Barry and Sir Charles Hartley in their later report (1902) considered the improvement of the harbour entrance a matter of paramount importance.<sup>99</sup>

After 1885, and more especially during Havelock's time, the Orange Free State and the Transvaal were exporting on an increased scale. The relative decline in Natal's exports during this period meant that the port of Natal was becoming increasingly dependent on the hinterland for its trade. Although desperately in need of finance to expand railway and harbour facilities, the colony refused to be blown by the exorbitant tariff policies of the Cape and resorted to a low tariff policy. However, such a liberal policy retarded the development of the sugar industry, especially in the face of heavy competition from other sugar producing areas.

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96. N.H. IX, 28.7.1887, pp. 326-331.

97. B.J.T. Leverton: Government finance and political development in Natal, p. 258.

98. F.S. Tatham: The Harbour controversy, p. 15.

99. Port Natal: Proposals for the improvement of Durban Harbour. Report by Sir Charles A. Hartley and Sir John Wolfe Barry, 31.12.1902, p. J.

It was during Havelock's administration that gold was discovered in 1886 on the Witwatersrand area. This had a tremendous impact on Natal. From this date South Africa began its period of industrial activity, and more especially in Natal the growing importance of Durban as a port and industrial centre was keenly felt.<sup>100</sup> Shipping, for example, almost doubled during the period 1886-1889, and the number of ships calling at Durban increased from 285 to 555 during the same period. Foreign ships calling at Durban also increased rapidly. Improvements were also noted as far as imports were concerned from £1,268,294 in 1886 to £2,263,920 in 1887 and £4,527,015 in 1889. Exports too showed some measure of improvement from £960,290 in 1886 to £1,656,318 in 1889, excluding gold export figures of £584,933 which had risen from the 1887 level of £143,551.<sup>101</sup>

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100. See E.H. Brooks & C. de B. Webb: A History of Natal, p. 162.
101. B.J.T. Leverton: Government finance and political development in Natal, 1843 to 1893, pp. 255-6.

*While I think that Responsible Government, if given, should be freely and fully given, I do not see any need for giving it at all, unless it can be shown to be desired by a distinct preponderance of public opinion deliberately and unmistakably expressed.*

CHAPTER 4.RESPONSIBLE GOVERNMENT.

Havelock's arrival in 1886 heralded a new era of political activity in Natal. The Governor had many opponents but the Legislative Council actually agreed in 1886/1887 that the constitutional question should not be raised so that the Council could be united in opposition.<sup>1</sup> The events in the colony during the period 1886-1889 set the wheels into motion towards responsible government.

In order to place the whole issue of responsible government in its proper perspective, it is necessary to trace briefly the constitutional history prior to 1886.

Natal became a separate colony by the promulgation of the Charter of 1856. By means of the Supplementary Charter of 1869, the Lieut-Governor was given the power to appoint two elective members of Legislative Council to be members of the Executive Committee.<sup>2</sup>

In 1870 Mr. E. Ridley, an ardent supporter of responsible government, introduced a Bill to amend the constitution. This Bill provided a Legislative of 20 members. John Robinson welcomed the introduction of the Bill. But in 1871 Ridley withdrew the Bill because he considered the time was not yet ripe for a change in the constitution.<sup>3</sup>

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1. J. Lambert: Sir John Robinson and responsible government, p. 156.
  2. Sessional Papers 1888, L.C. No. 24 (Appendix A) p. 86.
  3. J. Lambert: Sir John Robinson and responsible government, p. 20, 26.

In 1873 three more elective members and one non-elective were added to the Legislative Council. In the same year the Protector of Immigrants became an additional member of the Executive Council.<sup>4</sup>

In 1874 the majority of the elective members of the Legislative Council passed a Bill for the introduction of responsible government. However, the year following the Langalibalele uprising<sup>5</sup> was a most unfavourable moment for raising the issue because that event was followed by a curtailment of existing powers by Sir Garnet Wolseley's so-called "Jamaican Constitution" (1875). The matter was raised again by Robinson in the Legislative Council in 1879 and in a Durban election campaign in July 1880.<sup>6</sup>

A Select Committee under the chairmanship of J.W. Akerman was appointed on the 4th December to consider the future government of the colony after the expiry of the Wolseley Constitution in September 1880. The Committee reported on the 21st January and tabled a draft constitution.<sup>7</sup> The greatest problem that confronted the Committee was the question of native representation. They were against any hasty measures. They provided some measure of protection of native rights by the creation of a nominated Upper Council.<sup>8</sup>

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4. Sessional Papers 1888 L.C. No. 24, p. 86.
  5. See W.R. Guest: Langalibalele; the crisis in Natal.
  6. E.H. Brookes & Colin de B. Webb: A History of Natal, p. 169.
  7. E.H. Brookes & Colin de B. Webb: A History of Natal, pp. 169-170; J. Lambert: Sir John Robinson and responsible government, pp. 84, 86.
  8. J. Lambert: The Responsible government question in Natal, 1856-1893 (Kleio, May 1975, vol. 7, No. 1, pp. 22-39)



However, the Secretary of State, the Earl of Kimberley, informed Sir Henry Bulwer on the 2nd February 1882 that responsible government would only be granted on certain conditions. The conditions he laid down dealt mainly with defence and the protection of native interests.<sup>9</sup> He further asked the Governor to dissolve the Council and call for new elections on the issue.

Kimberley's offer of self-rule took the colony by surprise. Although there was great excitement in the colony, the supporters of responsible government were placed in a very difficult situation. The crux of the matter was the question of defence.<sup>10</sup> The results of the election (March 1882) showed that Natal was not prepared to accept responsible government on the conditions stipulated by Kimberley. Robinson, the most uncompromising advocate of responsible government, was unseated. It was clearly evident that nearly all the elective members of the new Council were against the proposed change.<sup>11</sup> From this result it can be seen that the question of responsible government was shelved after this until 1888.<sup>12</sup>

Kimberley's offer of self-government was such that few colonists would accept it. However, all indications seemed to point out that Kimberley anticipated such a rejection.

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9. D.J. Haasbroek: The Struggle for political supremacy in Natal, 1856-1896 (ii) (*Historia*, Mar. 1972 vol. 17, No. 1, p. 47).
  10. J. Lambert: Sir John Robinson and responsible government, p. 114.
  11. D.J. Haasbroek: The Struggle for political supremacy in Natal, 1856-1896 (ii) (*Historia*, Mar. 1972 vol. 17, No. 1, p. 47).
  12. J. Lambert: The Responsible government question in Natal, 1856-1893. (*Kleio*, May 1975 vol. 7, No. 1, p. 30).

Robinson, for one, wondered if Kimberley's offer of responsible government was not meant to bring political realities home to the colonists.

There was some political agitation and progress after 1882. In the latter part of 1882 the members of the Council were increased from 20 to 30 as a result of a Select Committee report under the chairmanship of Harry Escombe. Of these 30, seven were to be nominated by the Governor to protect the interests of the coloured population.<sup>13</sup> Nonetheless Law No. 2 of 1883 effectively protected the white colonists against the Indians by conferring the vote only on those non-Europeans who, were otherwise qualified, could pass an educational test.<sup>14</sup>

In 1884 and 1885 some half-hearted attempts were made to revive the self-government issue but nothing really came of it. However, it is significant to note that in 1884 Escombe was to become an ardent supporter of responsible government. The turning point in his career came when he tried to win support in June 1884 for a Bill of moderate constitutional advancement and failed. Robinson warned the colony against "*false constitutions such as this which did little good to Natal.*"<sup>15</sup> In 1885 he tried to consolidate his own position by publishing a responsible government

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13. D.J. Haasbroek: The Struggle for political supremacy in Natal, 1856-1896 (ii) (*Historia*, Mar. 1972 vol. 17 No. 1, pp. 47-48); J. Lambert: The Responsible government question in Natal, 1856, 1893. (*Kleio*, May 1975 vol. 7, No. 1, p. 31); See C.J. Talbot: Harry Escombe and the politics of responsible government in Natal, 1879-1885, pp. 152-153, 158-159, 160-161, 163.
14. J. Lambert: The Responsible government question in Natal, 1856-1893. (*Kleio*, May 1975, vol. 7, No. 1, p. 31); D.J. Haasbroek: The Struggle for political supremacy in Natal, 1856-1896, (iii) (*Historia*, June 1972 vol. 17, No. 2, p. 109)
15. J. Lambert: The Responsible government question in Natal, 1856-1893, p. 31.

bill but nothing really came of it because he became seriously ill.<sup>16</sup> These two bills were more an attempt to test public opinion than any concerted effort at achieving responsible government.

The years between 1882-1888 saw a commercial and financial crisis in Natal which had serious political implications. The depression which had set in throughout South Africa brought economic ruin to a number of companies. The withdrawal of British troops after the Transvaal War (1880-1881) brought a concurrent decline in Natal's trade.<sup>17</sup>

This period also saw the intense rivalry between the Cape and Natal and many unsuccessful attempts to reach a commercial understanding.<sup>18</sup> Even Natal's prospects of territorial expansion were increasingly limited and by 1885 only Zululand, Tongaland and Pondoland remained for expansion.<sup>19</sup>

Natal tried to woo the Free State by hinting that she would further reduce her tariff if she built a railway to the Drakensberg instead of to the Cape border. In 1882 she invited the Free State and the Transvaal to a conference. Unfortunately Bulwer sent this invitation through the High Commissioner who, being also the Governor of the Cape Colony, consulted the Cape Ministry before transmitting it to the Republics. As a result of this exposure Legislative Council felt angered and felt that her position

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16. J. Lambert: Sir John Robinson and responsible government, pp. 146-150.
  17. See N.B.B. 1886. Dept. Reports, Supplements, Report of the Trade Commission 1885-1886, p. viii.
  18. J. Lambert: The Responsible government question in Natal, 1856-1893.
  19. J. Lambert: Sir John Robinson and responsible government, p. 151.

as an independent colony was seriously threatened.<sup>20</sup> This incident would never have occurred had Natal had responsible government.

This then was the position when Havelock arrived in Natal in February 1886. The finances of the colony were in a critical state.<sup>21</sup> Havelock started to prepare the public for severe measures which he regarded as inevitable. In March 1886, at a Municipal banquet in Durban, he drew attention to the state of the finances and warned that additional taxation and retrenchment would be necessary.<sup>22</sup> Havelock's financial measures<sup>23</sup> were made known in July.<sup>24</sup> Robinson regarded them as punitive and oppressive and accused the government of following a high-handed policy. Instead Robinson advocated the reduction of unnecessary expenditure, the retention and expansion of trade and proper control of the railway department. The government's financial reform measures no doubt stimulated a desire for responsible government. But at the same time it was also realised that unless Natal was financially sound it was futile to embark on self-government.<sup>25</sup>

Natal's economic position received a boost with the discovery of gold in the Transvaal in 1886. In order to make the most of the colony's existing trade, the Legislative Council passed a Tariff Law in 1886 reducing customs duties to an ad valorem transit duty of 7% on

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20. J. van der Poel: Railway and customs policies, 1885-1910, pp. 12-13.

21. See Chapter 1.

22. Natal Mercury, 19.3.1886.

23. See Chapter 1.

24. See N.G.G. vol. 38, No. 2190, 22.7.1886.

25. J. Lambert: Sir John Robinson and responsible government. 1863-1897, p. 156.

certain goods destined for the interior states.<sup>26</sup> Although this was 4% more than the Delagoa Bay duty it was 8% less than that of the Cape.<sup>27</sup> This favourable economic climate was keenly felt by the Natal politicians and the quest for self-government received a further impetus.

Although the Transvaal was Natal's main trading partner for the time being the colonists still viewed the Free State as their most valuable partner. Therefore it came as a great shock to the Legislative Council when it learnt that the government was conducting a secret convention with the Free State over custom duties between the two countries.<sup>28</sup> The Legislative Council was unaware of these negotiations between Havelock and President Brand, and they felt that they were barred from the opportunity of considering the proposals from a friendly state. The Council felt further annoyed because they only became aware of this correspondence as a result of its publication in the Free State Gazette. They regretted the action of the Governor in what they regarded as over-riding the claims of the Council as established by the Charter. In an effort to impose their will they asked the British Government to recall Havelock.<sup>29</sup> This was an unwarranted attack on the Governor and Havelock was justified in asserting that the Council wanted to usurp the executive functions of the government. The Governor's only reason for not laying this correspondence before the Council was that the

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26. S.P.M. O'Byrne: Natal during the administration of Sir Arther Havelock, p. 18.
27. J. Lambert: Sir John Robinson and responsible government, 1863-1897, p. 159.
28. G.H. 1327 Letters to High Commissioner, General: Havelock - President Brand, 9.6.1886; G.H. 849 Letters from Foreign Governments, OFS: President Brand - Havelock, 1.7.1886.
29. G.H. 932 Natal Legislative Council Addresses: No. 70, 16.12.1886.

negotiations did not prove advantageous to the interests of Natal.<sup>30</sup> The whole issue became explosive as soon as the newspapers became aware of this.<sup>31</sup>

Excombe politely put the indiscretion of the Governor down to the ignorance of the exact constitutional position, but it was quite certain that Havelock was fully aware of his position.<sup>32</sup>

It was rare for a colony to impeach<sup>33</sup> its Governor. The very fact that it happened showed the gravity of the situation. Other factors also showed themselves more clearly: the protection of the Charter and the assertion of the principle that the Legislative Council be consulted at all times. Robinson insisted that the regulation and the control of the finance were the peculiar privilege of the Council. By the Governor's very action he had lost

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30. G.H. 1225 Copies of Despatches to the Secretary of State: No. 213, Havelock - Stanhope, 20.12.1886.

31. See Chapter 2.

32. B.J.T. Leverton: Government finance and political development in Natal, 1843-1893, p. 246.

33. On a comparative note see for e.g.: C.J.T. Talbot: Harry Escombe and the politics of responsible government in Natal, 1879-1885, pp. 182-183: Bulwer was not prepared to concede Escombe's assertion that the Executive Council was responsible to the Crown and to the Colony for the government of Natal. The matter at issue was correspondence between the President of the Free State and Bulwer over the survey of the Free State - Natal boundary, correspondence that was initiated by President Brand. When the despatches were laid before the Council, Escombe attempted to submit a motion, the effect of which would have been to censure the Governor for not having laid the matter before the Executive Council. A heated exchange took place between Bulwer and Escombe, but since the procedure of the Council did not permit anyone other than the Governor to propose a motion, the minutes merely recorded that Escombe "*expressed his opinion*" that the Governor ought to have acted in the manner indicated.

the confidence of the Council, and it would in future watch the affairs of the government very carefully in order to bring about another confrontation. This opportunity arose in the affairs of Zululand.

Conditions in Zululand reached a crisis point during the early years of Havelock's administration. In September 1884 the Natal Government was officially notified by the Boer settlers in Zululand that they had established the New Republic in the land ceded to them.

The Natalians had always hoped that Zululand would be ultimately annexed to the colony. Lord Granville, the Secretary of State, asked Havelock in March 1886 to start secret negotiations with the Boers regarding the territorial problem in Zululand.<sup>34</sup> The Governor not only refused to allow the Council any say in them but declined to inform it of his progress. On 22nd October an agreement was signed between Havelock and the Boer deputation.<sup>35</sup> The pro-responsible Legislative councillors were alarmed at the creation of the New Republic. They pointed out that Natal's interests were ignored in the settlement of Zululand and argued that if the colony had self-government the government would have been bound to consult her. As far as the Council was concerned Havelock was working against the interests of Natal.<sup>36</sup> A Resolution to this

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34. C-4913 Further Correspondence Respecting the Affairs of Zululand ...: Granville - Havelock, 11.3.1886, pp. 356-58.
35. C-4980 Further Correspondence Respecting the Affairs of Zululand ...: Havelock - Stanhope, 22.10.1886, pp. 472-473.
36. J. Lambert: The Responsible government question in Natal, 1856-1893, pp. 36-37.

effect was passed, censuring the Governor.<sup>37</sup> Coupled with this Robinson moved on the 18th November that as long as the Governor of Natal occupied the dual position as Governor, and Special Commissioner for Zululand, his salary should be reduced to £3,000, the balance of £1,000 to be obtained from the Zululand treasury.<sup>38</sup> This action was unwarranted as the Governor was following the instructions of the Imperial authorities in his capacity as Special Commissioner for Zulu Affairs.

No doubt the Governor was in a difficult position. The dual position he had was bound to lead him into conflict with the Council. The Council felt that their Governor should naturally have the interests of Natal at heart. The Governor, on the other hand, also being the Special Commissioner for Zululand, had to follow the directives of the Secretary of State to effect a settlement in Zululand and this the colonists thought was contrary to the interests of Natal.

The Council had deliberately ignored the issue of responsible government in order to oppose the Governor effectively. Robinson and Escombe had in fact agreed that the issue

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37. V.P. XXXVII: No. 37, 5.11.1886, pp. 325-326; For e.g. see C.J. Talbot: Harry Escombe and the politics of responsible government in Natal, 1879-1885, pp. 180-181: the conflict between Escombe and Bulwer on the question of appointment of the Protector of Immigrants. Bulwer informed the Council that he did not intend to ask their advice and any recommendations he would make would be on his own responsibility. Escombe accused Bulwer of having kept the Council in ignorance of passing events in Zululand, the Transvaal, Basutoland and Pondoland, all of which must affect the interests of Natal. Gallway, the Attorney General, upheld the Governor. He confirmed that when Bulwer acted in the capacity of Special Commissioner for Zululand there was no need to consult the executive, and that the affairs of other territories were the province of the High Commissioner or the Governor of the Cape.

N.H. IX, 5.11.1886, pp. 251-256.

38. N.H. IX, 18.11.1886, p. 359.



should not be raised in 1886. The significance of the events of 1886 was not that it showed the Legislative Council wanted responsible government, but that it could act effectively and unitedly.

The conflict with the Governor must therefore be seen against the background of three fundamental issues, the financial conflict, the customs agreement with the Free State, and lastly the Zululand controversy. In all these three vital issues the Council claimed its rights to be consulted and to legislate in all matters affecting Natal. The year 1886 was the stormiest year for Havelock, and this too was the first year of his office. The year 1886 also proved to Havelock that the colony was mature enough to accept responsible government. Never was the Council so independent and united against the Governor and this was indeed a good sign for responsible government. The clashes with the Governor must therefore be seen as a milestone on the great trek towards responsible government.

Natal's quest for responsible government received a further boost when Britain became alarmed at conditions in Zululand and in May 1887 agreed to Natal's demands to annex the territory.<sup>39</sup> Thus Natal was safe from any future Zulu threat and Britain was now obliged to maintain peace in Zululand.

1887 was the year of the Queen's Golden Jubilee and the Colonial Conference and Natal were represented by John

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39. C-5143 Further Correspondence Respecting the Affairs of Zululand ...: Havelock - Holland, 11.5.1887, p. 685.

Robinson.<sup>40</sup> Robinson had also the opportunity of having confidential talks with the Colonial Office. As a result he was able to tell the Colony in 1887 that, if responsible government were introduced, one regiment would be left in Natal when the rest of the garrison was withdrawn. He obviously got no satisfaction on the question of the creation of the New Republic in 1886, which, with the exclusion of Natal from the affairs of Zululand, had whipped up feelings in favour of responsible government. Robinson also negotiated with the Imperial Government for the raising of the £500,000 loan, for which a loan bill had been passed by the Legislative Council in 1886.<sup>41</sup> The Imperial Government had no objection in general to a policy of developing the resources of the Colony by means of borrowed capital, but the difficulty arose when the Legislature in pursuit of its public works policy passed a Bill authorising a loan of £500,000 and yet appeared reluctant to provide adequate means by way of fresh taxation for payment of interest on the loan. In a confidential letter<sup>42</sup> to Robinson on the 18th April, Sir Robert Herbert, the Permanent Under-Secretary, proposed three alternatives: firstly, that the law be left inoperative by its non-submission to the Imperial Government; secondly, that the Legislature should pass the five

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40. Robinson's presence there seemed to indicate that greater self-government was not very far off. He was one of three delegates to London from the Cape and Natal. The Cape was represented by Sir Thomas Upington, the Attorney General, and Jan (Onze Jan) Hofmeyer, a journalist and politician who was playing very much a similar role in Cape politics as Robinson was playing in Natal. *"Both were great believers in South Africa pursuing its own destiny, thoroughly independent, its territories linked mutually through one another, but under the British Empire umbrella"* - T. Wilks: For the love of Natal.. p. 64.

41. See G.H. 1225 Copies of Despatches to the Secretary of State: No. 208, Havelock - Stanhope, 17.12.1886.

42. Sessional Papers 1887 L.C. No. 4, 16.6.1887, See letter Herbert - Robinson, 18.4.1887, pp. 18-20.

Tax Bills<sup>43</sup> proposed by the Government; or thirdly, that they should accept responsible government, any future loan then being sanctioned as a matter of course.<sup>44</sup>

On the 30th April 1887 John Robinson replied to Sir Robert Herbert.<sup>45</sup> His own view was that Natal should be given responsible government, but he stressed that this view was not an expression of the general body of electors. The inherent fear was that with the advent of responsible government, the Imperial garrison would be immediately withdrawn. They also doubted whether the colony had sufficient men of ability to "*maintain party government in full efficiency*", and distrusted what was to them "*a novel and imperfectly understood administrative system.*" However, his personal opinion was that the reasons outlined were not to be regarded as either conclusive or unanswerable.

Because of the general opinion of the colony at the last election Robinson had had no intention to discuss the responsible government issue while in London, but Sir Robert Herbert's letter compelled him to review this. Robinson wrote:

*"It had not been my intention to refer to this question of constitutional change during my present mission, inasmuch as I had no authority to do so, and inasmuch as at the last elections a general understanding prevailed that for the time being the question should be allowed to slumber."*<sup>46</sup>

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43. See Chapter 1.

44. See Sessional Papers 1887 L.C. No. 16, 7.7.1887, Letter John Robinson - Sir R.G.H. Herbert, 3.4.1887, pp. 68-72.

45. See Sessional Papers 1887 L.C. No. 16, 7.7.1887, p. 68f.

46. For full text of this letter see Sessional Papers 1887 L.C. No. 16, 7.7.1887, pp. 68-72.

He nevertheless reacted to Herbert's suggestion. On the first two alternatives, Robinson felt that this would imply "*an indifference on the part of Her Majesty's Government to the vital interests of the Colony,*" and secondly, "*a desire to coerce the Colony into the acceptance of, or into submission to, taxing measures, which one deemed to be neither just or necessary.*"<sup>47</sup> However, Robinson felt that, if the Imperial Government adopted the last alternative, that is responsible government, he would use all his influence to try and secure its approval. At the same time he pleaded the cause of the colony, and implored the Secretary of State not to withhold the sanction of the loan.

If the question of responsible government were thus raised, it would mean that other questions would also arise, such as the native question, the garrison, and the relation of Natal to its European neighbours.<sup>48</sup> These questions were no doubt inseparably associated with the question of responsible government.

Robinson's reply to Herbert displayed great strength of character and complete sincerity toward the general interest of Natal. Although a great exponent of responsible government, he refrained from the desire to pursue his own political ambitions. From Herbert's letter it can be clearly discerned that the Secretary of State had reached the conclusion that the Natal legislature should be forced to adopt a more positive policy direction.

When Robinson returned to Natal the whole issue of responsible government and the proposals of Sir Robert Herbert were placed before the Legislative Council on the

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47. Sessional Papers 1887, L.C. No. 4, p. 20.

48. Sessional Papers 1887, L.C. No. 16, pp. 70-71.

16th June 1887. The Loan Bill was debated in July. And on the 5th July, during a stormy debate, C.A. Yonge<sup>49</sup> moved that "*in the interests of Natal it would be unwise to accept Responsible Government*"<sup>50</sup> during the 1887 session. He proposed this move in an attempt to prevent Robinson's letter being placed before the House during the current session, and refused all attempts to delay this motion. The reason Yonge gave for this move was that he regarded the responsible government "crusade" as a "crusade" of the Forward Party leaders who wanted to force the issue in Council.<sup>51</sup> Consequently Robinson moved for an adjournment of the debate for 14 days but this was lost by 14 votes to 10. Instead F.R. Moor's<sup>52</sup> amendment that the debate be adjourned for seven days was finally agreed to.<sup>53</sup>

Realising there was yet a slim chance to discuss the whole question of responsible government, Robinson then revealed to Havelock a second confidential letter, dated 30th April addressed to Robert Herbert, and requested him to communicate this letter to the Legislative Council.<sup>54</sup> This letter was laid before the House on the 7th July.<sup>55</sup> As a result of its publication Robinson moved on the 12th July a series of amendments to C.A. Yonge's motion on responsible government based on the correspondence before the House:

*".... this Council deems it desirable to ascertain whether in the event of Responsible Govern-*

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49. Member for Pietermaritzburg County.  
 50. V.P. 38, 1887, 12.7.1887, p. 197; N.H. X, 5.7.1887, p. 146.  
 51. N.H. X, 5.7.1887, p. 146, 148.  
 52. Member for Weenen County.  
 53. N.H. X, 5.7.1887, pp. 154-155.  
 54. G.H. 1225 (C.O. 179/168 No. 17158) Copies of Despatches to the Secretary of State: No. 173, Havelock - Holland, 26.7.1887.  
 55. G.H. 1225 Copies of Despatches to the Secretary of State: No. 173, Havelock - Holland, 26.7.1887.

ment being established, and in view of the exceptional circumstances of Natal, the Imperial Government will be prepared to co-operate with the Colonial Government in providing for the internal defence of the Colony on conditions that may be agreed upon, pending the completion of arrangements for the future defence of the Colony by means of local resources. That this Council desires respectfully to urge upon the Secretary of State the importance of according Her Majesty's sanction to the Loan Bill passed last Session as being absolutely necessary for the prosecution of public works ...."<sup>56</sup>

The Council in order to fulfil its own obligations pledged itself to make due provision for the services of all loans passed by the imposition of further taxation should this prove necessary. T. Groom, an ardent opponent of responsible government, moved an amendment "*that in the interests of Natal it would be unwise to discuss the question of Responsible Government during the present Session.*"<sup>57</sup> Robinson immediately proposed an adjournment of the debate for one week to study its implications, but the opposition, conscious of its numerical strength, flatly refused. They accused the pro-responsible elements of delaying the issue for their own purpose, and insisted on the continuation of the debate. The Colonial Secretary, F.S. Haden, earlier made it quite clear that the Government members would abstain from the discussion on the motion for adjournment and also refrain from voting on the issue. Before the actual vote was taken Robinson and his followers withdrew from the Council, dissociating

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56. N.H. X, 12.7.1887, p. 193.

57. N.H. X, 12.7.1887, pp. 194, 205.

themselves from any further debate. T. Groom's amendment was therefore carried by 12 votes to 10.<sup>58</sup> The Council then pledged itself to make provision for the services of all loans passed, or which may be passed, by the imposition of additional taxation should this prove necessary.<sup>59</sup>

At a public meeting in Durban on the 25th July two resolutions were passed protesting against the resolution of the Council which made the ordinary estimates of revenue the criterion of new taxation. And secondly the meeting regretted that a bare majority of the Council should have decided to prevent the discussion of responsible government.<sup>60</sup> In a despatch to the Secretary of State, Havelock mentioned that this meeting did not produce much effect on the minds of the general public.<sup>61</sup>

Thus another attempt to salvage the idea of responsible government failed and Robinson must have felt bitterly disappointed. Holland was not trying to force responsible government but was trying to act in the best interests of Natal. If Britain had to approve of all the loans it seemed obvious that she would have to be aware of all the facts before such a loan could be granted. In other words it also meant that the Council would have to accept the Governor's estimate of revenue, and such taxation measures as he deemed necessary. This therefore would inevitably lead to conflict and curtail the powers of the Council as had happened in 1886.

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58. N.H. X, 12.7.1887, pp. 195, 203-5.

59. N.H. X, 12.7.1887, p. 206.

60. Natal Advertiser, 26.7.1887, Natal Mercury, 26.7.1887.

61. G.H. 1225 Copies of Despatches to the Secretary of State: No. 187, Havelock - Holland, 12.8.1887.

The Secretary of State noted with dissatisfaction that the pledge given by the House was not a unanimous one and the necessity of taxation was left to the discretion of the Council and not the Imperial authorities.<sup>62</sup> In an earlier communication from the Colonial Office to Robinson dated 17th May 1887,<sup>63</sup> Holland had said that he did not feel assured in placing on the London Market a Natal loan of £500,000 unless he had some substantial assurance that the investor would not have reason to repent. However, he did say that he would consider the loan on certain conditions. Nothing could be done on the Stock Exchange<sup>64</sup> until October and the opportunity of ascertaining the prospects<sup>65</sup> of continued increase in the revenue and railway receipts to back up the loan. Holland also stipulated that the Council should give some undertaking that it would each year make due pro-

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62. C.O. 179/168 No. 17158, See E. Fairfield's minute 25.8.1887.
63. The Governor put this correspondence before the Council, which contains no reply to the letter from Robinson to Sir R. Herbert. The Governor was not in possession of any reply to this letter. See Sessional Papers 1887, L.C. No. 16, pp. 67-68.
64. In August and early part of September, practically nothing is done on the Stock Exchange owing to the holidays.
65. The Secretary of State having transmitted this correspondence to the Governor, asked for information by telegraph as to the improvement in trade, revenue and railway receipts. Revenue as estimated by the Council for the current year had been more than realised and the Treasurer anticipated a surplus of £10,000. There was every likelihood that the 1888 revenue would be in excess of the 1886 mark - Sessional Papers 1887 L.C. No. 4, pp. 17, 26; The actual revenue for 1886 was £600,177.17.0, whereas the revenue for 1887 was £816,815.16.8. This amounted to an increase in revenue of £216,637.19.8. The actual ordinary revenue for 1888 was £990,614.0.0., an increase of revenue of £173,798.3.4 over the 1887 figure - G.H. 1225 Copies of Despatches to the Secretary of State: No. 92, Havelock - Knutsford, 9.4.1888; G.H. 1226 Copies of Despatches to the Secretary of State: No. 57, Havelock - Knutsford, 15.3.1889.



vision for service of the loan by fresh taxation, should the existing sources of taxation be deemed insufficient - then the Reserve Loan Bill would be submitted for Her Majesty's confirmation. However, under the above arrangement in judging the question whether the service of the loan was sufficiently provided for, and also taking into consideration other claims of the colony, *"the figures of Revenue finally adopted by the Government must be accepted by the Council ..."*<sup>66</sup>

Havelock himself did not feel assured that the Council pledged itself to the conditions laid down in the letter of the 17th May.<sup>67</sup> Even F.S. Haden<sup>68</sup> regarded the wording of the resolution as "vague" and its intention was clearly to avoid any reference to the stipulation, contained in Sir R. Herbert's letter to Robinson. Haden regarded the ordinary estimate of revenue to mean the estimate of revenue as finally agreed to by the Legislative Council as a body. It was a question, of course, how far the pledge given would satisfy the Secretary of State. T. Groom in the course of his remarks said *"all loans passed or which may be passed"* were to be read as meaning *"all existing loans or the loan now under consideration of Her Majesty's Government,"* and there was consequently no reference in the resolution to any future loan bills. Haden made it clear that the Government would regard as contrary to the Secretary of State's requirements any resolution that did not refer specifically to the conditions laid down by Sir R. Herbert. Consequently he gave notice that the Government would move an

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66. For letter from Colonial Office - Robinson dated 17.5.1887, See Sessional Papers, 1887, L.C. No. 4, pp. 25-26.

67. G.H. 1225 (C.O. 179/168 No. 17158) Copies of Despatches to the Secretary of State: No. 173, Havelock - Holland, 26.7.1887.

68. C.O. 179/168 No. 17158, Havelock - Holland, 26.7.1887 Annexure: Memorandum by F.S. Haden, 20.7.1887.

amendment to the effect that the Council "pledged itself in terms of Sir R. Herbert's letter of the 17th May." But the Speaker put Groom's resolution to the House before the Government members had time to resume their seats and the amendment was in consequence not moved. Had it been moved, it would in all probability have been supported only by the Government members.

There was a good deal of adverse criticism in the local press on the line of action taken by those members who were opposed to the consideration of the question of responsible government. The Natal Mercury deplored the attitude of the Legislature describing it as "a course so much at variance with Anglo-Saxon traditions of principle and policy."<sup>69</sup> In a similar vein the Natal Witness stated that the financial control of the Legislature had been "most effectively weakened" and blamed the Government for having deliberately leagued itself with the "unintelligent minority, to cripple the position and prospects of the Colony at a most critical juncture."<sup>70</sup> It was quite obvious that full control by the Legislature of financial matters under responsible government was the only solution to Natal's difficulties. The British Government was by this time sick and tired of Natal's financial problems. In a minute Robert Herbert said:

"I suppose we are fully satisfied that in consequence of the unendurable relations in which we stand to Natal principally in regard to finance, it is desirable that Responsible Government should be introduced; although we desire also that such a step should be taken on the full and whole responsibility of the Colonists, and should not be pressed on them by Her Majesty's Government."<sup>71</sup>

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69. Natal Mercury, 3.8.1887.

70. Natal Witness, 20.7.1887.

71. C.O. 179/168 No. 17158, Minute: Sir Robert Herbert, 29.8.1887.

That Natal was seriously divided over responsible government was clearly evidenced by the Colonial Press. The Times said that the Executive seemed to be pushing the elective members into a state of deadlock and consequently it asserted its desire for responsible government.<sup>72</sup> And the Mercantile Advertiser sarcastically asked why Natal should leap "*into the chasm of unknown dangers.*"<sup>73</sup> The Natal Afrikaner<sup>74</sup> laid down three important reasons why responsible government should be withheld. They argued with a great deal of conviction that the white population in comparison with the black population was small and out of all proportion; that the Colony should have men of ability to undertake responsible government; and finally that England should correct her bungled native policy before the responsibility was given to Natal of governing the enormous black population. Like the anti-responsible government element in the Council, the Dutch population did not view responsible government with any great deal of enthusiasm. This attitude was confirmed by Robinson in a private correspondence<sup>75</sup> with Sir Robert Herbert which mentioned that the Dutch population were misled into believing that the granting of responsible government would entail:

- (a) the withdrawal of all troops;
- (b) the passing of a Burgher (or compulsory service) Bill; and
- (c) the withdrawal of all control over the native population from the hands of the local administration.

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72. Times of Natal, 24.9.1886.

73. Mercantile Advertiser, 17.12.1886.

74. Natal Afrikaner, 14.1.1887.

75. Private Correspondence: Robinson - Sir Robert Herbert dated 27.7.1887 is found with document C.O. 179/168 No. 17158, See Herbert's Minute, 29.8.1887.

Some of these very questions were put by Robinson in a resolution to the House but was rejected on the grounds that the Council had already decided not to discuss the responsible government issue that session. In his correspondence to Herbert, Robinson did mention the problems he had with the anti-responsible elements in the Council and their persistent refusal to discuss the issue, saying he hoped that the next approach would be by the British Government. Havelock, realising the immense importance of the questions posed, hoped that Sir Henry Holland would air the views of the Imperial Government on these defeated resolutions:

- (a) *That this House deems it desirable to ascertain whether, in view of possible Constitutional changes, and of the exceptional circumstances of Natal, the Imperial Government would be prepared to co-operate with the Colonial Government in providing for the internal defence of the Colony on conditions that may be agreed upon, pending the completion of local arrangements.*
- (b) *That this House desires also to solicit from Her Majesty's Government an expression of its views in regard to the questions referred to by Sir Robert Herbert in his letter to Mr. Robinson, M.L.C., of April 18th last, namely - "the Natives within the Colony, the Garrison, the relations of Natal to Zululand, and the relations of Natal to its European neighbours."<sup>76</sup>*

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76. G.H. 1300 (C.O. 179/168 No. 17160) Confidential Despatches to the Secretary of State: Havelock - Holland, 27.7.1887, Annexure: Resolution by Robinson. N.H. X, 19.7.1887, p. 244; V.P. x.38, 1887, 19.7.1887, p. 273.

In a letter to the War Office, Sir Robert Herbert mentioned that while the Legislature was prepared to assume the full control of its own affairs, they hesitated to adopt the policy of responsible government in its entirety without an assurance that its introduction would not involve an immediate or early withdrawal of the Imperial Garrison, thus leaving them the added responsibility of keeping the natives under control. It was therefore decided to reassure the Legislature that the Imperial Garrison would not be removed for a period of five years after the grant of responsible government. The Secretary of State regarded this information as secret and therefore instructed Havelock not to divulge it unless instructed to do so.<sup>77</sup> As regards the other issues, Holland said that as far as the control of natives was concerned it would be on the same footing as in the Cape Colony. On the question of Zululand it was felt that unless and until Zululand was annexed to Natal, the Governor of Natal would control it, but that the colony must bind itself to take over Zululand under such administration as the Imperial Government may decide upon. The relationship of Natal with its European neighbours would be conducted as in the case of the Cape Colony by the High Commissioner or probably by the Governor. This

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77. G.H. 289 Copies of Despatches from the Secretary of State: (Confidential) Holland - Havelock, 9.11.1887, Annexures: Colonial Office - War Office, 9.9.1887, War Office - Colonial Office: 079/663, 19.9.1887, Colonial Office - War Office, 3.10.1887, War Office - Colonial Office: 079/6647, 26.10.1887; G.H. 1300 Confidential Despatches to the Secretary of State: Havelock - Knutsford, 20.5.1888; G.H. 1300 Confidential Despatches to the Secretary of State: Havelock - Holland, 8.12.1887; See Sessional Papers 1888, L.C. No. 24, pp. 69-89.

information was also not disclosed to the Council,<sup>78</sup> - but in any event all this was revealed as a result of the Report of the Select Committee of 1888 when Knutsford officially made known the feelings of the Imperial authorities.

The Secretary of State had given a simple and straightforward answer to the resolutions which the Council failed to consider. Had these questions been put forward by the Council as a whole, rather than by Havelock, they would have been aware of its implications and consequently would have been in a position to discuss the issue with a knowledge of the conditions involved. This would not have committed the Colony to any immediate change in status.

By now the question of responsible government was effectively postponed during the 1887 session, but Robinson was prepared to revive it in 1888 at all costs. The Progressive Party was warned by the Mercury to be prepared for an election and urged that no effort be spared to bring about the change. By August 1888 the opposition had begun to realise that it was futile to continue refusing to discuss the question and therefore agreed to consider the proposals.<sup>79</sup> Consequently in 1888 Robinson induced the Legislative Council to appoint a Select Committee with himself as Chairman, to report on the existing constitution. The Committee held 14 meetings and pre-

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78. G.H. 141 Numbered Despatches Received from the Secretary of State: No. 9, Holland - Havelock, 3.2.1887; G.H. 1225 (C.O. 179/168 No. 17158) Copies of Despatches to the Secretary of State: No. 173, Havelock - Holland, 26.7.1887, See Minute: Sir Robert Herbert - Holland, 29.8.1887; G.H. 1300 Confidential Despatches to the Secretary of State, Havelock - Holland, 8.12.1887.

79. J. Lambert: Sir John Robinson and responsible Government, 1863-1897, p. 169.

sented its report on the 18th September.<sup>80</sup> The Report made mention briefly of various attempts at reform after 1879 together with a list of administrative defects. The Report dealt with such questions as defence, native policy, Zululand, "*Want of men to form parties.*"

With respect to internal defence<sup>81</sup> the Committee pointed out that the Colony was adequately catered for by means of volunteer and police services and that Natal's resources were quite adequate to maintain law and order.

On the question of external aggression<sup>82</sup> the Committee pointed out that circumstances had changed since 1882, that this question was by no means as important as it had been earlier. The Cape Government was now responsible for maintaining peace beyond the northern frontier; the Transvaal and Imperial Governments on the north side. There was hardly the possibility that difficulties would arise from other quarters, but if they did the Committee felt, the duty of protecting the colony from external aggression rested on the empire.

As far as native policy<sup>83</sup> was concerned the Committee felt that control of all classes of the population should

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80. N.P.P. 305 Select Committee Report: No. 7/1888, presented 18.9.1888; N.H. XII, 7.8.1888, pp. 92-99; N.H. XII, 2.10.1888, pp. 421-28; Sessional Papers 1888, L.C. No. 24, Report of the Select Committee, 18.9.1888, pp. 69-89; N.G.G. vol. XLI, No. 2350, 5.4.1889, pp. 235-238. G.H. 1225 (C.O. 179/172 No. 23235) Copies of Despatches to the Secretary of State: No. 228, Javelock - Knutsford, 28.10.1888.
81. Report of the Select Committee (in Sessional Papers) pp. 76-77.
82. Report of the Select Committee (in Sessional Papers) pp. 77-78.
83. Report of the Select Committee (in Sessional Papers) pp. 78-81.

be in the hands of the local administration. However, in order to protect native interests the Committee preferred the creation of an Upper Nominee Chamber rather than nominee members in the popular assembly. The Committee was profoundly impressed by the gravity of the issues bound up in the native question. The native population, it was said, had increased from 156,000 in 1862 to 408,922 in 1887. The main cause of the existing "unpromising conditions" of the natives was to be found in the failure on the part of the government to put into effect the recommendations of the Commission appointed in 1847. It had become necessary that the government of the native population should be in the hands of men with local experience and knowledge.

On the question of Zululand<sup>84</sup> the Committee expressed its opinion that it was the general conviction of both colonists and natives alike that the union of Natal and Zululand was absolutely necessary but for some time it would be desirable to retain an Imperial garrison as a mark of the Queen's sovereignty.

In discussing the "want of men to form ministries and parties,"<sup>85</sup> the Committee pointed out that Natal possessed "*men capable of undertaking any form of municipal, financial, philanthropic or social organisation,*" and the same would apply in the event of responsible government being introduced. The Committee further showed that the number of voters had doubled from 4,103 in 1880 to 8,126.

The Committee then went on to say that Natal suffered through its inability to stand on a footing of political

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84. Report of the Select Committee (in Sessional Papers) p. 81.

85. Report of the Select Committee (in Sessional Papers) p. 82-85.



equality with her neighbours. Because of this the country had not enjoyed equal status and freedom when dealing with her neighbours.

The Committee was further of the opinion that the general principles of the Draft Constitution of 1879-80, with certain modifications, was still the best. The principle features of the new Constitution would comprise a Parliament of two Chambers, the Lower or Popular Assembly being wholly elective. There would also be an Upper Chamber of ten members, either nominated by the Crown or elected for a fixed term of office by the Colony, or partly nominated and partly elected. This Chamber would initiate all measures relating to taxation and domestic policy of the natives. A cabinet of ministers would replace the existing executive in the event of a vote of no confidence by a majority of the Lower Chamber. There would also be a permanent Under-Secretary for Native Affairs as well as such sums of money to be provided in the Civil List in respect of native education and amelioration.

In concluding their report the Committee posed four principal questions to be submitted to the British Government to ascertain their reaction:

- (1) *"In the event of the Colony continuing under the present form of government, will Her Majesty's Government be prepared to maintain here a permanent garrison of Imperial troops? or what would be the position of Natal in this respect in the event of the Colony deciding to accept Responsible Government?"*
- (2) *Should the Colony decide to accept Responsible Government will Her Majesty's Government insist upon any limitations or conditions as regards Native affairs, other than the provisions made*

*in the appended Bill. In that case what will the stipulations be?*

- (3) *Under what conditions is Her Majesty's Government prepared to unite Zululand to Natal?*
- (4) *Referring to the Secretary of State's allusion last year to "the relations of Natal to its European neighbours," what is the Colony to understand is indicated by those words?"*<sup>86</sup>

The Report was adopted in the Council by a narrow margin of 13 votes to 10. This majority did not imply that the majority now favoured responsible government. In fact the Council was obliged to accept a rider to the resolution by John Smith which stressed that in forwarding the report the Council was not expressing its approval or otherwise of the resolutions. It is interesting to note that the five official members of the Council did not vote, and one member, Mr. Lindsay, was not there to record his vote.<sup>87</sup> Had the official members voted to the contrary, the report would not have been adopted, and Natal would have lost yet another chance to ascertain the views of the Imperial Government.

In transmitting the Report to Knutsford,<sup>38</sup> Havelock wrote that the section of the report headed "Native Policy" criticised severely the system of administration of the affairs of the natives which had always prevailed and which still existed. The main difficulty said Havelock was how

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86. Report of the Select Committee (Sessional Papers) p.85. The Report of the Committee is also found in B.P.P. vol. 35 Colonies: Africa (Irish University Press) pp. 122-136.
87. G.H. 1226 (C.O. 179/172 No. 23235) Copies of Despatches to the Secretary of State: No. 228, Havelock - Knutsford, 28.10.1888.
88. Henry Holland had by this time been raised to the peerage as Baron Knutsford.

to provide for representation of the comparatively large native population, as the draft scheme appended to the report did not overcome this difficulty; it went as far as expediency and convenience permitted towards protecting the natives from the possible effects of their disability.<sup>89</sup> H.C. Shepstone, the Secretary for Native Affairs, revealed in a Memorandum<sup>90</sup> that the report failed to take into consideration several facts. On the whole, over the last 40 years the natives had been obedient and peaceful, they paid with "*unfailing and surprising punctuality*" their annual tax; and they had become large consumers of imported articles. Their "*unpromising condition*" and moral deterioration were largely the result of their association with the Europeans. Commenting on Shepstone's memorandum Havelock said that whatever the shortcomings of the native administration was, it must be admitted that the department carried on its function at a small financial cost. So far it had been successful in maintaining peace and quiet.<sup>91</sup> In the opinion of John Bird<sup>92</sup> it was misleading to think that a Ministry composed of European colonists would act with impartiality in the interest of the natives. In spite of

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89. G.H. 1226 (C.O. 179/172 No. 23235) Copies of Despatches to the Secretary of State: No. 228, Havelock - Knutsford, 28.10.1888. This correspondence also appears in N.G.G. vol. XLI, No. 2350, 5.4.1889, pp. 235-7.
90. G.H. 1226 Copies of Despatches to the Secretary of State: No. 228, Havelock - Knutsford, 28.10.1888, Annexure: Minute by Secretary for Native Affairs.
91. G.H. 1226 Copies of Despatches to the Secretary of State: No. 228, Havelock - Knutsford, 28.10.1888.
92. John Bird had been employed in the Colonial Civil Service for the last 36 years. He was at one time Colonial Treasurer, and later Judge of the Native High Court which post had given him special opportunities of insight into the character and habits of the native population. He is the author of "*Annals of Natal*".

polygamy and the "lobola" system the natives were signally obedient and loyal.<sup>93</sup>

On the question of Zululand, Havelock said that it was the general conviction of both the colonists and the natives that the union of Natal and Zululand was absolutely necessary for the well-being of both. But the Governor himself doubted that such a belief had penetrated the minds of the natives of Zululand. He was of the opinion that the union of Zululand with Natal would be premature, and in the event of responsible government being granted to Natal, "*it might be found advisable to defer, still longer, the placing of Zululand under the administration of Natal.*"<sup>94</sup>

Under the heading "*Want of men to form ministries and parties,*" Havelock said that this was a common belief held by many to stand in the way of responsible government. In a minute<sup>95</sup> to the Governor, the Colonial Secretary made his observations by way of criticism and analysis of this statement. It appeared that the numerical increase shown on the voter's roll, to which the report drew attention, should not be taken as proof that there had been a corresponding increase in the white male adult population of the Colony. On examination of the Blue Books for the last five years showed that in 1882 the total number of white males in the colony was 16,596, of whom 8,041 were under 20 years of age, leaving 8,555 males

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93. C.S.O. 1888, vol. 1205: J. Bird to Secretary of State: 5624/1888, 19.12.1888; G.H. 1226 Copies of Despatches to the Secretary of State: 281, Havelock - Knutsford, 26.12.1888.
94. G.H. 1226 Copies of Despatches to the Secretary of State: No. 228, Havelock - Knutsford, 28.10.1888.
95. G.H. 1226 Copies of Despatches to the Secretary of State: No. 228, Havelock - Knutsford, 28.10.1888. Annexure: Memorandum by Colonial Secretary, 27.10.1888.

of over 20 years. In 1887 the number of total males and males under 20 years of age were respectively 19,330 and 9,925, giving a total of 9,405 over 20 years of age, or an increase of only 850 males in a five year period. During the same period the native population had increased from 345,575 to 408,922. It further showed a large disproportion of whites to blacks, namely, 35,866 and 408,922 respectively in the 1887 returns. Many of the adult males shown as registered electors in the Voter's Roll were absentees and also in many cases the same individual possessed property qualifications in more than one electoral district - sometimes as many as five - and the Voter's Roll could therefore be regarded as anything but reliable in indicating the numerical voting strength of the Colony.

The Report of the Select Committee was an important document in the constitutional struggle during Havelock's term of office. It showed for the first time since 1881 that the desire for responsible government was not just a passing fancy but that the colonists were determined to place Natal on the road to self-rule. The Report was therefore only the beginning of a series of continued negotiations with the Imperial authorities to accommodate the views of both the Natalians and the British authorities.

Lord Knutsford's reply to the Report was published in the Government Gazette on the 5th April 1889.<sup>96</sup> The Secretary of State wrote that the British Government had some difficulty in dealing with the questions submitted because of the absence of any expression of opinion on the part of the Legislative Council; and also from the fact that the address was only approved by 13 votes to 10.

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96. N.G.G. vol. XLI No. 2350, 5.4.1889, pp. 237-238; See G.H. 151 Numbered Despatches Received from the Secretary of State: No. 29, Knutsford - Havelock, 5.3.1889.

He believed that the small increase in the white population, when compared to the large increase in the native population, from 156,000 (in 1862) to 408,900 (in 1887) would not justify Her Majesty's Government in proposing the introduction of responsible government, especially in the absence of any preponderance of public opinion of the Colony in favour of that move. Parliament had stated on numerous occasions that they would not object to the establishment of responsible government if they were satisfied that the interests of the native population had been effectively protected. In this respect Knutsford felt that the outline in the Report did not appear to afford sufficient guarantee. Consequently he could not encourage the Legislative Council to expect the British Government would be prepared to annex Zululand to Natal on the introduction of responsible government.

Replying to the hypothetical questions put by the Committee, he explained that the British Government could not undertake to give definite replies to these questions. However, he was prepared to say generally, in answer to the first question that the Imperial Government had decided upon the removal of all Imperial troops from Natal to the Cape, at the earliest date consistent with safety, and with the maintenance of peace and order in Natal and Zululand. In the event of the introduction of responsible government, a certain number of troops would be maintained in the colony for a short term of years, but not exceeding five years in order to provide for the gradual organisation of the colonial force.

With respect to question two, Lord Knutsford observed that the initiation in the proposed Upper Chamber of measures relating to the natives did not appear to contain any security that proper measures would be passed or adequate funds voted for the advancement of native interests.

With respect to the third question, he answered that he could not say that under any condition would Zululand be annexed to Natal at any given date. It was questionable whether the introduction of responsible government would tend to satisfy Parliament that such an annexation should be accelerated.

In answer to the last question, Knutsford pointed out that as far as the relations between Natal and Cape were concerned there would be no change; except that the Ministers of the two colonies might correspond on matters not requiring the intervention of the two Governors. There was also the possibility that the Governor of Natal might be appointed a High Commissioner for this purpose.

The Legislative Council discussed Lord Knutsford's reply in June 1889 and advice was sought from the Secretary of State as to how native interests might satisfactorily be safeguarded.<sup>97</sup> The Legislative Council had been told that its own suggestions were not satisfactory and thereupon, not unnaturally, asked that suggestions be put to it by Lord Knutsford. Meanwhile Robinson warned the House that only in a healthy climate could there be a political truce and that the real test of the constitution was its reaction to adversity.<sup>98</sup> But a political truce, blurted the Natal Witness, was a total disregard of the political function of the Legislature and the 1888 Council compared unfavourably with those of the 1870's in respect of its being representative of the general mass.<sup>99</sup> The Mercantile Advertiser echoed the same sentiments and accused the Council of lacking that innate sense of re-

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97. N.H. XII, 19.6.1889, p. 325; N.H. XII, 20.6.1889, pp. 337-344; G.H. 1226 (C.O. 179/175 No. 14526) Copies of Despatches to the Secretary of State: No. 146 Mitchell - Knutsford, 25.6.1889.

98. N.H. XII, 20.6.1889, pp. 337-340.

99. Natal Witness, 4.5.1889.

responsibility which would make a parliament capable of assuming responsible government.<sup>100</sup> And the Natal Witness accused the Executive of slavishly following the directives of the Secretary of State,<sup>101</sup> and therefore cleverly avoiding making any decisions of its own.<sup>102</sup>

And while this wrangle was going on in Natal, Lord Knutsford had in the meanwhile communicated with Havelock who was on leave in London at the time and asked him for his views on the native question and the whole issue of responsible government.

Havelock thought that the draft scheme put forward by the Committee, which recommended that the initiation of all laws relating to native affairs and not applicable to the general community, should be restricted to the Upper Chamber of the proposed Parliament to be composed of members possessing a high property qualification and to be appointed by the Governor, would be likely to lead to trouble. The Lower and popular Chamber, he said, would always find measures to press in the Upper Chamber, and this would mean that the Upper Chamber would be unable to resist without a collision with the Lower Chamber, and consequently a deadlock might ensue. In the event of a conflict between the two Chambers, an additional complication would result if the Government of a minority adopted the views of the Lower Chamber. But whatever may be the practicability of this proposal its value as a means of protecting native interests did not appear to be highly rated by the Secretary of State either. Havelock's own views on the native question were no doubt in keeping with

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100. Mercantile Advertiser, 17.11.1888.

101. Natal Witness, 14.3.1888.

102. Natal Mercury, 24.1.1887.



the thinking of the British Government. He said:

*"I am myself inclined to the opinion that any provision in a Constitutional Law having for its object the restriction of the powers of legislating in case of any particular class of the population would, in effect, be mischievous and futile. If Natal Colonists are to have responsible government, I think they should have it in its freest and fullest form. And, we must trust to their sense of justice, of which they possess much, and to their knowledge of their own interests, which they exhibit in a remarkable degree - to prevent their abusing their powers over the Natives."*<sup>103</sup>

Havelock qualified this statement by saying that as a means of preventing precipitate action with regard to native legislation, the Royal Instructions should be made to include among Bills to be reserved by the Governor, all Bills dealing with matters affecting the native population as distinct from the general community.

Any Bill having for its object:

1. the execution of compulsory labour from natives by proprietors of land or other private persons;
2. the restriction of the freedom of the natives to enter into contracts of service;
3. the abolition of Native Law and placing of natives under the general law;

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103. C.O. 179/175, No. 14526; Private Correspondence between Colonial Office and Havelock. Havelock - Bramston, 12.8.1889.



4. the reduction of the area of the native locations; and
5. a possible increase in the existing hut tax

would be viewed with disfavour by Her Majesty's Government. They would be unjust laws and would probably lead to trouble.

On the question of responsible government in general Havelock said:

*"While I think that Responsible Government, if given, should be freely and fully given, I do not see any need for giving it at all, unless it can be shown to be desired by a distinct preponderance of public opinion deliberately and unmistakably expressed."*<sup>104</sup>

He doubted much what the Natalians had to gain by a change in the constitution. They had practically complete control of their money and of their own internal affairs; they were even allowed to enter into Conventions with foreign states, and finally *"they are on the whole well governed and certainly cheaply governed."* The only power which they lacked was the government and control of natives. This was probably to their own advantage as well as to the advantage of the natives. The natives knew perfectly well the difference between the "Queen's Government", as they called it, and a government by a Colonial Ministry. They would certainly regard with suspicion and with fear, the loss of the "Queen's Government". No doubt their numbers and powers of mischief might be brought into direct conflict by any unpopular legislation brought out by a responsible ministry.

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104. C.O. 179/175 No. 14526 Havelock - Bramston, 12.8.1889, (Private Correspondence).

What Havelock really favoured was a political union in South Africa. He said:

*"The only sound argument that I can think of, which is in support of a constitutional change in Natal is that it might contribute towards removing the difficulties that stand in the way of some sort of political union in South Africa."*<sup>105</sup>

But on the other hand he said that it might have the opposite effect - Natalians had shown a feeling of antagonism<sup>106</sup> as regards the Cape Colony - responsible government would increase their powers of indulging in that feeling.

On the question of Zululand, Havelock concluded that:

*"The establishment in Natal of Responsible Government would I think render the incorporation of Zululand with that Colony more impolitic than it is under the present circumstances."*<sup>107</sup>

Commenting on Havelock's letter, E. Fairfield<sup>108</sup> from the Colonial Office, said that the British Government would not be in a position to resist the demand for responsible government if preferred by a clear majority of the Council, and possibly confirmed by the verdict of a general election. There appeared too little security for native interests in a provision that laws affecting them should originate only in an Upper House elected by a high property

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105. C.O. 179/175 No. 14526 (Private Correspondence) Havelock - Bramston, 12.8.1889.

106. See Chapter 2.

107. C.O. 179/175 No. 14526 (Private Correspondence) Havelock - J. Bramston, 12.8.1889.

108. C.O. 179/175 No. 14526 (Private Correspondence) Minute: E. Fairfield, 14.8.1889.

qualification. Fairfield feared that there would be an attempt to deprive the natives of their grips on the locations and place them directly or indirectly into contracts of compulsory service. It seemed safe therefore to tell the Legislature that any Bills having injurious effects would be viewed unfavourably and probably disallowed by the British Government. J. Bramston<sup>109</sup> also said that he had no faith in an Upper House as a protector of Native interests, and therefore desired control from the Colonial Office. Besides the reservation of laws mentioned by Havelock, Bramston suggested a reserve fund of £20,000 to protect native interests and the establishment of a Native Protection Board.

From what can be seen the Colonial Office was in total agreement with Havelock's views. Even Robert Herbert<sup>110</sup> felt that there were good arguments against the early introduction of responsible government, and he was inclined to think that the Government should withhold its sanction until Zululand (the natives of which were closely connected with Natal) was completely reorganised or united with Natal after the requirements of the British Government had been sufficiently before the public. He viewed Bramston's suggestion of a native reserve fund with approval. The statesmen of Natal, he feared, were not of such a calibre as to be capable of assuming seriously the entire responsibility, which, in principle, Havelock had rightly suggested should be cast upon them. Robert Herbert further wished that it be provided in the law creating a Parliament, that in the event of any internal emergency in which the natives were involved, the Governor

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109. C.O. 179/175 No. 14526 (Private Correspondence)  
Minute: Robert Herbert, 16.8.1889.  
110. C.O. 179/175 No. 14526 (Private Correspondence)  
Minute: Robert Herbert, 16.8.1889.

should have full power to direct payment out of the Treasury (without the money being voted by Parliament in the event of a delay or refusal to make such provision) if any sums which he might deem necessary for the preservation of law and order.

The decision Knutsford finally adopted encompassed the views of Havelock, E. Fairfield, J. Bramston and Robert Herbert.<sup>111</sup> Knutsford warned the protagonists of responsible government that if a change of government were to be considered it would be necessary that the Royal Instructions should include among Bills to be reserved by the Governor all Bills dealing with matters affecting the native population alone. Any Bill, therefore, having for its object the following would, except in very special circumstances, be viewed with disfavour and would run the considerable risk of not being approved by the British Government:

1. The exaction of compulsory labour from natives by proprietors of land and other private persons;
2. The restriction of freedom of natives to enter into contracts of service;
3. The increase of the restrictions of the existing Pass Laws;
4. The abolition of Native Law under the general law;
5. The reduction of the area of the Native Location;
6. An increase in the Hut Tax.<sup>112</sup>

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111. C.O. 179/175 No. 14526 (Private Correspondence) Minute: Lord Knutsford, 22.8.1889.

112. G.H. Numbered Despatches Received from the Secretary of State: No. 108, Knutsford 1 Mitchell, 29.8.1889; Sessional Papers 1889, L.C. No. 1, pp. 1-3; C.O. 179/175 No. 22098 Mitchell - Knutsford, 10.10.1889; C.O. 179/175 No. 14526, Mitchell - Knutsford, See Minute, Havelock - Bramston, 12.8.1889; N.H. XIII, 20.6.1889, pp. 337-344. Natal Witness 10.10.1889.

A further requirement, he said, was the establishment of a Native Protection Board.<sup>113</sup> consisting of persons to be appointed by the Governor from time to time, with full power to deal, subject to the control of the Governor, with certain native questions, and the appropriation of an annual fixed sum out of the Consolidated Reserve Fund for promoting the welfare, education, and well-being of the natives. The Western Australia Aborigines Protection Act, 1886 and Sections 4 and 5 of the Reserved Bill of 1889 entitled "The Aborigines Act, 1889" was to serve as a guide line. From the Papers that were presented to the British Parliament, it would be noticed that not only was the establishment of such a Board independent of the local Parliament, insisted upon as a condition precedent to the change of the constitution, but it also decided that by the Constitution Act an annual sum should be secured out of the Consolidated Revenue Fund of the colony to be appropriated inter alia, to the welfare, education and promotion of the well-being of the aboriginal natives. This was effected by Section 70 of the Western Australia Constitution Bill of 1889. Although the cases were not altogether similar the British Government felt that some similar provision would have to be made in the interests of the natives in Natal.<sup>114</sup> The Consolidated Reserve Fund, say Brookes and Webb<sup>115</sup>, thus became one of the "issues" in the negotiations for responsible government.

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113. See C-6487 Correspondence Relating to the proposal to Establish Responsible Government in Natal: Knutsford - Mitchell, 29.8.1889, p. 144.

114. See G.H. 154 Numbered Despatches Received from the Secretary of State: No. 108, Knutsford 1 Mitchell, 29.8.1889.

115. E.H. Brookes and C. de B. Webb: A History of Natal, p. 117.

The other "issue" which delayed agreement was one raised by the Natal politicians themselves. This was the question whether or not the Governor, in exercising his power as Supreme Chief, was to do so on the advice of his cabinet. The retention of the power of the Governor as Supreme Chief was largely the result of Havelock's overtures to the Secretary of State:

*"I would point out," he said, "that the retention by the Governor, of the power of the Supreme Chief over the Native population, would be incompatible with government by a responsible Ministry. By the abolition of the exercise of the powers of the Supreme Chief, a valuable instrument of government would be lost."*<sup>116</sup>

On the question of Zululand, Knutsford did not say much:

*"With respect to Zululand I have nothing to add to what had been stated in my despatch of the 5th March."*<sup>117</sup> *The establishment of Responsible Government in Natal would, in my opinion, tend materially to delay any arrangement for annexation of that country to the Colony."*<sup>118</sup>

In concluding his despatch, Knutsford added that before the Imperial Government could arrive at any final decision it would be necessary that the question should have been expressly submitted to the people at a general election, and that *"there should be a decided and un-*

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116. C.O. 179/175 No. 14526 (Private Correspondence) Havelock - Bramston, 12.8.1889.

117. See G.H. 151 Numbered Despatches Received from the Secretary of State: No. 29, Knutsford - Havelock, 5.3.1889.

118. G.H. 154 Numbered Despatches Received from the Secretary of State: No. 108, Knutsford - Mitchell, 29.8.1889.

*mistakable declaration of public feeling in favour of the change.*"<sup>119</sup> Knutsford had therefore provisionally approved of responsible government for Natal. However, the debate over the extent of the colonial government's control over native policy dragged on for a few more years.

The question of responsible government had a stormy history throughout Havelock's term of office in Natal. Although the question was hotly debated prior to 1886, nonetheless it was during Havelock's period that significant results were achieved.

Natal, like the rest of South Africa, had withstood the depression and by 1889 she was in a financially healthy position, being pushed ahead by the discovery of gold in 1886. Railways, too, which in 1886 could not even pay working expenses, now yielded some profit. The year 1889 thus became the most appropriate year to revive the responsible government issue.

Concurrent with the discovery of gold, fiscal and commercial rivalry gripped the whole of South Africa, bringing home to Natal its need for responsible government with its concomitant advantages. Since 1886 conflicts with the Governor over finance, the Zululand issue, as well as the Free State Correspondence had brought home to Natal a greater political awareness. These issues had now become the cornerstones in the struggle of the colonists against the Governor, and the inevitable rise of Sir John Robinson as the chief advocate of responsible government. Harry Escombe too was blown in by the winds of change by wholeheartedly supporting responsible government.

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119. G.H. Numbered Despatches Received from the Secretary of State: No. 108, Knutsford - Mitchell, 29.8.1889.



The Report of the Select Committee on the constitution (1888) was thus the culmination of 32 years of political struggle in Natal, since the first Charter was proclaimed in 1856.

When Natal finally achieved responsible government in 1893, its success depended on four important questions.<sup>120</sup> First, the annexation of Zululand by the Imperial Government in 1887 simplified the issue by removing one of the biggest issues of electoral uneasiness. Secondly, Lord Knutsford finally agreed in 1892 to retain a garrison in Natal and Zululand for five years after the grant of responsible government. This was done mainly to give Natal a chance to organise her own internal defence. Thirdly, when Robinson and G.M. Sutton paid a visit to London during the second half of 1892 to discuss measures for the protection of native interests under responsible government, namely, the creation of an Upper Chamber, and raising of the Native Reserve Fund to £10,000, the battle was almost won. "*And finally, responsible government in 1893 was skillfully appended to an attractive commercial proposition*"<sup>121</sup>: when the Natal delegates were in London, they were told of the decision not to allow further loans for Natal until the colony had accepted responsible government. The success on the road to responsible government was at last assured. It was proclaimed on the 3rd July 1893.

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120. T.R.H. Davenport: The Responsible Government issue in Natal, 1880-1882, p. 150.

121. T.R.H. Davenport: The Responsible Government issue in Natal, 1880-1882, p. 150.

*I regret that Licences to leave the Colony for the Congo were granted in the case of these 50 Indian Immigrants. I should not have authorised such a course had the matter been brought before me for decision.*

CHAPTER 5.NON-WHITE PROBLEMS.

Havelock's administration had its fair share of non-White problems. Many of these problems had been dealt with by his predecessor, Sir Henry Bulwer, though no finality had been reached during his tenure of office. It was therefore left to Havelock to find a solution to some of these problems. One of the many problems Havelock had to contend with during the first phase of his administration was the question of natives from Inhambane. The handling of these natives showed a certain laxity and indifference on the part of Natal officials, whom Havelock took to task.

1. THE NATIVE PROBLEM.A. NATIVES FROM INHAMBANE.

On the 2nd August 1875, an order was issued by the Governor-General of Mozambique regulating emigration of natives from Lourenco Marques to Natal.<sup>1</sup> By an edict of the Portuguese Government, dated 22nd November 1884, the operation of the order was extended to the port of Inhambane.<sup>2</sup> One of the provisions governing the emigration from Lourenco Marques was that there should be stationed there an Emigration Agent from the Government of Natal.

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1. C.O. 179/163 No. 8642, Havelock - Granville, 18.4.1886, Enclosure: Government Notice No. 152 issued by the Governor-General of Mozambique, 2.8.1875, p. 384.
  2. G.H. 1225 (C.O. 179/163 No. 8642) Copies of Despatches to the Secretary of State: No. 47, Havelock - Granville, 18.4.1886.

Emigration from Inhambane would consequently be subjected to the same condition. But since emigration had been discontinued from Lourenco Marques, there was obviously no need for an Emigration Agent, and as a result his services were terminated in 1884.

On the 18th March 1886, a steamer, the "Melrose", brought into Durban Harbour 350 native emigrants from Inhambane.<sup>3</sup> It was reported by the Harbour Department that these natives were on their way to the Diamond Fields. The natives with the permission of the Chairman of the Harbour Board were allowed to land at Salisbury Island in Durban Harbour. The Resident Magistrate, Mr. Finnemore, then attested a contract between the 350 natives and Charles Victor de Coster, who professed to be an agent for the Government of the Free State of the Congo. On learning that such a contract had been executed Mr. Snell, the Portuguese Consul, applied for an interdict against the removal of the natives. The interdict was granted by the Attorney-General. Mr. Snell produced a contract executed at Inhambane between Jose Ferreira Rosa as an Emigration Agent of the Natal Government and the same 350 natives and counter-signed by the Governor of Inhambane. This contract bound the natives to work in Natal for a term of two years. But this agreement also appeared to be a fraud since the Government of Natal had no such Emigration Agent in Inhambane. Under Portuguese Emigration Regulations a contract would have been sent to the Protector of Immigrants in Natal. This requirement of the regulation was therefore not observed. The Attorney-General of Natal also found that the Resident Magistrate

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3. G.H. 1225 Copies of Despatches to the Secretary of State: No. 47, Havelock - Granville, 18.4.1886. All details that follow were obtained from this despatch.

had no power to attest such a contract; and he was advised by the Colonial Secretary to cancel the contract and to assure the natives that neither that contract nor the previous contract to come to Natal was binding. It seemed that the destination was the Congo and not Natal. The transactions which took place clearly showed that firstly that Mr. J.F. Rosa had defrauded the Portuguese authorities at Inhambane, and secondly that Mr. Reuben Benningfield, agent in Natal, who recruited the emigrants and brought them into Natal, either openly infringed Portuguese Emigration Regulations, or was a party to the fraud against the Portuguese authorities responsible for signing the contract.

The Protector of Immigrants was also negligent in this respect in that he remained ignorant of the arrival of such a large number of natives and took no action whatsoever until directed to do so by the Colonial Secretary.<sup>4</sup> Since the fraud was committed within the Portuguese territory by J.F. Rosa, a Portuguese subject, he was not liable for prosecution in Natal. The Attorney-General was of the opinion that the punishment of the offender should be meted out by the Portuguese authorities, and as a further deterrent the Natal authorities should keep the Portuguese authorities informed from time to time of any person who may be employed by the Government to engage emigrants. A document appointing every such person would be signed by the Colonial Secretary of Natal and sealed, and an intima-

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4. G.H. 1225 (C.O. 179/163 No. 8642) Copies of Despatches to the Secretary of State: No. 47, Havelock - Granville, 18.4.1886; G.H. 1225 (C.O. 179/163 No. 11493) Copies of Despatches to the Secretary of State: No. 70, Havelock - Granville, 31.5.1886; G.H. 1225 Copies of Despatches to the Secretary of State: No. 91, Havelock - Granville, 2.7.1886; See II 1/34, I553/86, Colonial Secretary to Protector of Immigrants, 17.5.1886.

tion would be conveyed of the cancellation or discontinuance of any such appointment. The Secretary of State concurred in this opinion.<sup>5</sup>

Havelock's handling of this situation was admirable. He took to task the Protector of Immigrants, L.H. Mason, for failing to exercise a sharp look out, as in his position, he ought to have done. It was highly improbable that the arrival of such a large number of natives could have escaped his notice. Even the excuses given by the Resident Magistrate did not meet the approval of the Governor. He found that the Resident Magistrate's action was not in accordance with the provisions of the enactments regulating contracts of service entered into by labourers introduced into Natal. The Attorney-General pointed out that the Resident Magistrate was wrong in attesting the contracts, but also in allowing the parties concerned to enter into those contracts.<sup>6</sup> Havelock's handling of the situation met with the full approval of the Secretary of the State.<sup>7</sup>

B. MISSIONARIES AND THE PROVISION OF CHRISTIAN MARRIAGES.

The Natal Native Commission (1881-1882) recommended that proper legal provision be made for Africans wishing to

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5. G.H. 1225 (C.O. 179/164 No. 16230) Copies of Despatches to the Secretary of State: No. 109, Havelock - Granville, 5.8.1886, Annexure: Report of the Attorney General, 31.7.1886, see Minute: R.J.W. Herbert - Under Secretary of State for Foreign Office, 9.9.1886; G.H. 1225 Copies of Despatches to the Secretary of State: No. 62 Havelock - Granville, 13.5.1886; G.H. 1327 Letters to High Commissioner General: Havelock - Governor-General, Mozambique, 10.11.1886.
  6. G.H. 1225 (C.O. 179/164 No. 16230) Copies of Despatches to the Secretary of State: No. 109, Havelock - Granville, 5.8.1886, Annexure, Report of the Attorney-General, 31.7.1886.
  7. C.O. 179/164 No. 11493, R.W. Herbert - Bramston, 10.7.1886.

marry according to Christian rites; and that the requirement that the wife's father resign his rights in lobola for her be abolished.<sup>8</sup> In 1883 the Natal Missionary Conference asked the Legislative Council to take this matter up, stating in their memorial that they felt the existing law could bring Christian marriages into disrepute, could cause serious injustice to Christian women, and even act as a powerful deterrent to the spread of Christianity. They felt that this problem would be solved if the ordinary laws of bigamy and divorce applied. The Legislative Council forwarded the memorial to Sir Henry Bulwer, requesting him to draft suitable legislation. Bulwer felt that difficulties would arise if unexempted Africans, that is Africans living together under tribal law, could marry by Christian rites; and that the problem could be solved if marriage licences were not issued to Africans unless both parties were exempted. The Missionaries objected that the requirements for exemption were very strict, and they *"urged that to oblige natives to give up the whole of their customs and to adopt a legal system of which they knew little or nothing would be a restraint on Christian marriages between Africans."*<sup>9</sup> Bulwer thereupon instructed that a Bill be drafted which would safeguard the interests of persons wishing to marry under Christian rites by requiring that the consequences of Christian marriage be explained to the parties before marriage.<sup>10</sup> The missionaries again objected to this clause because they said it gave the magistrates *"an irresponsible power"* to satisfy themselves that the parties understood the nature and obligations of the marriage contract. They also objected to the provision that a clergyman was liable

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8. N.B.B. 1882 The Report and Evidence of the Natal Native Commission 1881-1882, p. 12.

9. David Welsh: The Roots of Segregation, pp. 266-267.

10. David Welsh: The Roots of Segregation, p. 267.

to a fine if he married Africans without obtaining the licence provided in the Bill. Bulwer, however, insisted that the provision be retained and, in the light of the opposition of the missionaries and "*those who thought it impolitic to interfere with the natives at all and therefore wanted no Bill at all, the legislation was thrown out.*"<sup>11</sup>

Reviewing this Bill, Havelock in a despatch to the Secretary of State stated that there seemed to be no general objection to the Bill. He therefore planned to amend the Bill so as to remove any specific objection and pass it through legislature for approval. This amended Bill provided for a much needed reform, but was also rejected by the Council largely because the Council felt "*that the Bill should provide that Natives married by Christian Rites, shoul ipso facto become exempted from Native Law.*"<sup>12</sup>

The Secretary of State regretted the decision of the Legislative Council and advised Havelock to re-introduce the Bill.<sup>13</sup> A third Bill was submitted and after a lengthy debate, it was finally assented to as Law No. 46 of 1887 entitled a Law "*To regulate the marriage of natives by Christian rites.*" The new law dealt only with the invariable consequences of Christian marriages and had no reference to property rights. Several members of the Legislature pointed out that no provision was made for widows. William Hartley, in particular, asked: "*Whilst*

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11. G.H. 1224 Copies of Despatches to the Secretary of State: No. 163, Bulwer - Secretary of State, 23.10.1885.
  12. G.H. 1225 Copies of Despatches to the Secretary of State: No. 193, Havelock - Stanhope, 24.11.1886; See also G.H. 1545 Memoranda: Natal Natives, General. Minute Papers S.N.A. 747/1886, pp. 96-125.
  13. G.H. 141 Numbered Despatches Received from the Secretary of State: No. 59, Stanhope - Havelock, 5.1.1887.



she lived a supposed Christian with her husband under the operation of Christian law her husband may have acquired property. When he dies why should she be abandoned under Native law when she ought to inherit her husband's property having been married by Christian rites?"<sup>14</sup> The Secretary for Native Affairs assured the House that the "brother would be bound to support his brother's wife out of the estate. If there was no estate he would be bound to support her himself."<sup>15</sup>

Other clauses provided that a person who had previously married by Christian rites could not contract a marriage according to customary law; the children of a Christian marriage were prohibited from entering into customary marriages.<sup>16</sup>

The Natal Missionary Conference set up a committee to watch the working of the law. From the questionnaires sent out to the missionaries, it seemed to the committee that the law was working satisfactorily and that magistrates were not placing obstacles in the way of the granting of licences.<sup>17</sup> No sooner had this problem been sorted out than Havelock turned his attention to other aspects of native administration.

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14. N.H. X, 29.6.1887, p. 113; For earlier discussions on the Marriage Bill, see N.H. IX, 5.11.1886, p. 257, 9.11.1886, p. 264, 11.11.1886, pp. 303-5, 18.11.1886, p. 344, See also G.H. 1545 Memoranda: Natal natives, General: S.N.A. 747/1886, which contains various Minutes on the question of Native Christian Marriage, pp. 96-125.
15. N.H. X, 29.6.1887, p. 115.
16. G.H. 1225 (C.O. 179/168 No. 21511) Copies of Despatches to the Secretary of State: No. 214, Havelock - Holland, 24.9.1887; G.H. 145 Numbered Despatches Received from the Secretary of State: No. 135, Holland - Havelock, 2.11.1887; N.H. X, 28.6.1887, pp. 96-97; N.H. X, 29.6.1887, pp. 110-116; N.H. X, 6.7.1887, pp. 156-160; David Webb: Roots of Segregation, pp. 267-268.
17. David Welsh: The Roots of Segregation, p. 268.

C. ADMINISTRATION OF NATIVES.

In March 1887 Havelock sent for the Queen's approval, Law No. 23 of 1887, entitled a law "*to facilitate the Registration of Natives within Boroughs and Townships.*" This law, according to the Attorney-General, was the same as the one which had been passed in 1883, but which remained inoperative because the Secretary of State refused to assent to it. The new law differed, however, in one respect, in that it was only applicable to the Boroughs of Durban and Pietermaritzburg, the extension of it to any smaller townships being subject to the adoption of a resolution of the local board of such township and to the authority of the Governor, whereas the Law of 1883 was applicable, without restriction, to all Boroughs and Townships. This modification removed the ground for objection which the former law possessed.

The law, therefore, embraced a system of registration of natives resident or employed in the towns of the Colony. The by-laws under which the system or registration contemplated in the law would be established would be subject to the confirmation of the Governor and in this way providing an effective control over the Municipal bodies.<sup>18</sup> The Secretary of State had two serious objections to the law. In the first place the law contained no clause defining the persons who were to be affected by it. The term "natives" was ambiguous when used without qualification or explanation and might when submitted to judicial interpretation be held not to apply to any person unless he could be proved to have been born in the Colony. The law as such would be required not only to apply to Bantu wherever born but also to all "uncivilized races". And

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18. G.H. 1225 (C.O. 179/167 No. 6975) Copies of Despatches to the Secretary of State: No. 75, Havelock - Holland, 16.3.1887.

lastly the law placed the Governor in the invidious position of deciding whether the registration system should be applied in the case of any particular township. The Secretary of State felt that the law should apply to Durban and Pietermaritzburg only, and later extended to other places, if required, by means of subsequent enactments.<sup>19</sup>

The Law was re-submitted to the Secretary of State with certain amendments. Havelock was of the opinion that the definition applied to the term "native" would meet the interpretation of the law, but if the term "uncivilized races" were used, it could be interpreted to include all barbarous or semi-barbarous races, and the question would obviously arise whether or not Chinese and Indian shop-keepers and merchants belonged to a semi-barbarous race. Such a classification would be undesirable since it would be highly questionable to subject such persons to the system of registration contemplated by the Bill. The new Draft Bill, as submitted to the Secretary of State, was limited in its operation to Durban and Pietermaritzburg only. The Governor's authority to decide whether the registration system should be applied in any particular township was omitted.<sup>20</sup> In his reply the Secretary of State opined that the law should be made applicable to all "servants" not being of European race, and that all other persons should be clearly excluded from the provisions of the law.<sup>21</sup> This alteration was duly made, the Bill

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19. G.H. 144 Numbered Despatches Received from the Secretary of State: No. 82, Holland - Havelock, 15.6.1887.

20. G.H. 1225 (C.O. 179/168 No. 18122) Copies of Despatches to the Secretary of State: No. 183, Havelock - Holland, 9.8.1887.

21. G.H. 145 Numbered Despatches Received from the Secretary of State: No. 122, Holland - Havelock, 7.12.1887.

finally receiving Royal assent in December 1887.<sup>22</sup>

A criticism of the Law is that special emphasis was laid on Section 7 which had the effect of restoring to the Governor the powers of Supreme Chief.<sup>23</sup> This was not in the Bill presented to the Legislative Council although it was urged by H.C. Shepstone, the Secretary for Native Affairs. The reason for its omission was that it was thought that the Council would not pass it. During the passing of the Bill through the Council, Mr. J.L. Hulett, one of the members for the County of Victoria, asked that such a clause be inserted, and as a result the powers of the Supreme Chief were restored by Section 7. The effect of this clause was to prevent criminal conduct on the part of the chiefs. Few members were sufficiently interested in discussing critically the intricacies of customary law. W. Hartley, one of the members for Victoria County, even suggested that only African representation in the Legislative Council would ensure that African opinion was sounded on matters - such as the Code - that vitally affected them. But this was not a popular view.<sup>24</sup>

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22. G.H. 146 Numbered Despatches Received from the Secretary of State: No. 148, Holland - Havelock, 7.12.1887. See C.S.O. 2672 Proclamations, 1889: Law No. 14, of 1888 entitled: To extend and define the meaning of the word native.
23. The Governor, as Supreme Chief, remained at the peak of African administration. The Native Administration Law of 1875 empowered the Governor to exercise the authority of any supreme or paramount chief, in so far as this exercise was not contradictory to other provisions of the law. Doubt arose in 1879 as to the extent of the Supreme Chief's powers when the Supreme Court rules that he had no power to frame rules of procedure in any court.
24. G.H. 1545 Memoranda: Natal Natives, General: 4546/1887, Minute: Havelock - Shepstone on Section 7 of Law No. 44, 1887, 26.9.1887, p. 130; G.H. 1225 Copies of Despatches to the Secretary of State: No. 220, Havelock - Holland, 6.10.1887; N.H. X, 13.7.1887, pp. 206-209; N.H. X, 22.7.1887, pp. 272-274; E.H. Brookes: White rule in South Africa, 1830-1910, pp. 147-148.

With the powers of the Supreme Chief securely restored to the Governor, Havelock moved towards the advancement of the Africans. In 1889 he acknowledged that the progress made in civilizing Africans had been slow despite the small cost of administration. The slow progress, he said, could be attributed to two causes. The first cause was the fact that the Zulu mind and character were peculiarly conservative and non-receptive. And secondly the "*belief that a gradual and spontaneous development is a more healthy form of progress than one artificially stimulated ...*"<sup>25</sup> But now that Natal's financial position had improved, Havelock considered that the time had come to hasten the advancement of the native. The measures he announced were hardly radical, for example, an increase in the establishment of magistrates and administrators of native law. The estimates for 1889 provided for an additional magistracy, and the 1890 estimates for a further one and, in addition, for two administrators of native law. An important innovation of Havelock was the appointment of European officers to reside in each location with certain specified duties,<sup>26</sup> primarily the advising of chiefs and their subjects and the checking of excessive drinking, especially during wedding and beer-drinking parties. They were also to keep the Secretary for Native Affairs informed, through the magistrate of the district, of the conduct, proceedings and character of the chiefs and tribesmen. Further they were to teach the natives to improve their modes of cultivation and to check and supply statistics as to the number of huts, of persons, of stock, etc., and finally to help in the establishment of a system of registration of births and deaths.<sup>27</sup>

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25. G.H. 1226 (C.O. 179/164 No. 8564) Copies of Despatches to the Secretary of State: No. 74, Havelock - Knutsford, 29.3.1889.

26. C.O. 179/164 No. 8564, 29.3.1889.

27. C.O. 179/164 No. 8564, Havelock - Knutsford, 29.3.1889.

Knutsford approved of the appointment and spoke of the beneficial results it would have, in particular for the effective enforcement of Law No. 22 of 1878,<sup>28</sup> relating to the sale of intoxicating liquors to natives. He said that it was in the best interests of the natives that the illicit traffic should be checked as far as possible. Evasions of the law were made possible because Indians were not subject to the restrictions imposed on the natives.<sup>29</sup> Havelock could not pursue this further because in June 1889 he left the Colony on leave. However, he left instructions with Sir Charles Mitchell to find a solution to this problem.

Although Knutsford spoke of the beneficial results of the appointment of the European officer, one cannot really understand the need for such an appointment. Earlier on, Havelock had acknowledged the progress made in civilizing Africans, but every measure he introduced thereafter was to enforce law and order and this he effected by the appointment of additional magistrates and administrators. The duties he allocated to these officials were actually the functions of the department of the Secretary for Native Affairs. These officials were akin, in reality, to secret agents. On the one hand, they were to advise the chiefs and the people and, on the other hand, to inform the Secretary for Native Affairs of the conduct and proceedings of the chiefs and the people. The suspicion that they were secret agents of a kind was strengthened because no official designation was given to these officers.

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28. See S.N.A. 1/1/116: 586/1889, Correspondence on the subject of increased drunkenness, relative to Law No. 22 of 1878 - "*to prohibit the sale and disposal of spirits and other intoxicating liquors to persons of the Native Race.*" (Printed Copy).

29. G.H. 152 Numbered Despatches to the Secretary of State: No. 60, Knutsford - Havelock, 9.5.1889.

D. SALE OF INTOXICATING LIQUOR.

As early as 1876<sup>30</sup> Bulwer the Lieutenant Governor found that the sale and use of intoxicating liquor was on the increase among the native population. Although Law No. 18 of 1863 was sufficiently clear about the sale of liquor to natives, it was not carried out effectively. Mr. R.I. Finnemore, the Acting Resident Magistrate of Pietermaritzburg, opined that the total suppression of the illicit sale of liquor to natives was practically impossible. He suggested:

- (a) that the number of canteens should be greatly reduced and that licence fees should be increased;
- (b) that care should be exercised when granting licences as to the character of the applicant;
- (c) that detectives or special police be employed to watch canteens; and, finally,
- (d) that the power vested in the Magistrate of suspending or cancelling the licence of an offender should occasionally be exercised with advantage.<sup>31</sup>

Further, in September 1877 Richard C. Alexander, the Police Superintendent in Durban, contended that the greatest evil in carrying out Law No. 18 of 1863 was the facility afforded to natives in obtaining liquor from any canteen by merely producing a small piece of paper with the words "*Give Bearer one Bottle of Rum,*" and signed by Jones,

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30. S.N.A. 1/1/116, 586/89: Correspondence on the subject of Increased Drunkenness, ...: Minute, Bulwer - Acting Secretary for Native Affairs, 30.3.1876, p. 5.

31. S.N.A. 1/1/116, 586/89: Correspondence on the subject of Increased Drunkenness ...: R.I. Finnemore - Acting Secretary for Native Affairs, 1.2.1877, pp. 6-8.

Brown or Robinson. It was of no consequence to the canteen-keeper who wrote the note or how badly it was written; it was a sufficient guarantee for him to supply the liquor.<sup>32</sup>

The situation therefore in 1878 showed no improvement when Law No. 22 of 1878 was passed repealing Law No. 18 of 1863. Amongst its various clauses it stipulated that "... no person shall, within this Colony, sell, barter, or otherwise supply, to any Native, any brandy, gin, rum, or any other spirituous liquor, or any wine, or any ale, beer or porter or any fermented liquor of an intoxicating nature ..."<sup>33</sup> This law was still in force during Havelock's term of office.

When the Governor appointed a European Officer<sup>34</sup> in March 1889, to reside in each location with certain duties, the Secretary of State immediately expressed the hope that the illicit traffic would be further checked by the appointment.<sup>35</sup> Sir Charles Mitchell who had temporarily taken over the government also realised the seriousness of the liquor problem and endeavoured therefore to take effective action to solve it. The Natal Mounted Police, a very efficient body of men, scattered in small detachments throughout the colony, were specially charged with the task of suppressing this illicit trade. To this band of men Mitchell added Native detectives for the express purpose of obtaining convictions against those who sold

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32. S.N.A. 1/1/116, 586/1889: Correspondence on the subject of Increased Drunkenness ..., Richard C. Alexander, Superintendent Police, Durban - Resident Magistrate, Durban, 11.9.1877, p. 10.
  33. Law No. 22, 1878: "*To prohibit the sale and disposal of spirits and other intoxicating liquors to persons of the Native race*", p. 1.
  34. C.O. 179/164 No. 8564 Havelock - Knutsford, No. 74, 29.3.1889.
  35. G.H. 152 Numbered Despatches Received from the Secretary of State: No. 60, Knutsford - Havelock, 9.5.1889.



liquor to the natives. Mitchell even went further, and on the 12th August 1889 appointed a Committee of the Executive Council consisting of the Acting Colonial Secretary, the Treasurer and the Secretary for Native Affairs to report on the sale of liquor to natives.<sup>36</sup> This Committee found that the sale of intoxicating liquor to natives had increased during recent years, but this was largely due to evasion and defiance of the law by European canteen keepers, rather than to illicit traffic which was carried on to a certain extent by the Indian immigrant population. The Committee also believed that the illicit traffic could be checked by a more strict and efficient police supervision, and suggested that native detectives be employed and that in all cases, half the amount of the fine should be awarded to the informer. They recommended that the penalties for contravention of Law No. 22 of 1878, be fixed and not optional. For the first offence, a fine of £10 or three months' imprisonment with hard labour should be imposed, and in the case of a licenced dealer, suspension of licence for three months. And for the second offence they recommended a fine of £25 or six months' imprisonment with hard labour and, in the case of a licenced dealer cancellation of licence. They found that it was also desirable that the Licencing Boards should exercise greater care in the granting of canteen licences, stressing that these should not be granted in localities where their existence depended wholly, or in great measure, on illicit trade with the natives. Finally the Committee pointed out that in the Cape Colony and in the Transvaal there were practically no restrictions on the sale of intoxicating liquors to natives. Owing to the absence of such restriction, the large number of Natal natives, employed

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36. G.H. 1226 Copies of Despatches to the Secretary of State: No. 277, Mitchell - Knutsford, 17.12.1889.

at Kimberley and at the Transvaal Gold Fields, who were in receipt of high wages no doubt, incurred habits of consuming large quantities of liquor, thereby spreading such habits to their friends and relatives.<sup>37</sup>

The Report also revealed that a large proportion of East Indian population came from Madras, and had been more or less accustomed to the consumption of liquor. Further it was shown that their contract as immigrant labourers in Natal, while placing them under certain restrictions, gave them the freedom to procure liquor. It seemed that to impose restrictions on the latter would inevitably have hampered the supply of labourers from Madras. There were also Indians who had come to Natal at their own cost, hence it would be difficult to distinguish these from the former in administering restrictions.

The Executive Council unanimously adopted the report of the Committee as it affected Indian immigrants and agreed that it would be unjust and impolitic to prevent Indians from obtaining liquor. But the Council was divided as to the propriety of compulsory payment of half of the penalties to informers. The Acting Colonial Secretary, the Acting Colonial Engineer, the Officer Commanding the Troops and the Secretary for Native Affairs were in favour of the proposal while the Chief Justice and the Acting Attorney-General were against it. The remaining recommendations of the Committee were unanimously adopted and the Governor was requested to introduce a Bill for in-

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37. Report and Recommendations of the Committee, appointed on the 12th August 1889 by the Executive Council on the Report is attached with the Secretary of State's Despatch: G.H. 152, No. 60, 9.5.1889; See G.H. 1545 Memoranda: Natal Natives, General: Minute, S.N.A. - Governor, 456/88, 12.6.1888.

creasing the punishment for the sale of intoxicating liquor, making the punishment compulsory, and giving the magistrate no option in cases of conviction. Provision was also to be made in the Bill to be introduced for the endorsement of convictions and licences.<sup>38</sup>

As regards the laws governing the sale of intoxicating liquor Natal was doing pioneer work. A similar commission was appointed in the Cape in 1889 to enquire into the operation of the liquor laws. In a confidential despatch, Sir Gordon Sprigg, asked the Colonial Secretary of Natal for information as to the working and history of the Natal liquor laws.<sup>39</sup>

## 2. THE INDIAN PROBLEM.

From the early days of the settlement, the problem of obtaining labour was especially felt, and generally in the seventies the problems of railway development and of assuring an adequate supply of Indian labour for the sugar plantations dominated all other issues.<sup>40</sup>

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38. Report and Recommendation by the Executive Council is attached with the Secretary of State's Despatch: G.H. 152 No. 60, 9.5.1889. See G.H. 1226 Copies of Despatches to the Secretary of State: No. 277, Mitchell - Knutsford, 17.12.1889.
39. G.H. 784 Confidential Despatches Received from Colonial Secretary Cape Town - Colonial Secretary Natal: Sir Gordon Sprigg - Colonial Secretary, No. 1/27, 25.9.1889; See G.H. 1300 Confidential Despatches to the Secretary of State: Havelock - Holland, 12.9.1887; See G.H. 1226 Copies of Despatches to the Secretary of State: No. 277, Mitchell - Knutsford, 17.12.1889.
40. C.J. Ferguson-Davie: The Early history of Indians in Natal, p. 1; A.F. Hattersley: More annals of Natal, p. 28; For early history see L.M. Thompson: Indian immigration in Natal, 1860-1872 (Archives Yearbook, 1952, vol. 1); M. Palmer: The History of Indians in Natal (Natal Regional Survey, vol. 10); For political aspects see B. Pachai: The International aspects of the South African Indian question, 1860-1971; B. Pachai (ed.): South Africa's Indians: the evolution of a minority, pp. 3-12.

Conditions had altered considerably since the early days of Indian labour in Natal, not only since 1860, but also since Indian immigration was re-started in 1874 after an interval. At the end of 1872 there were 5,933 Indian immigrants in Natal, and by the end of 1889 there were over 30,355, over five times as many.<sup>41</sup>

Furthermore, by 1885 a new group of Indian immigrants had begun to enter Natal of their own accord and independently of the indenture system. Commonly known as Arabs - to distinguish them from the indentured and ex-indentured Indians - they were mainly merchants who were attracted to Natal in the first instance to supply the needs of the Indians. They were resourceful people, having business connections with Mauritius and India, and they soon aspired to capture the native market and to compete in the European market, first along the Natal coast, then inland, and in so doing oust the less competent ex-indentured Indians and the small white traders. *"The white traders who were thus affected were the first Natal Europeans to realise that in solving the planters' labour problem Natal was creating another and enduring problem."*<sup>42</sup>

Many of the indentured Indian immigrants whose term of employment expired left for other parts of South Africa to seek their fortune. Moreover, 50 Indians embarked for service in the Congo, under licences granted by the Protector of Immigrants. In view of the fact that no provision was made for the protection of the interests of these Indians, Havelock gave strict instructions that

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41. Z.A. Stein: A History of Indian settlement in Natal, 1870-1893, p. 4.

42. L.M. Thompson: Indian Immigration into Natal, p. 69.

that such schemes be stopped.<sup>43</sup> In a minute to the Acting Colonial Secretary, C. Bird, he said:

*"I regret that Licences to leave the Colony for the Congo were granted in the case of these 50 Indian Immigrants. I should not have authorised such a course had the matter been brought before me for decision."*<sup>44</sup>

The Government of India was consulted and they concurred in the view that such recruitment of Indian immigrants from Natal to the Congo should be suspended, because they felt that conditions of life and labour did not justify such recruitment.<sup>45</sup> It was found that these Indians who had arrived at the Congo were unsuited to field cultivation, some of them being discharged Indian labourers too old and decrepit for the work. They had all contracted to remain for three years in the Congo, but in view of the difficulties experienced it was more profitable to ship them back to Natal.<sup>46</sup>

This exodus did not end here and Indians were constantly applying for licences to quit the colony, with the intention

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43. G.H. 1225 (C.O. 179/163 No. 11491) Copies of Despatches to the Secretary of State: No. 68, Havelock - Granville, 31.5.1886.
44. I.I. 1/34: I456/86, I506/1886: Minute, Havelock - C. Bird, 3.5.1886.
45. G.H. 1225 (C.O. 179/164 No. 15328) Copies of Despatches to the Secretary of State: No. 106, Havelock - Granville, 26.7.1886; See II 1/34: I456/86, I506/1886, 2287/1886, Various Minutes and Telegrams relative to the departure of Indians to the Congo, 6.4.1886; II 1/34: 1657/86, I499/86, Colonial Secretary - Protector of Immigrants, 14.4.1886.
46. G.H. 1225 Copies of Despatches to the Secretary of State: No. 59 Havelock - Granville, 10.5.1886, See G.H. 139 Numbered Despatches Received from the Secretary of State: No. 11, Stanhope - Havelock, 8.9.1886; C.S.O. 1107 Letters received: I 1490/86 C.J. Lyall, Official Secretary to Government of India - Colonial Secretary, 29.9.1886.

of going by sea to Delagoa Bay either to settle there, or to proceed to the Gold Fields.<sup>47</sup> On the instructions of the Governor licences were only issued to those Indians wishing to return to their own country or to go to the Cape Colony or any of its dependencies.<sup>48</sup> Some of the Indians to whom licences were refused nevertheless found their way to Delagoa Bay, and there was no efficient check on such persons. It happened that such Indians who later returned to Natal, claimed and received free passages to India without the Protector being aware of it. The Protector felt that it would be better to withdraw prohibition as regards issue of licences to Indians who desired to go to Delagoa Bay. Havelock finally assented to this proposal and requested the Protector to exercise his discretion.<sup>49</sup>

Indians who were of little service to the colony were sent back to India at government expense. Indians belonging to this category were generally old, infirm or destitute. Under normal conditions they would have lost their claim to free passage, but owing to their circumstances, and also owing to the lack of institutions for such people, the government was relieved to get rid of them.<sup>50</sup>

According to the Annual Report of the Protector for 1886 the condition of Indian immigrants was generally satisfactory. The death rate varied from a maximum of 17,2

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47. II 1/40: I757/87, Protector of Immigrants - Colonial Secretary, 28.6.1886.  
 48. II 1/34; I657/86, Minute, Governor - C. Bird, 26.2.1886, Minute, C. Bird - Protector of Immigrants, 30.3.1886.  
 49. II 1/40: I757/87: Minute, Governor - C. Bird, 2.7.1887.  
 50. G.H. 1225 Copies of Despatches to the Secretary of State: No. 59, Havelock - Granville, 10.5.1886; G.H. 319 Despatches Received from the Secretary of State (Emigration), R.H. Meade - Havelock, 24.6.1886.

per 1000 in 1882, to a minimum of 13,21 per 100 in 1886. The Report of the Protector further revealed that Indians had to a considerable extent become owners of property. It also showed the irregularities of unauthorised transfer of indentured Indians from one state to another and the unauthorised cancellation of their indentures.<sup>51</sup>

It was estimated that 1,500 Indians would wish to return to India during 1887 whereas only 516 went back in 1886, and that this anticipated increase was due mainly to the fact that 2,000 immigrants would have to return to India before the end of 1887 or forfeit their right under law to free passages.<sup>52</sup> The anticipation of the Indian Immigration Trust Board was practically fulfilled when 1,454 Indians returned to India as against the Board's estimate of 1,500.<sup>53</sup> The residence of every immigrant who possessed or was entitled to a certificate of industrial service could be extended annually until the expiration of the indenture, but such renewals had to be signed in the presence of the Protector. Old and decrepit Indian labourers were automatically sent back to India at government expense. In the case of an indentured Indian being returned to India, his employer must continue to pay the annual instalments of passage money unless the Depot Medical Officer was of the opinion that the Indian had been unfit for labour before leaving India.<sup>54</sup> The

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51. G.H. 1225 Copies of Despatches to the Secretary of State: No. 185, Havelock - Holland, 8.3.1887; N.B.B. 1886, Supplements: Report of the Protector of Immigrants, 1886, pp. 3-4.
52. G.H. 1225 Copies of Despatches to the Secretary of State: No. 58, Havelock - Holland, 3.3.1887; N.B.B. 1887 Supplements: Fifth Annual Report of the Indian Immigration Trust Board of Natal, 1887, pp. 1-7. C.S.O. 1119, Letters Received 563/87, Minute, Governor - Colonial Secretary, 10.2.1887.
53. N.B.B. 1888 Supplements: Sixth Annual Report of the Indian Immigration Trust Board of Natal, 1888, pp. 1-6.
54. Natal Almanac, 1886, p. 183.

employer of an indentured Indian had no power to transfer his services to any other person, or to cancel his indenture, without the consent of the Protector of Immigrants. The Supreme Court of the Colony decided that the employer of an indentured Indian cannot at the instance of the immigrant and with his consent, cancel a contract of service without the consent of the Protector.<sup>55</sup>

During Havelock's time anti-Indian sentiments were also noticeable in the Natal Press. In February 1886 the Natal Witness expressed sentiments against the importation of Indian labour into Natal, because it felt that the whole community paid for the importation of the labour that was chiefly used by one section of the community. This was the essence of their grievance and not the fact that a large proportion of them remained in the colony who became to some extent a labouring and consuming population, and the removal of the latter would not touch in any way the trade of Indian or Arab storekeepers. The returns for 1885 showed that there were 1,672 applications at the office of the Immigration Board, but owing to the depressed state of the trade, the Board asked the applicants whether they still wished to depart for Natal. In view of the replies received, importation was stopped by telegraphing to Madras and Calcutta. The Board no doubt acted wisely and rightly in thus stopping importation; but they had to pay £1,200 - that is £500 at Calcutta and £700 at Madras, to compensate the recruits who were waiting to depart for Natal.<sup>56</sup> The Times of Natal also expressed anti-Indian sentiments. Indians had the choice of either returning to India at the expiration of their service, or if they

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55. G.H. 1225 Copies of Despatches to the Secretary of State: No. 195, Havelock - Stanhope, 30.11.1886.

56. Natal Witness, 2.2.1886.



desired, commute the value of their passage money for a small grant of land. The Times felt that the Government should do away with this "*injurious permission*" and make it compulsory for all to return immediately.<sup>57</sup>

The presence of the Indian in the colony was termed the "*coolie curse*" by the Advertiser and repatriation was strongly recommended.<sup>58</sup> Not only the newspapers but the public at large expressed itself against the presence of Indians in the colony. At a meeting of the Natal Working Men's Association in April 1886, it was felt that the Indian population in the colony was a burden and the only thing in their favour was that £20,000 was received from them in rent.<sup>59</sup> On the other hand, Mr. H. Binns, a clear-headed member of the Legislative Council, expressed himself altogether in favour of Indians in the colony. He argued that when the immigrant labourer completed his prescribed term of office, he took to industry on his own account, and as such he was a factor of gain in the economy of the country.<sup>60</sup>

A malpractice that gave rise to much dispute during Havelock's time was the employment by Solicitors of "touts" or agents. The Governor was greatly alarmed at the existence of such a malpractice and asked the Colonial Secretary to investigate. On investigating the Protector found to his great regret that many lawyers and law agents were so unscrupulous as to seize on the slightest pretext for enticing Indians into their offices and then by some means or another to turn them into "clients" from whom costs or fees were obtained. Many such cases came under the notice of the Protector and he found that these Indians were subjected to the most exorbitant charges by law agents for

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57. Times of Natal, 29.3.1886.

58. Natal Advertiser, 16.4.1886.

59. Natal Advertiser, 19.4.1886.

60. The Natalian, 2.6.1888.

services never rendered or for very slight services. It was alarming that at Verulam on the North Coast the custom of "touting" had developed into a very serious problem. A case cited by the Protector involved Mr. J.J. Hugman, an Attorney, who employed a female tout: she was a prostitute and allied herself to any schemes that could advance her own ends by gaining "cases" for her master. In another instance the same Mr. Hugman suggested to the Protector the necessity for appointing marriage officers. The Protector maintained that there was no need for marriage officers since all marriages were registered by him. It was hoped that the Indian Immigrant Commission which was about to bring out its report would throw some light on this important subject.<sup>61</sup> The Attorney-General advised the Governor that the Resident Magistrates should take cognizance of the malpractices of Law Agents licenced to practice in district courts, and that they had the power to suspend or revoke the licences of such agents. The Attorney-General further recommended that the Protector should be directed to bring before the Resident Magistrates, charges against any law agents who were guilty or suspected of these malpractices. In a despatch to Stanhope, Havelock admitted that from the evidence gathered by the Protector that the practice had been carried on to some extent. He therefore directed that the information collected by the Protector on this subject be placed before the Attorney-General who would take the necessary action. The Natal Law Society, of which the Attorney-General was the President, moved that all Law Agents mentioned by the Protector be called to give an explanation.

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61. II 1/34: I 695/86, Protector of Immigrants - Colonial Secretary, 3.6.1886. Annexure, 2317/86 Hugman - Colonial Secretary, 28.5.1886, Minute, Colonial Secretary - Governor, 6.6.1886; See G.H. 319 Despatches Received from the Secretary of State (Emigration): Granville - Havelock, 26.7.1886.

Havelock felt that such a move made to get together evidence on this question and the action of the Law Society, would do much to check the abuse.<sup>62</sup>

While the Indian question was heavily debated in the press and at public meetings an important publication appeared. This was the Report of the Indian Immigration Commission, more popularly known as the Wragg Commission.<sup>63</sup> This was a Commission appointed by Sir Henry Bulwer in July 1884 to enquire into and report upon the Indian Immigration laws and Regulations and on the general condition of the Indian population of Natal. The Commissioners were Walter Thomas Wragg, J.R. Saunders, J.P. Robert Lewer, and H.F. Richardson. Havelock paid a glowing tribute to the compilers of the report. The amount of labour and research that went into the preparation of this report had been very great. The Government further spoke of the immense responsibility of the Chairman, Justice Wragg, who showed a high degree of ability, impartiality and patience.<sup>64</sup> The Report covered every possible point upon which grievances could be founded or any complaints made, either by the Indians or their employers.<sup>65</sup>

Some of the more important recommendations and findings of the Commission were:

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- 62. G.H. 1225 Copies of Despatches to the Secretary of State: No. 195, Havelock - Stanhope, 30.11.1886; See G.H. 319, Despatches Received from the Secretary of State (Emigration): Granville - Havelock, 26.7.1886.
  - 63. N.B.B. 1887 Supplements: Report of the Indian Immigration Commission 1885-1887 (Henceforth called the Wragg Commission).
  - 64. G.H. 1225 Copies of Despatches to the Secretary of State: No. 37, Havelock - Holland, 12.2.1888.
  - 65. Times of Natal, 21.9.1887.

(a) Smoking of Hemp<sup>66</sup>

The Commission found that smoking of hemp was detrimental to the health of the Indians. The habit of smoking it in excess was widespread in Pietermaritzburg. It was found that immoderate use of it led to crimes of a serious nature, and also it rendered the Indian immigrant unfit and unable to perform with satisfaction to the employer that work for which he was especially brought to this colony.

The Commission suggested that the cultivation and smoking of a variety of cannabis and hemp plant be stopped by law, and that licences should be issued for any such cultivation or sale. Fines should be imposed not exceeding £2 for any breach of the rules. In this regard Havelock was in total agreement with the Commission's findings.

The Indian Immigration Committee<sup>67</sup> which reported in January 1889 on the recommendations of the Wragg Commission generally agreed with the report but felt that great difficulty would be experienced in carrying out the recommendations for the prohibition of the sale of hemp to Indians.

(b) Indian Marriages and Divorce<sup>68</sup>

The Commission found it necessary to introduce legislation on the question of marriages. They suggested that a careful register should be made distinguishing married women from concubines, and that all marriages so registered

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66. Wragg Commission, pp. 6-8

67. For the Report of the Indian Immigration Committee on the Wragg Commission see G.H. 320 (Emigration) 1888-1890, 506/1889, 31.1.1889.

68. Wragg Commission, pp. 8-25.

should be held valid. The registration of marriages thereafter counteracted should be rendered compulsory and necessary to secure their validity. The Commission further recommended that the seduction of a married woman, or the enticing away of unmarried girls under 14 years of age from the custody of their parents or lawful guardians, should be made a criminal offence. It was also recommended that in all marriages between Indian immigrants contracted within the colony before Resident Magistrates or the Protector of Immigrants, the male should not be under the age of 16 years and the female under 13 years of age. Divorces could be granted on the following grounds:

- (a) Adultery, accompanied by wilful desertion for a period of not less than six months.
- (b) Adultery, accompanied by cruelty.
- (c) Continuous desertion for a period of one year.

From the Report it seemed that Havelock concurred in the opinion of the Commission. The Indian Immigration Committee<sup>69</sup> also expressed its approval of the suggestion that legislation was required for Indian marriages and divorces, but it also felt that children should be subject to the general laws of the colony. The Indian Immigration Trust Board<sup>70</sup> which was also requested to comment on the Commission's report generally agreed with the Commission's findings on marriages.

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69. See G.H. 320 (Emigration) 506/1889, 31.1.1889.

70. For Report of the Immigration Trust Board see G.H. 319, (Emigration) 1886-1888, T.B. 160/1887, 25.5.1888.

(c) Irregularities in the Department of the Superintendent of Indian and Native Labourers employed on the Natal Government Railways.<sup>71</sup>

The Commission found certain irregularities in the administration of this department. Improper diet and want of due attention from the doctor in charge of the railway hospital were quite common. The Commission also found, to its surprise, that the railway hospital was sometimes used as a place of detention for drunkards, for those punished for offences such as thefts, assaults, refusal to work and absence from work.

The Commission recommended that accommodation should be provided by the department for drunkards requiring medical attention or, alternatively, they should be removed to the General Hospital at Durban. As to the illegality of departmental punishment, the Commission expressed their strong condemnation, and the evidence showed beyond doubt, that the railway hospital had been perverted. In commenting on these irregularities, Havelock in a despatch to Holland mentioned that a departmental enquiry was instituted and the Superintendent of Indian and Native labourers, Mr. Manisty, was taken to task. The Commission recorded its opinion of Mr. Manisty's conduct in the following words: *"He has not in Natal the slightest shadow of authority for the judicial investigation or punishment of numerous offences with which he has dealt. He has exhibited an astonishing want of knowledge of the laws of Natal, and a lamentable disregard of those efforts, which this Government has steadily made, for the protection of Immigrants introduced under special arrangements with the Government of India."*<sup>72</sup> Surprisingly, Havelock revealed that it was

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71. Wragg Commission, pp. 17-25.

72. Quoted by Havelock in G.H. 1225 Copies of Despatches to Secretary of State: No. 37, Havelock - Holland, 12.2.1888.

more than two years since Mr. Manisty's conduct was brought to the notice of the Government, and since his explanation was offered, he was retained in office without any warning that further proceedings might be instituted against him; it seemed too late to take action against him. But he was not beyond reproach and in this respect he was severely censured by the Governor for his lack of responsibility and foresight. Havelock further agreed with the Commission that the negligence on the part of Mr. Manisty was due to the Protector having made only two visits to the Railway Hospital during a period of two years and four months, and that the unchecked growth of irregularities was due to the almost entire absence of scrutiny and control by the Protector and his officers. As in the case of Mr. Manisty, Mr. L.M. Mason, the Protector, was also severely reprimanded for their lack of responsibility by the Governor.<sup>73</sup> Knutsford fully approved of the steps taken by Havelock in this respect.<sup>74</sup>

(d) Judicial powers of the Protector of Immigrants<sup>75</sup>

The Commission strongly recommended the abolition of the Special Court of the Protector and the withdrawal of all his judicial powers; that all cases concerning Indian immigrants be heard in the ordinary way by the Resident Magistrate, and that decisions of the Magistrates in such cases be not subject to review except by the Supreme Court. The Secretary of State, Knutsford, was of the opinion that it was desirable to abolish the judicial functions of the Protector, or, at all events, be considerably limited and confined to minor labour questions.<sup>76</sup>

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73. G.H. 1225 Copies of Despatches to the Secretary of State: No. 37, Havelock - Holland, 12.2.1888.

74. G.H. 319 Copies of Despatches Received from the Secretary of State (Emigration), Knutsford - Havelock, 10.5.1888.

75. Wragg Commission, pp. 36-39.

76. G.H. 320 Despatches Received from the Secretary of State: (Emigration), Knutsford - Havelock, 19.10.1888.

Havelock did not present any particular view in this regard but in the despatch to Knutsford he quoted the remarks made by the Indian Immigration Trust Board and the Attorney-General.<sup>77</sup> The Trust Board did not fully agree with the views of the Commission, but the Attorney-General showed agreement on this point. The Trust Board argued with conviction that the duties of the Protector had brought him into daily contact with Indians for the last 25 years, and he consequently had a better knowledge of Indian character, customs or habits, than Resident Magistrates. The Board further failed to see why the judicial faculty and ability of the Protector to weigh evidence should not be equal to that of many of the Resident Magistrates, who in many cases had had no previous legal training.<sup>78</sup> The Attorney-General maintained that the Court of the Protector was established for the mutual convenience of employers and employed, for the inexpensive speedy decision of disputes, and there had been no failure in this respect. The results of its abolition would be that an Indian interpreter would have to be appointed to every Resident Magistrate's Court. He further argued that the Court had served a useful purpose but in the light of the Commission's finding that the Court had ceased to serve the original purpose for which it was instituted, it could now just as well be abolished, especially since its continuance might work injustice.<sup>79</sup>

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77. G.H. 1226 Copies of Despatches to the Secretary of State: No. 181, Havelock - Knutsford, 26.8.1888.

78. Remarks of the Indian Immigration Trust Board attached with G.H. 319 (Emigration) T.B. 160/1887, 25.5.1887; See G.H. 1225 Copies of Despatches to the Secretary of State: No. 181, Havelock - Knutsford, 26.8.1888.

79. For full report of the Attorney-General, see G.H. 319, (Emigration) G. No. 181/1888, 10.5.1888 - Attorney-Generals' Report 2575/1888 dated 28.6.1888, pp. 44-49.



(e) PRISONS<sup>80</sup>

The Commission inspected the prisons at Pietermaritzburg, Durban, Stanger, Verulam, Umzinto and Escourt, and found many of them deficient. The Stanger prison was crowded to such an extent that in the opinion of the Commission, it was detrimental to the health of the prisoners.

Latrine accommodation at the Verulam prison was insufficient. They felt that latrines should be reserved for the sole use of women. The Commission further found that Rule 73 of "*The Rules and Regulations for the Gaols in the Colony of Natal*"<sup>81</sup> was not enforced in some of the prisons. They recommended that to the permanent staff of every prison within the colony, a competent interpreter should be attached to interpret the complaints and requests of Indian prisoners. All prisoners sentenced to hard labour should be immediately examined thoroughly before such sentences were carried out. Acting on the findings of the Commission, Havelock reported to Knutsford that the insufficient accommodation in the Stanger gaol had since been remedied. The gaol was enlarged and the Magistrate of the District reported that there was ample accommodation for the requirements of the district. The Governor also reported on inadequate latrine facilities in the Verulam prison, but stated that provisions had been made in the 1889 estimates for improvement. In respect of the observance of Rule 73, Havelock found that at Pietermaritzburg Central Gaol, the Rule was satisfactorily carried out but at Durban Central Gaol and at Umzinto, there was a certain amount of laxity. In the case of the Durban

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80. Wragg Commission, pp. 39-40.

81. The rule provided inter alia, that "every prisoner shall, as soon as possible after his admission, be examined by the Medical Officer, who shall enter in the Gaol Register a statement of the conditions of the prisoners' health and any observations thereon that may be useful."

Central Gaol, the Governor gave instructions that the requirements of the Rule must be strictly adhered to. Havelock further found that the rigid observance of Rules 69 to 76, those for the guidance of the medical officer, was virtually impossible, for the simple reason that the District Surgeons, who were at the same time Gaol Surgeons, were allowed to carry on with their private practice, and consequently were absent for two or more days. However, the Governor issued instructions to all Resident Magistrates to see to it that the Medical Officers carried out their duties and to report any neglect. As far as the employment of an Interpreter for every prison was concerned, Havelock felt that this would entail too much expense.<sup>82</sup>

(f) INDIAN INTERPRETATION<sup>83</sup>

Complaints were made to the Commission concerning inadequate interpretation in the courts of the Resident Magistrates in cases where Indians were parties or witnesses. The Magistrates themselves were not satisfied with such interpretation. The Commission recommended that candidates for appointments as Indian interpreters be examined by a competent Board of Examiners. The Governor should place on the estimates a sum of £200 for the annual salary of a Tamil interpreter to the Supreme Court. This recommendation was acted upon immediately by the Governor, and the sum of £200 was voted, but no suitable interpreter was found in the colony, and it was decided that an interpreter should be obtained from Madras.<sup>84</sup> Meanwhile, there can be little doubt that the lack of an interpreter must on many occasions have led to a serious misunderstanding, if not to direct miscarriage of justice.

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82. G.H. 1226 Copies of Despatches to the Secretary of State: No. 181, Havelock - Knutsford, 26.8.1888.

83. Wragg Commission, pp. 40-41.

84. G.H. 1226 Copies of Despatches to the Secretary of State: No. 181, Havelock - Knutsford, 26.8.1888.

(g) Sale of Intoxicating Liquor<sup>85</sup>

In 1883 the Legislative Council had presented an address to Bulwer requesting that a Bill be introduced whereby all Indian immigrants should be placed under the restrictions put upon the natives by Law No. 22 of 1878. This Bill "*to prohibit the sale and disposal of spirits and other intoxicating liquors to Indian Immigrants in Natal*" was prepared and submitted to the Executive Council, but the Council did not advise that it should be introduced. The address of the Legislative Council was presented "*in view of the great increase of drunkenness and crime resulting from the free use of intoxicating liquor by the Indian inhabitants of this colony and the ready means by which the Natives obtain liquor through the agency of the same.*"<sup>86</sup> But the Wragg Commission found that during 1876-1884 the incidence of crime resulting from drunkenness and other criminal statistics amongst Indians was no greater than that amongst other sections of the community upon whom no such restrictive legislation was imposed. The Commission felt that the introduction of the law would have an adverse effect on Indian emigration from India to Natal, and this would be injurious to the interests of the employers, notably, the sugar planters. They were of the opinion that the Government of India would look with disfavour upon the extension of Law No. 22 of 1878 to Indians, but if the proposed law included the white populations, the question would assume a different aspect, at least on the grounds of expediency. The Indian Immigration Committee<sup>87</sup> likewise found that this question was not

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85. Wragg Commission, pp. 42-44.

86. Wragg Commission, p. 42.

87. For Report of the Indian Immigration Committee on the Wragg Commission, see G.H. 320 (Emigration) 1888-1890, 506/1889, 31.1.1889.

confined to Indians but affected the whole Colony, and as such it was a matter for general legislation.

In spite of the findings of the Commission in May 1890, a Bill was passed by the Legislative Council, "*to regulate the sale and supply of intoxicating liquor to Indians*" (Law 20 of 1890). In view of the opinion voiced by the Commission, and the lack of substantial evidence to disprove their opinion, Law 20 of 1890 might be considered as evidence of an antagonistic attitude shown by Natal colonists towards the Indian, and undoubtedly it was viewed in this light by many immigrants, especially those among the middle class.<sup>88</sup>

(h) The Durban Depôt and Depôt Hospital<sup>89</sup>

The Commission reported that the buildings were at times overcrowded with immigrants. No attention was given to the amount of cubic and superficial space per occupant. The hospitals were generally unhygienic, lacking proper facilities. The Immigration Trust Board and Protector of Immigrants informed the Governor that most of the defects pointed out were rectified or were about to be rectified. Havelock was therefore in a position to report satisfactorily to the Secretary of State on the condition of the hospitals.<sup>90</sup>

(i) Recruiting in India<sup>91</sup>

Bitter complaints were made to the Commission by employers about Indians who were unfit to work. These men were un-

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88. Z.A. Stein: A History of Indian Settlement in Natal from 1870-1893, pp. 57-58.

89. Wragg Commission, pp. 46-48.

90. G.H. 1226 Copies of Despatches to the Secretary of State: No. 181, Havelock - Knutsford, 26.8.1888, Annexures, Remarks of Indian Immigration Trust Board and Report by Protector of Immigrants, 25.6.1888.

91. Wragg Commission, pp. 49-51.

serviceable by reason of their age, others were suffering from diseases which made them incapable of doing work of a continuous nature and still others, because they had been goldsmiths, barbers, tailors, clerks, and shopkeepers, refused to work in estates allotted to them by the Protector. The Commission felt that more care should be employed by the Natal Emigration Agent in Calcutta and Madras. The Indian Immigration Committee stated that legislative authority be given for the return of incapacitated or unfit persons to India.<sup>92</sup> In their report the Trust Board mentioned that these recommendations were carried out. A Board consisting of two members was appointed to examine each immigrant.<sup>93</sup>

(j) Continuance of the present system of Indian Immigration<sup>94</sup>

The Commission found in the colony "an undoubted preponderance of opinion that the Indian immigrant should remain under indenture during the whole period of his residence within the colony." But the majority of white colonists were strongly opposed to the presence of the free Indian, whom they regarded as a rival and competitor in agricultural and commercial pursuits. After describing the various ideas which had been put forward on the subject, the Commission felt that the time had arrived when efforts should be made to solve the vexed question of labour by employing the natives within the colony. In this respect they recommended a bonus system to encourage the employment of natives; the bonus should not

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92. See Report of the Indian Immigration Committee in G.H. 320 (Emigration) 1888-1890, 506/1889, 31.1.1889.

93. See Remarks of the Indian Immigration Trust Board on the Report of the Indian Immigrants Commission in G.H. 319, (Emigration) 1886-1888, T.B. 160/1887, 25.5.1887.

94. Wragg Commission, pp. 84-89; See Natal Witness, 21.9.1887.

exceed £3 after 12 months, or £1 after six months. They also recommended that the revenue contributed in aid of further immigration should cease, and the period during which an Indian could claim a free return passage after 10 years be reduced to one year, and that the bonus system should be introduced without delay. They urged the sugar planters to indent for natives in place of Indians, so that the necessity for Indian labour would gradually cease, and those who finally settled would be engaged in industries prejudicial neither to the natives nor to the colonists. The Immigration Committee recommended that Indian Immigration be continued on the same principles and on the same basis and assisted by similar aid from the general revenue as had been in force since 1875.<sup>95</sup> The Trust Board also recommended that Indian immigration be continued because past experience had proved conclusively that native labour could not be depended upon. Further to this the Gold Fields and the Diamond Fields were drawing from Natal and Amatonaland native labourers whose wages were double, and in some instances treble, that which any industry in Natal could afford to pay. This new demand in the labour market could not have been contemplated by the Commission at the time their "bonus scheme" was formulated.<sup>96</sup>

(k) Further Remarks by J.R. Saunders

In a Supplementary Report, J.R. Saunders, a member of the Commission, said that as far as the Indian traders were concerned, their healthy competition had the effect of lowering prices from which the public benefitted. It was

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95. See Report of the Indian Immigration Committee in G.H. 320 (Emigration) 1888-1890, 506/1889, 31.1.1889.

96. See Remarks of the Indian Immigration Trust Board in G.H. 319, (Emigration) 1886-1888, T.B. 160/1887, 25.5.1888.

also found that free Indian shops were exclusively patronised by the firms of white merchants, who practically employed these men to dispose of their goods. Saunders also laid much stress on the increased revenue which resulted from the first introduction of Indian labour, how when that immigration ceased for a time the revenue fell, and how on a return to the system it again went up.<sup>97</sup>

#### OVERVIEW

The Evidence and Report of the Commission showed that when Indian Immigration began in 1860, and was recommended in 1874, it had on each occasion been eagerly desired and it had brought definite prosperity to the colony. However, it also brought some results which had not been anticipated.

In criticising the Report the Natal Witness said that if the Commission were really desirous of stopping Indian immigration and reducing the increase of free Indians, other means than those suggested would have to be resorted to. It can only be done, the Witness continued, by making the return imperative at the end of the term of service, unless the labourers consented to re-indenture themselves, not necessarily with the same master, but so as to be under continued surveillance, and to be easily within call when the further term would have expired. The option of accepting a small piece of land in lieu of return passage should now no longer be allowed.<sup>98</sup>

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97. Wragg Commission - see Further Remarks of Mr. J.R. Saunders, pp. 89-101.

98. Natal Witness, 23.9.1887.

In view of the many problems the Indian had created in Natal during this period, Havelock felt the need, as a result of the Commissions' Report as well as public opinion, for a comprehensive scheme for amending the Indian Immigration Laws of the colony.<sup>99</sup> The Secretary of State approved of such a move and courteously reminded Havelock on numerous occasions as to how soon this could be effected. In pursuance of the wishes of Knutsford, a Bill was introduced in 1889 "*To amend and consolidate the laws relating to the introduction of Indian immigrants into the colony of Natal, and to the regulation and government of such Indian Immigrants.*" This Bill embodied the views of Havelock and the Executive, with regard to the amendment necessary in the existing Indian Immigration Laws, and it fulfilled a much needed consolidation of laws that were scattered throughout the Statute Book.<sup>100</sup> This Law had the effect of tightening up regulations surrounding the indentured Indians and diminished the authority of the Protector, some of whose powers were transferred to the Indian Immigration Trust Board. The Viceroy of India, Lord Lansdowne, emphasised to the Secretary of State (5th August 1890) that the importation of labour was of interest only to a minority in Natal, and India should not "*press labour upon a colony not fully prepared to welcome it.*"<sup>101</sup> This Bill which became Act 25 of 1891 also revoked the grant of Crown Lands to time expired Indians granted in terms of Section 28 of Law 14 of 1859 and Section 51 of Law No. 2 of 1870. "*Thus the possibility of*

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99. See G.H. 1226 Copies of Despatches to the Secretary of State: No. 181, Havelock - Knutsford, 26.3.1888.
100. G.H. 320 Copies of Despatches Received from the Secretary of State (Emigration), Knutsford - Havelock, 13.4.1889; G.H. 1226 Copies of Despatches to the Secretary of State: No. 124, Havelock - Knutsford, 3.6.1889; G.H. 1226 Copies of Despatches to the Secretary of State: No. 202, Mitchell - Knutsford, 2.9.1889.
101. Hugh Tinker: A New system of slavery: the export of Indian Labour overseas, 1830-1920, pp. 280-281.



residence in Natal after the completion of indentures first suggested in Grey's despatch of 1855 and later incorporated in the immigration laws was now abrogated and the British Government raised no demure".<sup>102</sup> It cannot be denied that this was the first serious breach in the original undertaking and promise. However, in the "absence of any legal sanctions to enforce either their return or re-indenture, the majority of labourers preferred to remain in Natal as "free" Indians - self-employed as shopkeepers, market gardeners, and hawkers, or engaged in semi-skilled wage employment such as domestic service and tailoring." A new class of Indian colonist was developing whose numbers in comparison with the whites began to assume dangerous proportions, and whose "very existence ran contrary to the Europeans' estimation of the Indians' role in Natal affairs."<sup>103</sup>

"Thus during the 70's and 80's the Indian came to be a definite part of the colony of Natal, prospering himself and helping the colony to prosper. But the feelings of antagonism which later rose to such heights of intensity were already beginning to show themselves."<sup>104</sup> By 1900 the Legislation and events showed that less importance was being attached to the demand for labour and more emphasis was placed on the protests against Asiatic competition and encroachment. The cry for Indian labour thinned out and arrivals of Indian labour ceased in 1911, while in 1914 Asiatic immigration was prohibited completely except for the wives and children of Indians who were already living in South Africa.<sup>105</sup>

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102. B. Pachai: The International aspects of the South African Indian question, 1860-1971, p. 8.

103. E. Bradlow: Indentured Indians in Natal and the £3 tax (South African Historical Journal, November 1970, No. 2, p. 40)

104. Mabel Palmer: The History of Indians in Natal, p. 48; See R.H. Smith: Labour resources of Natal, p. 8.

105. Hugh Tinker: A New system of slavery; the export of Indian labour overseas 1830-1920, pp. 317-318;  
 R.H. Smith: Labour Resources of Natal, p. 8.

*The establishment in Natal of Responsible Government would, I think, render the incorporation of Zululand with that Colony, more impolitic than it is under present circumstances.*

## CHAPTER 6.

ZULULAND AND THE NEW REPUBLIC.

Zululand was a thorny problem during the short years of Havelock's administration in Natal. Much of his time and energy were spent in sorting out the problems he had inherited from his predecessors. After the Zulu War of 1879<sup>1</sup> the general feeling in Natal was that Britain would annex the country, "and indeed in later years the supposed folly of her not doing so was the constant theme of the detractors"<sup>2</sup> of Britain's Zululand policy. And in 1881 Melmoth Osborne, the British Resident, who had only consular powers, told Kimberley that, "the extension of Her Majesty's sovereignty at once, over the whole of Zululand would prove the only sure means of securing permanent peace and welfare and civilization of its people."<sup>3</sup>

Apart from inheriting his father's kingdom in 1884, Dini-zulu also inherited all the problems which had beset Cetewayo in the last year of his life. With his defeat and exile in 1879, Cetewayo's domain was divided by Sir Garnet Wolseley, the High Commissioner, under 13 independent Chieftains.<sup>4</sup> This could hardly have hoped to secure peace and tranquility in Zululand. These 13 Chieftains were nicknamed by the Natal press, the "Kilkenny Cats".<sup>5</sup> Chief

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1. See C.T. Binns: The Last Zulu King; the life and death of Cetewayo; R. Furneaux: The Zulu wars: Isandhlwana and Rorkes Drift; B. Roberts: The Zulu Kings.
  2. R.L. Cope: The British annexation of Zululand, 1887, p. 3.
  3. C.W. de Kiewiet: The Imperial factor in South Africa, p. 290.
  4. Shula Marks: Reluctant rebellion, pp. 85-87.
  5. M.C. van Zyl: Die Uitbreiding van Britse Gesag oor die Natalse Noordgrensgebiede, 1879-1897, p. 13;  
R.L. Cope: The British annexation of Zululand, p. 4.

of these 13 chieftains were Zibhebhu, Uhamn, John Dunn<sup>6</sup> and Hlubi.

Dinizulu soon found it necessary to avenge his father's death<sup>7</sup> and to regain lands of the Usutu (followers of Cetewayo) usurped by the Mandlakazi (the followers of Zibhebhu) by seeking the assistance of the Boers. The Usutus were not strong enough to achieve their objective, and therefore sought outside help. The British Government had declined to interfere in Zululand, whereas the Transvaal government were prevented from doing so by the Pretoria Convention (1881) and the London Convention (1884). The Boers living close to the Zulu border were placed in a difficult and dangerous position, and favoured the restoration of peace in Zululand.<sup>8</sup> Consequently in May 1884 a party of Boers from the Transvaal under the leadership of Coenraad Meyer recognised Dinizulu as the new Zulu King. And on the 5th June following, Dinizulu's adherents, aided by 600 Boers, attacked and completely routed Zibhebhu and his followers at the Battle of Tshaneni. In return for Boer assistance the Zulus agreed to cede to the Boers a tract of country, claimed to be the best cattle lands, from the north-west part of Zululand bordering on the South African Republic. In this

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6. John Dunn was a white trader who had settled in Zululand and owed his entire wealth to Cetewayo. During the Zulu War, despite his attempts to remain neutral, he was drawn over to the side of the British.
  7. In 1882 Cetewayo was permitted to visit London. His return to Zululand on 10th January 1883 heralded a period of fierce faction fighting between the Usutu and adherents of Zibhebhu and Uhamu (the king's half brother). Cetewayo was forced to flee but was stabbed by one of Zibhebhu's followers. When he died in February 1884 many Zulus attributed his death to poisoning by Zibhebhu. But the official cause of death was recorded as "*fatty disease of the heart*". But this verdict was not believed by the followers of Cetewayo. See S. Marks: Reluctant empire ..., p. 89; B. Roberts: The Zulu Kings, pp. 355-356.
  8. M.C. van Zyl: Die Koms van die Boere na Zoeloeland in 1884, p. 30.

area they created the New Republic in August 1884. Lucas Meyer was the first President with D.J. Esselen as the State Secretary.<sup>9</sup>

This so-called settlement did not bring any lasting peace. Rumours of fighting between the Zulus and the Boers reached the Natal Government and Bulwer, the Lieutenant-Governor, warned the Secretary of State that war in all probability would ensue as the Boers were proceeding to occupy their farms in earnest. From Vryheid it was rumoured that as many as 300 Boers were assembled at Inhlazatye on their way to occupy their farms.<sup>10</sup> The amount of land seized by the Boers was eventually clarified by the issue of a proclamation dated 25th September 1885 and signed by Lucas Meyer, as State President, and Jos. R. Bell, as State Secretary, which purported to define the territory of the so-called New Republic, which comprised about five-sixths of Zululand. The area was proclaimed and defined as follows:

*"That from the conical hill ("Spitskop") on the Berea rise, sloping towards the sea, where a defined beacon is placed, all along the highest part of the ridge to where a large lake ends, that is filled up by the Umkuzi river."<sup>11</sup>*

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9. Shula Marks: The Reluctant Rebellion ... p. 39-90; A.J. van Wyk: Dinizulu en die Usutu - Opstand van 1888, pp. 11-12; M.C. van Zyl: Die Uitbreiding van Britse Gesag oor die Natalse Noordgrensgebiede, 1879-1897, p. 13; R.J. Cope: The British annexation of Zululand, pp. 6-7; J. Stuart: A History of the Zulu Rebellion, 1906, pp. 14-15; J.J. Guy: Mandhlakazi and Usutu; the Civil War in Zululand from 1880-1884 and the reaction of British officials, p. 77.
10. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 7, Bulwer - Derby, 21.7.1885, p. 221.
11. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 52, Mitchell - Stanley, 15.12.1885, pp. 287-288; Enclosure 1, Proclamation, 26.10.1885, p. 288.

However, it was quite obvious that the description of the boundary was far from accurate. As the agreement signed by Dinizulu had merely specified the amount of land to be granted, without stipulating boundaries of that land, the Boers began to spread across the country at an alarming rate. Some British officials in South Africa had already advocated British annexation of Zululand as a solution to the problem. *"There is only one course which can secure peace to Zululand"*, wrote Sir Bartle Frere, *"and that is that the English Government should no longer strive to shut its eyes to its inevitable responsibilities as a great and powerful nation."*<sup>12</sup> This was then the position in Zululand at the time of Havelock's arrival.

The Boers hoped that the new Governor would not be prejudiced against them, and that he would work towards the well-being of all inhabitants. They reiterated that when the Zulu tribes began to fight amongst themselves, Great Britain declined to offer any assistance although she was duty bound to prevent bloodshed and anarchy in the country. Under these circumstances the Boers under the leadership of Lucas Meyer were obliged to assist the Usutus. For this service they received lands in their country. They now had a perfect right to rule the whole of Zululand, otherwise a recurrence of lawlessness, murder and plunder would be the inevitable result.<sup>13</sup>

In an emotional editorial the Natal Boeren Vriend<sup>14</sup> said:

*"Should his Excellency attain this object i.e. this fraternization between the two white races,*

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12. H.B.E. Frere: On the future of Zululand and South Africa, (Fortnightly Review, Nov. 1882, vol. 32, p. 592).

13. G.H.Z.820 Zulu Affairs, No. 11, Havelock - Stanley, 2.3.1886; Natal Boeren Vriend, 25.5.1886.

14. Natal Boeren Vriend, 25.2.1886.

*then he will be called and indeed will be the Saviour of South Africa and his name will go down to posterity as the only Governor in these parts of the world who was worthy of that appellation."*

The Secretary of State, Stanhope, felt, too, that it was impossible to ignore the position of the Boers in Zululand, let alone repudiate any of their land claims. The Boers had established a de facto government, and were in de facto possession of a very large portion of the country. It was in this condition of affairs that Lord Granville took up the matter, and immediately arrived at the conclusion that the Boers had established certain rights in Zululand and that it was necessary to enter into relations with the Government which they had set up.<sup>15</sup> Consequently in March 1886 Granville instructed Havelock to start negotiations with the Boers regarding the territorial problem in Zululand. However Granville made it quite clear that:

*"Whilst it has been the desire of Her Majesty's Government to interfere as little as possible in the affairs of Zululand beyond the Reserve Territory, I have to observe that this country has at no time surrendered its rights and the obligations of its position as the paramount power in that portion of South Africa."<sup>16</sup>*

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15. Sir Walter Peace Newspaper Collection, p. 28.  
 16. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 16, Granville - Havelock, 11.3.1886, p. 356.

Granville further emphasised that the occupation by the Boers of such large areas would inevitably lead to serious consequences,<sup>17</sup> in the first place to the natives residing in the area, as well as to Natal and the Reserve.<sup>18</sup> Consequently the agreement between the Boers and the Usutus could not be recognised since the latter was prevented by a previous treaty with Britain from alienating any portions of their lands. However, in view of the existence of such an agreement and the willingness of the Zulus to part with some of their territory, Britain was prepared to recognise the Boer occupation on reasonable conditions. Further, Great Britain had no wish to assume the government of the Boers, and if the Boers desired to retain their political status quo, it may be recognised provided a satisfactory

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17. *"The Boer intervention aroused the fear in England and Natal that the Boers would appropriate the whole of Zululand and gain St. Lucia Bay. When the Germans through the agency of August Einwald and Adolf Schiel, also showed interest in St. Lucia, the British flag was raised there in December 1884. After Havelock and the Boers had negotiated at length about the boundary between the Republic and the Zulus, the British Government annexed Zululand on 19th May 1887. The New Republic remained independent, but owing to financial problems, united with the South African Republic."* - M.C. van Zyl: Die Uitbreiding van Britse gesag oor die Natalse noordgrensgebiede, 1879-1897, p. 18; See also G.H. 1225 Copies of Despatches to the Secretary of State: No. 69, Havelock - Knutsford, 17.3.1888; C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 16, Granville - Havelock, 11.3.1886, p. 357.
18. By 1883 Britain was reluctant to take further responsibilities in South Africa, and realised that the only answer for a settled Zululand was to restore Cetewayo, "but it was already impossible to return to the 1878 situation." In order to protect "loyal chiefs", Britain was duty bound to protect them from Cetewayo. Therefore it was decided "to set aside a large Reserve as a sanctuary for John Dunn and Hlubi, and for any others who had some reason for not wanting to return to the king's jurisdiction" - S. Marks: Reluctant rebellion, p. 89.



territorial settlement was affected.<sup>19</sup>

Havelock made it his duty since his arrival in Natal to obtain as much information from every source available on the existing conditions of the Zulus as well as the intentions and wishes of the Boers. The Boers were fully aware of their weak position and therefore attached great importance and value to recognition by the British government. In reporting to Granville, Havelock was quite optimistic:

*"I am assured that the Boer authorities and the Boer community generally are quite prepared to accept the intervention of Her Majesty's Government, in hopes of thereby obtaining, in exchange for the abandonment of a portion of their present claims valid titles and a secure position."*<sup>20</sup>

It was evident too that the power of the Zulus had utterly broken down, and they would only be too happy to accept British intervention to secure a peaceful settlement. There seemed little doubt that the Zulus would submit to a *"great sacrifice of what they profess to claim as their rights in order to obtain a settlement which would secure to them some portion of their country, and would protect them from further encroachments and exactions on the part of the Boers."*<sup>21</sup>

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19. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 16, Granville - Havelock, 11.3.1886, pp. 357-358.  
 20. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 29, Havelock - Granville, 11.4.1886, p. 369.  
 21. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 29, Havelock - Granville, 11.4.1886, p. 370.

With this view in mind, Havelock issued an invitation to Lucas Meyer on the 6th April 1886 asking him to send representatives to Pietermaritzburg with authority to confer on the Zululand question.<sup>22</sup> The Executive Council of the New Republic appointed D.J. Esselen to hold preliminary discussions with Havelock.<sup>23</sup> The two met on the 27th and 29th. Esselen explained that Sir Charles Mitchell, who was then administering the country, had misunderstood the boundaries, and the Boers, realising that they had taken too much land from the Zulus had voluntarily returned some of the land to them. But the British Government felt that the territory left to the Zulus had been manifestly inadequate. Havelock then proposed that the territory occupied by the Boers should be bounded by a line drawn from the Ibabanango Hill to the Inhlazatye Hill, and then continued in a northerly direction to the Pongola River. All Zululand to the east of that line was to be left to the Zulus. If the British Government were to recognise the New Republic, a similar provision as the London Convention of 1884 with the South African Republic would be made applicable. Further to this Havelock demanded quite categorically that the Boers abandon all claims to a protectorate over the Zulu nation, and that they should give a guarantee of the interests of the natives and British subjects, and the subjects of other nationalities. Esselen agreed to hold discussions. Havelock agreed to this, but it was clear that the British government would not consent to any alteration in the conditions

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22. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 30, Havelock - Granville, 11.4.1886, pp. 369-370.
23. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 40, Havelock - Granville, 1.5.1886, p. 379, Annexure: Lucas Meyer - Havelock, 17.4.1886, pp. 379-380.

laid down, except in matters of detail.<sup>24</sup> On the 17th June 1886 Havelock informed Granville telegraphically that the Boers were prepared to negotiate for a peaceful settlement.<sup>25</sup>

The Boer deputation consisted of Lucas Meyer, D.J. Esselen, Chairman, and four members of the Volksraad.<sup>26</sup> From the very start it seemed a stalemate would be reached. The Boers were bent on maintaining the status quo. The only concession they were prepared to make was to renounce their protectorate over the remainder of Zululand, but they insisted on retaining all their territory down to the sea. This was completely unacceptable to Britain and consequently all negotiations were suspended.<sup>27</sup>

The conditions in Zululand deteriorated even further and Havelock on the instructions of the Secretary of State<sup>28</sup> wrote to Lucas Meyer intimating that unless a sound basis of settlement was reached, Britain would have no alternative but to send a Commission to fix the boundary line.<sup>29</sup> Although Stanhope had specifically requested Havelock not

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24. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 41, Havelock - Granville, 3.5.1886, pp. 380-382.
25. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 46, (Telegraphic), Havelock - Granville, 17.6.1886, p. 392.
26. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 46, (Telegraphic), Havelock - Granville, 17.6.1886, p. 392.
27. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 3, Havelock - Granville, 10.7.1886, pp. 444-446.
28. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 3, Stanhope - Havelock, 9.8.1886, p. 458.
29. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 17, Havelock - Granville, 6.9.1886, p. 471, Enclosure: Havelock - Lucas Meyer, 6.9.1886, p. 471.

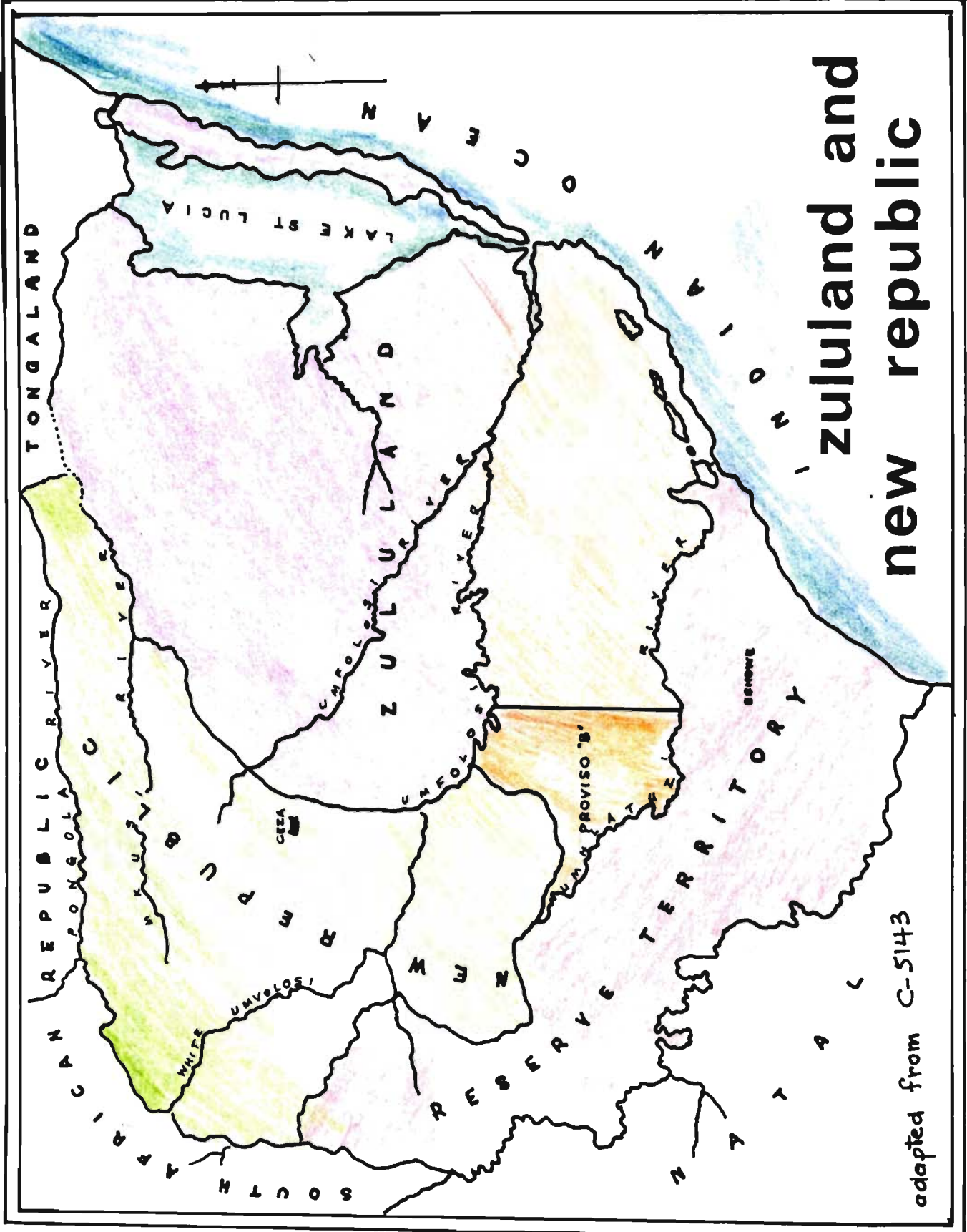
to use any threat in his dealings with Lucas Meyer, the implication was quite clear that the New Republic was being coerced to come to terms with Britain. The Boers must have realised that if a peaceful settlement was not effected immediately with Britain, they would in all probability lose whatever they had gained. Coming to terms with Britain would also mean that whatever territorial settlement they would ultimately gain would become legal and consequently they would not suffer any future harassments either from the Zulus or from Great Britain.

Negotiations were resumed and on the 22nd October an agreement was signed between Havelock and the Boer Deputation.<sup>30</sup> The New Republic was to consist of about one quarter of Zululand excluding the Reserve, about 2.854 square miles in extent.<sup>31</sup>

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30. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No.22, Havelock - Stanhope, pp. 472-473.
31. C-5143 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No.20, Holland - Havelock, 9.5.1887, p.684. As regards the distribution of Zululand between the Boers and the Zulus, the total area of Zululand excluding St. Lucia, was calculated by the Intelligence Dept. at 11,074 square miles, of which 2,854 or about  $\frac{1}{4}$  was occupied by the New Republic, and 8,220 or about  $\frac{3}{4}$  by Zulus under British control, consisting of the Reserve and Eastern Zululand, the former being 2,567 sq. miles, and the latter 5,653 sq. miles. The St. Lucia Lake area, in Eastern Zululand was 680 sq. miles in extent. The territory originally claimed by the Boers under the agreement with Dinizulu of August 1884 was 4,234 sq. miles. The line suggested by Bulwer and afterwards proposed by Havelock to the Boers would have involved the reduction of the New Republic to 1,957 sq. miles. The Boers did not agree to this, and the final arrangement adopted gave to the Boers a total of 2,354 sq. miles, or 1,380 sq. miles less than was originally assigned to them by Dinizulu. It is to be observed that Sir Henry Bulwer appeared to be under some misapprehension as to the total area of Zululand. In his despatch of the 25th February 1885 he gave the area of Zululand as 9,609 sq. miles, and of this he assumed that only 6,875 sq. miles were situated beyond the Reserve Territory, of which he proposed to allow 1,957 sq. miles to the Boers, leaving as he thought, 4,918 sq. miles for the Zulus. The arrangements made by the Imperial Government was 5,653 sq. miles or 753 sq. miles more than Bulwer had contemplated, were secured for the Zulus of Eastern Zululand.

The Boers were to evacuate Eastern Zululand and, furthermore, their protectorate over this part had to cease. However, this was made conditional on the Zulus not objecting since they had placed themselves under the protection of the Boers.<sup>32</sup> Under the terms of the settlement the Zulus retained fully half the area of Zululand outside the Reserve Territory and this half included nearly the whole of that portion of the country lying between the White and Black Umfolosi, described as the "*cradle of the Zulu nation*". The New Republic included the area from Ikandhla Mountain where it crossed the Umhlatuzi River to the Ulundi Drift and from the bank of the White Umfolozi River, as well as including the Idhlebe Hill, the Ceza on the Impembeni Mountains, the Impalaza Spruit, the north bank of the Umkuzi River, through the Lebombo Mountains and its watershed and up to the Pongola River Poort. In addition to this, part of Eastern Zululand, the "Proviso B" territory, while outside the New Republic, was to remain in the hands of the Boers who had previously received allotments there. This area included the Ulundi Drift on the White Umfolozi River up to the north bank of the Umhlatuzi River and from there along the wagon road to the Drift across the White Umfolozi. These conditions were embodied in a Convention and was signed by Havelock and the Boer Deputation on the 22nd October 1886.<sup>33</sup> This agreement was subsequently approved by the British government<sup>34</sup> and ratified by the Volksraad of the New Republic.<sup>35</sup>

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32. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 42, Havelock - Stanhope, 24.10.1886, p. 499; A.J. van Wyk: Dini-zulu en Usutu-Opstand van 1888, p. 25.
33. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 42, Havelock - Stanhope, 24.10.1886, pp. 499-502. Enclosures; Memorandum of Settlement, 22.10.1886, pp. 502-504.
34. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 46, (Telegraphic) Stanhope - Havelock, 1.12.1886, p. 509.
35. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 45. (Telegraphic) Havelock - Stanhope, 27.11.1886, p. 509.



# zululand and new republic

adapted from C-5143

The settlement that was reached was one of compromise. In this respect Havelock displayed leadership. He had insisted on a line more favourable to the interests and wishes of the Zulu people. A strip of territory which formed a portion of the South African Republic separated the northern border of Zululand from the Southern frontier of Swaziland. The Mkusi River therefore formed a natural barrier to contact between Zululand and Swaziland and Havelock wanted to overcome this problem. He therefore insisted (Provisa A) "*that a free right of passage from the Mkusi to and across the Pongola should be reserved for all persons of all nationalities without let or hindrance and without payment of toll or licence.*"<sup>36</sup> Havelock had done this to safeguard the economic interests of Natal. This issue was to come up again during Havelock's confrontation with the Legislative Council over the question of Zululand.

As far as the Boers were concerned this land settlement had at last brought peace, and they now could look forward to developing their areas independent of British control. Not so with the natives. Havelock emphasised the necessity of the assumption of a protectorate over the portion of Zululand, which would remain to the Zulus. If the Zulus were not placed under British protection, the Boers would undoubtedly be tempted to make encroachments upon them, and even the authorities of the New Republic would be powerless to prevent individuals from taking undue advantage of the Zulus. This would have a disastrous effect on the Zulu nation, on Natal, as well as on British interests in South Africa. The Zulus, on the other hand, would welcome a British protectorate over their territory.<sup>37</sup>

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36. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 42, Havelock - Stanhope, 24.10.1886.
37. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 42, Havelock - Stanhope, 24.10.1886, pp. 501-2.

Other voices echoed the same sentiments as that of Havelock. The Bishop of Zululand warned the Colonial Office that civil war and anarchy would result if Britain did not take over the country. A memorial signed by 43 British members of Parliament also urged a British protectorate over Zululand. And in Natal the Legislative Council was also in favour of British control of Zululand.<sup>38</sup>

On the question of the New Republic Havelock opined that force of circumstances would induce the New Republic to seek political union with one of its neighbours.<sup>39</sup> However, it was inadvisable to promote such a union with Natal at this stage until a spontaneous and unmistakable desire for it had been expressed by the Boers themselves.<sup>40</sup>

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38. R.L. Cope: The British annexation of Zululand, p.21.

39. The Consumation of any hasty or ill-considered scheme of union between the New Republic and the South African Republic would be debarred by Article IV of the London Convention of 1884 with the South African Republic:

*"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 treat is in conflict with the interests of Great Britain or of any of Her Majesty's possessions in South Africa."*

40. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 42, Havelock - Stanhope, 24.10.1886, p. 502; C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 22 (Telegraphic) Havelock - Stanhope, 22.10.1886, pp. 472-473.



In the Boer circles the desirability of uniting the South African Republic and the New Republic was seriously discussed. Britain decided not to oppose the striving for unity amongst the Boers. To accomplish this a new Convention between Britain and the South African Republic came into being on the 28th June 1888 in which Britain gave consent to the incorporation of the New Republic.<sup>41</sup>

Attention must now be focused briefly on the reaction of the Legislative Council and the press generally on the creation of the New Republic. The policy of the British Government toward Zululand was regarded by the Legislative Council with great dissatisfaction and contempt. This resulted in a cut in the Governor's salary from £4,000 to £3,000.<sup>42</sup> The Natal Witness characterised Britain's Zululand policy as "*one of the most disgraceful episodes of British administration and diplomacy in any part of the world,*"<sup>43</sup> while the Natal Mercury called the agreement a capitulation "*(which) will be indelibly associated with the name of Havelock.*"<sup>44</sup> Harriette Colenso and the Zulu chiefs were also bitter. The latter declared that amongst other things the recently announced division of their land had destroyed the Zulus' "Great Chief". Havelock viewed this criticism philosophically. His reaction was to point out that "*my experience has been considerable*", and no matter what has been done for the Zulus, "*they will always profess to believe that enough has not been done.*"<sup>45</sup>

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41. H.R. Van der Walt: Die Suid-Afrikaanse Republiek in die Britse buitelandse en koloniale, belied (1881-1899), p. 122.

42. N.H. IX, 2.11.1886, pp. 223-224, 15.11.1886, pp. 315-20.

43. Natal Witness, 21.5.1887.

44. Natal Mercury, 26.3.1887 as quoted by A.J. Van Wyk: Dinizulu en die Usutu - Opstand, p. 26.

45. See A.J. Van Wyk: Dinizulu en die Usutu - Opstand, p. 26.

On the annexation of Zululand in May 1887 there was no evidence to point out that the Zulus wished to accept British authority. It was exactly this which Stanhope warned Havelock against, but Osborn's arguments pointed to the fact that the government had a responsibility to maintain peace in Zululand, and the only way this could be done was by proclaiming British authority over the area to prevent outside aggression or imminent civil war. Osborn fabricated this whole idea because at that stage there was no unrest among the Zulus nor any sign of Boer interference. It seemed that he wanted to justify as strongly as he could the declaration of British authority as well as his own actions. It was possible that after seven years there was an understandable desire in Osborn to bring about an ordered state of affairs in Zululand in an authoritative manner. He knew that the British government was prepared to increase his authority over Zululand with the consent of the Zulu people, but in this respect he found opposition. He possibly feared that the lack of consent might endanger the whole project, and therefore on the 5th February 1887 he stepped in on his own and proclaimed a British protectorate unilaterally. He took this arbitrary action while Havelock and Holland, Stanhope's successor, were waiting for the consent of the Zulu people. To make matters worse, he only telegraphed the news of his dramatic action on the 8th February to Havelock, who only received it on the 13th February. Although he put forward the same reasons for his action, viz. imminent civil war and discord between the Boers and the Zulus, he did not substantiate any of his allegations.

What is more surprising is that if the Boers were such a threat to the Zulus, it was strange that he did not inform the New Republic of the proclamation of British authority over Zululand. Havelock only did this more than three months later on 12th April 1887.

To give further strength to his action Osborn in an interview on the 29th January had explained to the most important chiefs the desirability of a British protectorate, but the chiefs did not express an opinion. On three occasions they declined his invitation to discuss it with him. Osborn interpreted this to mean that they were prepared to accept British authority. Osborn further supported his conviction by pointing out that Zulu tradition and custom forbade them to consent willingly to the alienation of Zululand. Their refusal to appear before Osborn was therefore regarded as a tacit approval to subject themselves willingly to Britain. Osborn made the above conclusion to justify his action.

Months later Dinizulu still raised bitter objections to the proclamation by way of a deputation to Havelock. When they made a similar request on 2nd January, they were told to wait until after the boundaries had been beacons before an interview could be granted. The resultant proclamation therefore took them completely by surprise. Havelock tried to pacify them by asking Holland to pay a considerable sum of money, but this was refused by Holland.

Even Sir Theophilus Shepstone approved of Osborn's action on the grounds that the excitement, intrigue and tension threatened to plunge Zululand into chaos and anarchy. It must be remembered that Osborn was his confidant and friend, and also probably his chief source of information.

It is also interesting to note that British authority fell back at last on the word "acquiescence" to justify Osborn's action. This was done in spite of Stanhope's initial insistence on the obtaining of complete consent from the Zulu people, and in spite of the fact that Havelock on the 13th February was still ignorant of Osborn's action, while waiting for official consent of the Zulus.

Osborn's unexpected action confronted Havelock with an accomplished fact and he was placed in an invidious position in asking Holland to approve of Osborn's hasty action. Even the British Government were caught un-awares, and Havelock had to repeat his request to Holland before the latter approved of Osborn's action on the 19th February 1887.<sup>46</sup>

On 11th May 1887 Holland gave telegraphic authority to Havelock to annex Zululand and the Reserve, but excluding the New Republic, as a British possession under the name of Zululand.<sup>47</sup> Havelock issued the proclamation to this effect on the 14th May 1887,<sup>48</sup> and on the 19th May, a Royal Commission was issued appointing Havelock as Governor of Zululand.<sup>49</sup>

The Governor of Zululand thus became the Supreme Chief. Dinizulu and other members of the Royal House had jurisdiction only in their own areas. In return for their loss of authority Dinizulu was given a stipend of £300 per year and other members of the Royal House also received stipends ranging from £30 to £120.<sup>50</sup> But Usibebu

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46. A.J. Van Wyk: Dinizulu en die Usutu-Opstand, pp.44-49.
47. C-5143 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 21 (Telegraphic) Holland - Havelock, 11.5.1887, p. 684.
48. C-5143 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 22 (Telegraphic) Havelock - Holland, 14.5.1887, p. 685; See 5143 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 44, Foreign Office - Colonial Office, 13.7.1887, p. 707
49. C-5143 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 24 (Telegraphic) Holland - Havelock, 19.5.1887, p. 685.
50. C-5143 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 11, Havelock - Holland, 26.2.1887, pp. 677-679; See C-5143 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 30, Havelock - Holland, 25.5.1887, pp. 697-698.

was given a stipend of £240 per year upon his restoration.<sup>51</sup> In this way the Chiefs were virtually "bought over".

The Zulu chiefs were given limited civil and criminal jurisdiction. This in fact had been opposed by M.H. Gallway, the Attorney-General, but was allowed by Havelock largely as a result of the overtures of T. Shepstone who advocated the delegation to the chiefs of power of trying minor offences. Havelock was of the opinion that it was impolitic to completely deprive the chiefs of judicial power and introduce a system of administration of justice by civilized law under European magistrates.<sup>52</sup>

On the annexation Shepstone declared that the announcement was made too late and that the British Government should have taken that step long ago. Osborne, too, alleged that the Zulus had not seen the difference between annexation and protection. All that they understood was that they had been conquered by the British Government and now belonged to the Government.<sup>53</sup>

The proclamation of May 1887 marked the end of the first phase of British native policy in respect of Zululand. Since after the conquering of the Zulu in 1879 to May 1887 the British Government tried to avoid its responsibilities toward the Zulus. This period was characterised by continual unrest and multifarious difficulties and also by

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51. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 38, Havelock - Holland, pp. 99-100, See also C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 10, Holland - Havelock, 12.9.1887, p. 59.
52. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 2, Havelock - Holland, 26.6.1887, pp. 32-49.
53. H.B. Steyn: Die Britse beleid ten opsigte van Zululand, 1879-1887, p. 183.

the vacillating attitude of the British Government. The fact that the British Government gave consent to expansion of authority over Zululand removed one of the most important stumbling blocks in the solution of the Zulu problem. Through this the British Government eventually accepted the responsibility for the welfare of the Zulu, something which had been refused up till now. The hands of the Natal government were also strengthened and more positive action could be taken. By this step the British Government abandoned its policy of non-interference in Zulu affairs and this would facilitate the settling of the affairs of Zululand.<sup>54</sup>

The British annexation of Zululand in 1887 and the incorporation of the New Republic in the South African Republic in 1888 ended the uncertain relationship. It came down to a division of Zululand between Britain and the South African Republic.<sup>55</sup>

In spite of the untiring role played by Havelock in the affairs of Zululand, the negotiations did not bring lasting peace in that country. Numerous petitions from the Usutu chiefs showed that they did not approve of the land settlement, and it became quite obvious that what the Usutus wanted was to compel the Boers to evacuate the whole of Zululand. This Havelock was not prepared to do, and he made it quite clear that a restoration of the former state of things was out of the question.<sup>56</sup> Holland, too, was

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54. H.B. Steyn: Die Britse beleid ten opsigte van Zululand, 1879-1887, p. 184.

55. M.C. van Zyl: Die Uitbreiding van Britse gesag oor die Natalse noordgrensgebiede, p. 178.

56. C-4980 Further Correspondence Respecting the affairs of Zululand and Adjacent Territories: No. 62, Havelock - Stanhope, 19.11.1886, pp. 564-565; See C-4913 Further Correspondence Respecting the affairs of Zululand and Adjacent Territories: No. 25, Havelock - Granville, 23.3.1887; See also C-4980 Further Correspondence respecting the Affairs of Zululand and Adjacent Territories: No. 16, Havelock - Granville, 6.9.1886, p. 466.

by this time sick and tired of the futile claims of the Usutus and outlined the Imperial government's standpoint in this regard. It was under force of circumstances that the British Government had intervened and drew a line of demarcation and it was by this settlement that the Zulus were rescued from the full consequences of their ill-advised conduct. The Usutus, said Holland, ought to be thankful for what was done on their behalf, "*for assuredly never had a tribe done more to disentitle itself to the friendly offices or protection of this country, or been more entirely the author of its own misfortunes.*"<sup>57</sup> Whatever the case may be, Holland emphasised that the conduct of England towards the Usutus during the negotiations was lacking in neither justice nor generosity, that their grievances were quite groundless.

Had the British Government only foreseen that the extension of British rule to Zululand would lead to the disturbances of 1888, she would have probably decided something short of direct rule.

What Dinizulu and the Usutu chiefs failed to understand was that a return to the former state of things was out of the question. Havelock tried to convince them that Britain was forced to take over the country and rule it for them to avoid unnecessary bloodshed. Dinizulu and the heads of the Zulu people knew full well that when Britain absorbed them under her government and appointed white magistrates, his powers and authority as an independent chief automatically came to an end and that all matters were now handled by the white magistrates. Havelock failed to make Dinizulu understand that the Queen had

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57. C-5143 Further Correspondence Respecting the Affairs of Zululand and Adjacent Territories: No. 37, Holland - Havelock, 5.7.1887, pp. 703-704.

taken possession of the country and assumed the government of it, and the Zulus were compelled to carry out and obey the orders of Malimata (Osborn) who was the chief officer of the Queen in that country under the Governor.<sup>58</sup>

The attitude of the Usutu chiefs clearly showed that they were highly dissatisfied with the partition which gave the best lands to the Boers. Further to this they also resented the presence of "Malimata", and his white magistrates,<sup>59</sup> who robbed their chiefs of their power so that they had now become mere vassals of the government. The Usutus could not come to believe that the settlement made was permanent. The Boers on the other hand must have felt relieved as it was now Britain's headache to create calm in a chaotic Zululand.

When the Zulu leaders now realised that their appeals to Havelock were fruitless, they wanted to send Dinizulu to Britain to take up their cause. But Havelock's view was that Dinizulu had not yet been recognised as Cetewayo's successor, and therefore did not represent the Zulus. Such a mission would keep the Zulus in a ferment and delay any settlement. A similar request to send a deputation of two Zulus and two Boers to England was likewise refused.<sup>60</sup>

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58. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 30, Havelock - Holland, 20.10.1887, p.77.

59. See C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 30, Havelock - Holland, 20.10.1887, p.76.

60. A.J. van Wyk: Dinizulu en die Usutu-Opstand van 1888. pp. 26-27.



The dissatisfaction of the Usutus was further aggravated by the return of their arch enemy, Usibebu, to his tribal lands, until it erupted into overt violence. Much of the trouble that ensued could have been avoided if H.C. Shepstone, Melmoth Osborne, and Sir Theophilus Shepstone had not recommended that Usibebu be permitted to return to his own country and people.<sup>61</sup> A great many of the Zulu tribes who did not pay allegiance to the Usutu party, and who had accepted British rule, joined Usibebu in order to escape the wrath of Dinizulu, for they had no faith in the stability of any British arrangement for Zululand, while they feared that Britain would leave them to the mercy of the Usutus.<sup>62</sup>

On the occasion of the reading of the Royal Commission appointing Havelock as Governor of Zululand at Nkonjeni (about eight miles to the north of Ulundi), Undabuko (uncle of Dinizulu) and other chiefs, with the exception of Dinizulu, appeared before Osborn on the 7th July 1887, after much elusiveness.<sup>63</sup> This was further indication of Dinizulu's openly adverse attitude towards the authorities, as well as the proclamation.

To aggravate the situation Osborn discovered that Dinizulu had seized certain cattle illegally on the 4th May 1887 from other natives, and refused to give up the cattle when

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61. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 9, Havelock - Holland, 3.8.1887, p. 53. This recommendation was based on facts gained from personal knowledge and considerations of policy of expediency and just dealings. On Osborne's recommendation, Havelock approved of a pension of £250 per annum to be paid to Usibebu.
62. R.L. Cope: The British annexation of Zululand, 1887, pp. 31-32.
63. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 7, Havelock - Holland, 20.7.1887, p. 51.

asked to do so by Richard Addison, the Resident Magistrate. Consequently the Resident Magistrate with about 60 of the Zululand police, seized an equal number in their place.<sup>64</sup> This incident clearly demonstrated that Dinizulu and Undabuko had not reconciled themselves to the new system of administration in Zululand. It was clearly evident that Dinizulu by his actions was provoking a war with the British.

Numerous and contradictory rumours had reached the government of the movements of Dinizulu but many of them were found to be without foundation and grossly exaggerated. Havelock was also informed that Dinizulu had gone to the New Republic and conducted treasonable negotiations with Lucas Meyer. However, Meyer assured the Governor that there was no truth in this allegation. It was also rumoured that Dinizulu had constructed a stronghold at Ceza, on the frontiers of Zululand and the New Republic, but on investigation no stone kraal or fortification of any kind could be found. The Governor believed that fear and suspicion were the causes of Dinizulu's anxiety, and any preparations he could have made were intended only for defence against a suspected combination of the forces of the government and of Usibebu.<sup>65</sup>

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64. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 18, Havelock - Holland, 14.9.1887, pp. 64-65.
65. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 46, Havelock - Holland, 27.12.1887, pp. 105-106; See also C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 26, Havelock - Holland, 8.10.1887, pp. 70-73; G.H.Z. 821 Letter Books, Despatches to the Secretary of State: No. 44, Havelock - Holland, 8.10.1887; G.H.Z. 821 Letter Books, Despatches to the Secretary of State, No. 49, Havelock - Holland, 20.10.1887.

Meanwhile Osborn had ordered Dinizulu, Undabuko and other chiefs to appear before him to explain the charges made against them of unlawful and disloyal conduct. The chiefs failed to appear, and eventually Havelock himself travelled to Eshowe on the 28th October and ordered the chiefs to appear before him to answer the charges.<sup>66</sup> After much elusiveness Dinizulu and Undabuko finally appeared before the Governor on the 14th and 15th November. At this meeting Havelock took the opportunity to state clearly the reasons that led Her Majesty's Government to incorporate Zululand with the British dominions, and to explain in a precise manner the status and obligations of the chiefs and people since they had become British subjects. He said:

*"Dinizulu must know, and all the Zulus must know, that the rule of the House of Chaka is a thing of the past. It is dead. It is like water spilt on the ground. The Queen rules now in Zululand and no one else."*<sup>67</sup>

Because of having disregarded Osborne's summonses to appear before him Havelock ordered Dinizulu and Undabuko to each pay a fine of fifty head of cattle.<sup>68</sup> The real reason behind this fine was that such an offence from the native point of view was a serious one and it was not one that could be overlooked without a risk of a dangerous weakening

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66. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 33, Havelock - Holland, 1.11.1887, p. 80.
67. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 37, Havelock - Holland, 22.11.1887, pp. 87-89, Enclosures 1-6, pp. 89-99.
68. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 37, Havelock - Holland, 22.11.1887, p. 88.

of authority. It was mistaken to assume that the appearance of Dinizulu and Undabuko before the Governor was a conspicuous act of submission and a proof of abandonment of any aggressive intention toward established authority. It was more likely that Dinizulu was playing for time and was waiting for an opportunity to reinstate his authority.

One disturbing factor which could have probably been foreseen was the return of Usibebu to his tribal lands. During his interview with Dinizulu and Undabuko on the 15th November, Havelock informed the Usutu leaders that Usibebu was to be returned to his old tribal lands, in the Mandklakazi district.<sup>69</sup> At this disclosure Dinizulu and Undabuko became genuinely alarmed. They appealed to Osborn to stop Usebebu from molesting them. Osborn explained to them that Usibebu was not restored to his former position as an independent chief, but was allowed to re-occupy his old tribal lands.<sup>70</sup> This explanation seemed to satisfy them, but it was clearly evident that Dinizulu regarded Usibebu's presence as a threat to his safety. Dinizulu can hardly be blamed for his suspicion: the occasion chosen by Havelock to announce Usibebu's return seemed to imply that the resettlement of his arch-enemy was meant as part of his punishment and as a show of force on Havelock's side. It is regrettable that Havelock's first personal acquaintance with Dinizulu was especially arranged to punish him.

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69. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 37, Havelock - Holland, 22.11.1887, p. 97.

70. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 37, Havelock - Holland, 22.11.1887, p. 97f, Enclosure 6: Osborn- Havelock, 17.11.1887, p. 99.

It is ironical that Osborn pleaded that the government should no longer restrain Usibebu. He believed that the removal of the government's restraining hand would not lead to war between Usibebu and Dinizulu for the former was too obedient to the law, while Dinizulu was ostensibly too afraid to attack. In both cases Osborn was badly mistaken. Havelock at first refused to listen to Usibebu's pleas to be re-established for he considered it a dangerous risk. Eventually he let himself be influenced by Osborn and the Shepstones. Holland gave authority to Havelock to use his discretion and it was unfortunate that the Governor used the 15th November to announce his decision to re-settle Usibebu to Dinizulu and Undabuko.<sup>71</sup>

It was difficult to persuade Dinizulu and his followers of the honourable intentions of the Government. It required much time and patience to allay Dinizulu's suspicion. To this effect Havelock requested Osborn to urge Addison to pay a friendly visit to Dinizulu and Undabuko to gain their confidence and to allay any fear of reprisals from Usibebu.<sup>72</sup> Addison thought that his going there would be of no use,<sup>73</sup> and instead of making personal contact sent three messengers who reported back that Dini-

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71. A.J. van Wyk: Dinizulu en die Usutu-Opstand, pp. 67, 71; M.C. van Zyl: Die Uitbreiding van Britse gesag oor die Natalse Noordgrensgebied, p. 186.
72. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 46, Havelock - Holland, 27.12.1887, pp. 105-106, Enclosure 2: Havelock - Resident Commissioner, 22.11.1887, pp. 108-109.
73. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 48, Havelock - Holland, 3.1.1888, pp. 110-111, Enclosure 2: Minute by Resident Commissioner, 30.12.1887, pp. 112-113.

zulu and Undabuko had no intention of attacking Usibebu.<sup>74</sup> Thus the Governments' attempt to create some semblance of peace was completely thwarted by Addison's lack of tact and insight. Although he was repeatedly asked to reconcile both factions, he neglected to do so until it was too late. These visits were then insisted upon by the Governor.<sup>75</sup>

A sudden change for the worse in the attitude and disposition of Dinizulu manifested itself on the 2nd January with the appearance of Usibebu with 1,000 armed followers at Addison's station at Ivuna, about 10 miles away from Dinizulu. It seemed obvious that this movement was regarded by Dinizulu as a menace directed against him, and his action in calling up his followers may be attributed to fear and suspicion.<sup>76</sup>

About the 14th January 1888 when Addison eventually visited Dinizulu there were 2,000 men at the kraal, but they were sent away on his approach. He added that both Dinizulu and Undabuko complained to him that Usibebu had been robbing kraals belonging to their tribe.<sup>77</sup> The governments attempt to disband the two groups was made difficult by mutual fear which was intensified in the case of Dinizulu's

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74. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 48, Havelock - Holland, 3.1.1888, p. 110, Enclosure 1: Assistant Commissioner, Ndwandwe District - Resident Commissioner, 27.12.1887; p. 111.
75. C 5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 55, Havelock - Holland, 25.1.1878, pp. 117f, Enclosures 3: Resident Commissioner - Assistant Commissioner, 21.1.1888, pp. 119-120.
76. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 53, Havelock - Holland, 18.1.1888, p. 114.
77. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 53, Havelock - Holland, 25.1.1888, pp. 117-118, Enclosure 1: Assistant Commissioner - Resident Commissioner, 15.1.1888, pp. 118-119.

party by suspicion of the government. He did not believe the government's promise of compensation. "*By the time they were compensated,*" he told Addison, "*they would be dead of hunger.*"<sup>78</sup>

In April 1888 Dinizulu and a group of followers crossed over into the New Republic and from there to the South African Republic - which made Havelock and Osborn think that he had gone for good. He returned on 13th May.<sup>79</sup> And on that 16th and 17th May Dinizulu and Undabuko with a force of about 1,500 - 2,000 men retired to the Ceza bush on the New Republic border and from there plundered and stole cattle from Umnyamana and Siwetu to feed their troops.<sup>80</sup>

The Resident Magistrate issued a warrant for the arrest of Dinizulu and his ringleaders.<sup>81</sup> The police supported by troops made an attempt on 2nd June to execute the warrants, but were repulsed with the loss of 3 men and one wounded, while an unknown number of Usutus were killed.<sup>82</sup>

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78. C-5331 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 55, Havelock - Holland, 25.1.1888, pp. 117-118, Enclosure 1: Assistant Commissioner, Ndwandwe District - Resident Commissioner, 15.1.1888, p. 118.
79. C-5522 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 23, Havelock - Knutsford, 21.5.1888, p. 172.
80. C-5522 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 24, Havelock - Knutsford, 23.5.1888, p. 172.
81. C-5522 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 28, Havelock - Knutsford, 30.5.1888, p. 176.
82. C-5522 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 35, Havelock - Knutsford, 6.6.1888, p. 185.

The troubles now erupted into full scale violence and the insurrection spread throughout the country. Usibebu was attacked and defeated by the Usutus, near Ivuna on the 23rd June.<sup>83</sup> On 2nd July a force of policemen and soldiers supported by loyal Zulus attacked Tshingana and his Usutu followers at Hlopekulu. Tshingana was completely beaten but he fled to Dinizulu at Ceza. Several attacks on and murders of whites also took place in the lower Mfolozi at the end of June and the beginning of July.

The reason why Tshingana was spurred into action was, according to Col. Stabb, the threat of vengeance from Dinizulu. At the same time Dinizulu also warned Tshingana that Usibebu was planning to attack the Usutu. Therefore Tshingana either expected an attack or was contemplating one. Col. Stabb also attributed Tshingana's action to rumours which Dinizulu is believed to have circulated after 2nd June that he had won a decisive victory over the British forces. One of the loyal chiefs, Somhlola, who was regarded by Magistrate Knight as submissive, also rebelled against the authorities, which proved that there must have been other reasons for his conduct.<sup>84</sup>

In the meantime Havelock had received a message from Dinizulu and Undabuko through Sifo and Soni in which they expressed their fear and distrust for Osborn. They complained that Osborn had harmed them in all respects, and that Knight had not marked the borders of Usibebu's location according to Havelock's orders. They indicated

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83. C-5522 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 29, (Telegraphic), Havelock - Knutsford, 26.6.1888, p. 176.

84. A.J. van Wyk: Dinizulu en die Usutu-Opstand, pp. 113-139.



that immediately before the clash at Ceza on 2nd June, they tried to preserve the peace by negotiation, but one of their two messengers, Mhlawazana, was killed by the British force and the other, Ndungunya, was wounded. Osborn, Addison and Knight were not prepared to give any thought to the Usutu grievances and denied all allegations. Havelock, too, refused to allow the grievances to be investigated because they were not made through the Resident Commissioner. Because of having broken the law and taken up arms, Havelock told Dinizulu and Undabuko that they would be punished, and more so if they remained in rebellion any longer.

By such a negative attitude Havelock lost the chance of winning the trust of the Usutu. They had expressed their fear and distrust of Osborn and they were now rebuked by Havelock. Probably Havelock was correct in defending his chief officer but he did it at the expense of the majority of the Zulus. The irony of it was that Havelock himself distrusted Osborn and this was also confirmed by Col. Stabb. The newspapers too were loud in their condemnation of Havelock's Zululand policy and more in particular of the Usutu's distrust of Osborn which had become so deep-rooted that the question arose whether he was to be tolerated in Zululand any longer.

Knutsford, too, did not approve of the way Havelock rejected the Usutu leaders' message. But the Governor was convinced that Dinizulu and Undabuko had rebelled against the British Government and therefore had to be punished or banned from Zululand.<sup>85</sup>

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85. A.J. van Wyk: Dinizulu en die Usutu-Opstand, pp. 147-148.

Early in August more troops arrived but by this time Dinizulu and Undabuko had crossed over into the Transvaal. By the end of August the revolt was practically over. The two Usutu leaders were advised by Harriet Colenso to give themselves up so that their case could at least be heard, rather than die fighting.<sup>86</sup> On the 16th September, Undabuko came voluntarily to the military camp at Mona, near Ivuna and gave himself up, unconditionally to Lieut. Col. Martin of the 6th Dragoons.<sup>87</sup>

On the 15th November Dinizulu, after some time spent in eluding the authorities, arrived at the Colenso residence at Bishopstowe, near Pietermaritzburg and gave himself up voluntarily to Harriet Colenso. Dinizulu was then removed to Pietermaritzburg under escort.

The next day Dinizulu learnt that he was to be removed to Eshowe. This move was strongly opposed by Dinizulu and his solicitors, who felt that the witnesses for the defence "*would fear reprisals from Osborn, Addison and other officials should they attempt to expose official administration.*" Dinizulu's supporters then made an urgent application to the Supreme Court on the 17th November (Saturday) to prevent the removal of Dinizulu for 15 days. The order was granted but with the condition that the order could be set aside or altered on Tuesday (20th). Then on the 20th H.C. Shepstone appealed directly to the Governor and the matter was brought before the Supreme Court by the Attorney-General. The inevitable result was that the order of the 17th was rescinded.

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86. S. Marks: Reluctant rebellion ... p. 93.

87. C-5892 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 44, Havelock - Knutsford, 25.9.1888, p. 354.

On the 21st Dinizulu was removed to Eshowe.<sup>88</sup> Havelock was severely criticised by the Natal press because Dinizulu was held captive after having given himself voluntarily and without a warrant having been served on him initially - the warrant was only issued on the 17th November - the validity of which was later questioned, and also the fact that he was taken from Pietermaritzburg to Eshowe. The Natal Witness, for example, ironically commented "*Such is English justice in Zululand,*"<sup>89</sup> and again in a later issue "*We are unwilling any longer to assist at a hideous parody of justice*".<sup>90</sup> Dinizulu was found guilty of high treason in April 1889 and sentenced by a "*doubtfully impartial Court*"<sup>91</sup> to ten years imprisonment on the island of St. Helena. "*Throughout the trial and after, the chiefs and their supporters, including Escombe (their Attorney) maintained that they had been completely loyal to the British Government, but that Osborne's mis-management of Zulu affairs, his close identification with the Mandlakazi as well as the favouritism shown by other officials to Zibhebhu and his followers were in large measure responsible for the disturbances.*"<sup>92</sup> The Times of Natal held Havelock and the Zululand officials responsible "*for all that has taken place in Zululand since its annexation, and for all the events that led up to the rebellion.*"<sup>93</sup>

The decision to return Usibebu to his tribal lands was the root cause of the disturbances. Natal officials had thought that allowing Usibebu back to his tribal lands would be conducive to peace in Zululand. No doubt

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88. C.T. Binns: Dinizulu, pp. 135-136.

89. Natal Witness, 5.12.1888.

90. Natal Witness, 4.2.1889.

91. E.H. Brookes & C. de B. Webb: A History of Natal, p. 155.

92. S. Marks: Reluctant rebellion ... p. 94.

93. Times of Natal, 25.10.1888.

Usibebu's loyalty to the government was a deciding factor, he would act as a buffer in the event of any disturbance that would arise. But Havelock later realised that Usibebu's return was untimely: *"I am disposed to think that the time at which he returned was not altogether opportune, having regard to the unsettled state of the country."*<sup>94</sup>

One question remains to be answered, the position of Osborne. Osborne was a key person in Zululand and his name had been inextricably linked with the developments there. Harriet Colenso in an article *"Mr. Commissioner Osborne as the one Cause of Confusion in Zulu Affairs"* accused him of being an unreliable official and that consequently he contributed to the Zulu difficulties. Havelock who had no wish to say anything against Osborn's abilities, wrote rightly to Knutsford in February 1889 that it was desirable to replace Osborn and indicated that Osborn was willing to retire if it was considered necessary. Havelock's wish, however, was not fulfilled, and Osborn remained Resident Commissioner of Zululand until the middle of 1893. He was 60 in that year and consequently requested to be retired.<sup>95</sup>

With the proclamation of the territory as British possession a new order was created in Zululand bringing into force the laws of Natal. The old Zulu order was a thing of the past, and chiefs like Dinizulu who were closely connected by ties of blood could no longer reconcile themselves to this fact, and they did their best to upset the new system of government.

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94. C-5892 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 39, Havelock - Knutsford, 19.9.1888, pp. 346-347.

95. M.C. van Zyl: Die Uitbreiding van Britse gesag oor die Natalse noordgrensgebiede, 1879-1897, pp. 196-197.

A further factor in the revolt of 1888 was the power vacuum left as a result of the Zulu War of 1879, and coupled with this fact was the Boer encroachments on Zulu territory. 19.

Thus the unrest in Zululand came to an end and Havelock must have heaved a tremendous sigh of relief to get this huge burden off his shoulders. But this was not the end of the Zululand affair because the Governor had now to contend with a greater force in Natal. In his relationship with Zululand, Havelock was content to deal with crude African politics and always had the army to boost the government's authority over the natives. In Natal the situation was the reverse and Havelock realised only too well what he was up against as Natal politicians would leave no stones unturned when there was reason to complain. Such was the case with Zululand. It is now necessary to look at the effect of Havelock's action in regard to Zululand and the New Republic on the domestic politics of Natal and specifically on the relationship between the Governor and Legislative Council.

After the Zulu War of 1879, Natal desired a settled form of government in Zululand. As early as 1880 it was proposed that in order to give the colony a share in the affairs of Zululand, Natal should contribute £1,000 for the payment of a British Resident in Natal. This was un-animously rejected by the Legislature. The general opinion in Natal at that time was that since Britain destroyed the existing system of government she was duty bound to establish another.<sup>96</sup>

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96. R.L. Cope: The British annexation of Zululand, 1887, pp. 41-42.

When the Boers began to take an indirect hold of a large part of Zululand, the Legislative Council, supported by a considerable section of public opinion in Natal, began to agitate for a British annexation of Zululand, but Britain remained uninterested, and it seemed that the Boers would soon occupy the whole of Zululand, thus forcing a stream of refugees into Natal, and blocking up Natal's outlet for her redundant native population.<sup>97</sup>

Consequently L.J. Hulett (Member for Victoria County) moved in the Legislative Council on the 29th June 1885 that Her Majesty's rule should be at once extended over the whole of Zululand.<sup>98</sup> The Natal Mercury<sup>99</sup> expressed doubts about such a hasty move and felt that Natal was not in a position either financially or constitutionally to take over Zululand and once peace was established, Natal could then take over its administration. The Natal Witness<sup>100</sup> was totally against any move towards a union with Zululand and felt that the responsibilities were too great for Natal to shoulder. In view of this outcry the motion was changed somewhat on the 15th July 1885 and Bulwer was able to report to Derby, the Secretary of State that:

1. The Council recognised the fact that the interests of Zululand and Natal were inseparable.
2. It was desirable that Her Majesty's rule be extended over the whole of Zululand.
3. As soon as the existing difficulties had been overcome, the Council desired union with Zululand.

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97. R.L. Cope: The British annexation of Zululand, 1887, pp. 42-43.

98. C-4587 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 110, Bulwer - Stanley, 20.7.1885, p. 193.

99. Natal Mercury, 21.7.1885.

100. Natal Witness, 15.7.1885.

4. It would be advantageous to those countries to the north of Zululand, between the South Africa Republic and the Portuguese frontiers, to be included in any arrangement which may be made.<sup>101</sup>

The two principle newspapers expressed great misgivings on these resolutions. The Mercury<sup>102</sup> considered these resolutions as a hasty acceptance of indefinite responsibilities, and the Witness<sup>103</sup> was suspicious that with any slight encouragement, the Imperial Government would thrust all sorts of responsibilities and burdens upon Natal.

Again on the 21st October 1886, in the midst of the Boer negotiations, the House resolved that the Colony was prepared to accept the responsibilities of Zululand and the Reserve.<sup>104</sup> The Council also made it known that it had adjourned its proceedings until the 27th pending a reply from the Secretary of State.<sup>105</sup>

The Council felt with considerable justification that they had not been consulted in any of the negotiations. They strongly resented this because they felt that the Zululand settlement was vital to the interests of Natal.

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101. C-4645 Further Correspondence respecting the affairs of Zululand Adjacent Territories: No. 8, Bulwer - Earl of Derby, 21.7.1885, p. 222.  
 102. Natal Mercury, 16.7.1885.  
 103. Natal Witness, 15.7.1885.  
 104. N.H. IX, 21.10.1886, pp. 195-200; See C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 21 (Telegraphic) Havelock - Stanhope, 22.10.1886, p. 472.  
 105. G.H. 1225 (C.O. 179/165 No. 21253) Copies of Despatches to the Secretary of State: No. 173, Havelock - Stanhope, 25.10.1886.

Earlier on (i.e. 30th September) J.L. Hulett, one of the elective members, had given notice in the Legislative Council that he intended to move a series of resolutions with respect to Zululand. These resolutions<sup>106</sup> were:

- (a) that peace and order of South-East Africa, including Natal demanded a settled form of government in Zululand under British rule and in union with Natal;
- (b) that the Council was of the opinion that greater consideration be given to Natal in view of the blood shed by the Colonists during the Zulu War, and the heavy contributions paid by Natal;
- (c) the Council further stressed the increasing difficulty which would result in the event of a further delay in dealing with the Zulu question;
- (d) the Council was prepared to co-operate with the Special Commissioner in the removal of any difficulties;
- (e) the Council stressed the appointment of a suitably constituted Commission, with power to obtain information and report on the condition of Zululand;
- (f) this Commission should provide for the representations of the interests of the Zulus, the Dutch settlers in Zululand and Natal.

These resolutions were put before the Council at a time when Havelock was in communication with the authorities of the New Republic, with a view to the resumption of the negotiations with them. Therefore a discussion in the

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106. N.H. IX, 30.9.1886, pp. 103-109.



Legislative Council on the delicate question of Zululand seemed unwise. Consequently the Acting Colonial Secretary asked in the Council<sup>107</sup> to have the resolutions withdrawn. Realising the urgency of this new development, the Governor then had an interview with Hulett, and J. Bisset who had seconded the motion and told them politely that a discussion of the resolution would probably jeopardise the settlement of the Zulu question, which the Imperial Government desired to effect with the leaders of the New Republic. He hoped that Hulett would see his way clear to withdrawing his resolutions. Havelock then outlined the views of the Imperial Government as to the general conditions in Zululand and the conclusions which the government had arrived at after a consideration of the whole question. The Governor discussed the merits of Hulett's motion as set forth in his resolutions and gave a frank expression of his own opinion of the situation. However, Hulett told Havelock that he could not promise to withdraw his motion until he had consulted his friends in the Council.<sup>108</sup>

A further complication arose on the 12th October when twenty-two elective members who became anxious and apprehensive as to the course of these negotiations addressed a letter to the Private Secretary requesting an interview with the Governor in order to elicit from him some definite statements on the intentions of the Imperial Government. At this very moment Lucas Meyer informed the Governor that he was on his way to Pietermaritzburg to renew negotiations. It seemed obvious that this was a specially unfavourable moment for re-opening this question with the Council members.

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107. N.H. IX, 30.9.1886, p. 109.

108. G.H. 1225 (C.O. 179/165 No. 21253) Copies of Despatches to the Secretary of State: No. 173, Havelock - Stanhope, 25.10.1886.

Moreover, Havelock had only recently discussed the whole question with Hulett and Bisset and a further discussion of the question would not serve to benefit them or even promote the success of the negotiations. Under normal circumstances Havelock would have been happy to see them but since negotiations were then actually proceeding, the Governor thought it unwise to discuss the affairs of Zululand.<sup>109</sup>

The debate on Hulett's motion stood adjourned till 21st October. Havelock had then for several days been in conference with the deputation from the New Republic. Under these circumstances one would have expected that Hulett would either withdraw or postpone his motion. He did not think fit to do so. Consequently to give vent to their feelings, T.J. Nel<sup>110</sup> proposed an amendment in the Legislative Council which read:

*"That this Colony is prepared to accept the responsibilities of the government of Zululand and the Reserve."*<sup>111</sup>

This amendment, notwithstanding the opposition and protest of the official members of the Council, was passed unanimously by 22 votes to 6. The House now adjourned its proceedings until the 27th when an answer from the Secretary of State was expected. The Acting Colonial Secretary expressed his disappointment by saying that the action of the elective members was "*mischievous in character*".<sup>112</sup>

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109. G.H. 1225 (C.O. 179/165 No. 21253) Copies of Despatches to the Secretary of State: No. 173, Havelock - Stanhope, 25.10.1886.

110. Member for Umvoti County.

111. N.H. IX, 21.10.1886, p. 195.

112. N.H. IX, 21.10.1886, pp. 196,200; G.H. 1225 Copies of Despatches to the Secretary of State: No. 173, Havelock - Stanhope, 25.10.1886.

The action of the Council showed that they disapproved of the policy of the Imperial Government. The Governor felt bitter towards the Council on their harsh action, and this was clearly revealed when he telegraphed the resolution to the Secretary of State, he could not help concluding:

*"Do not consider myself at liberty to publish result of negotiations with the Boers without permission".*

That the whole of Natal was united behind these resolutions was evidenced by the Natal press. The Mercury<sup>113</sup> felt that England was affecting a settlement without regard to the wishes or interests of Natal, and in a similar vein the Witness<sup>114</sup> regarded the settlement as being designed to suit Imperial convenience more than colonial interests.

As was to be expected the British government, traditionally known for overriding decisions of the Council, telegraphed immediately:

*"Resolution of Legislative Council cannot be entertained by Her Majesty's Government."*

This was due to the fact that negotiations with the Boers had been proceeding since March, and any fresh proposal would mean that the Boers would also have to be consulted as to any future relations between themselves and Natal. The Governor also took the opportunity of informing the Council that negotiations had been resumed between himself

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113. Natal Mercury, 30.10.1886.

114. Natal Witness, 23.10.1886.

and the Boer deputation on the 18th October in an arrangement which had been submitted for consideration of the Imperial Government. The Governor hoped that he would be in a position to communicate to the Council the result of these negotiations.<sup>115</sup>

The Secretary of State's reply caused considerable excitement in the House. Acting on the assumption that more land was given away to the Boers, the House on the 28th October, by a majority of the elective members adopted the following resolutions:<sup>116</sup>

- (a) the Council had no voice in any settlement of questions so vital to its interests as to the future of Zululand, including the Reserve and the control of the trade routes to Swaziland and the north;
- (b) the Council protested against its persistent exclusion from any definite information concerning the negotiations;
- (c) the Council did not lose sight of such claims as the Boers might have to land in Zululand, but insisted that before the agreement was finalised with the Boers, it be submitted to the House before any decision was taken;
- (d) the Council further emphasised that in the interests of Zululand and the natives of Natal the extension of British rule over the whole of Zululand, except the New Republic, was absolutely necessary.

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115. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 23, (Telegraphic) Stanhope - Havelock, 25.10.1886, p. 473.

116. N.H. IX, 28.10.1886, pp. 210-216.

The Governor reacted sharply to the second resolution in which the Council protested against its persistent exclusion from any definite information concerning the negotiations. In this respect Havelock stated categorically that the Council had full information with regard to the negotiations, with the exception of the memorandum of the terms of the settlement which he felt obliged not to publish without the prior approval of the Imperial Government. Havelock made it quite clear that he did not withhold from the Council any information which he considered at liberty to impart, and gave full answers on every question that was asked in the Council.<sup>117</sup>

Nevertheless, in view of this exclusion from the affairs of Zululand, Robinson moved that as long as the Governor occupied the dual position as Governor of Natal and Special Commissioner for Zululand his salary should not exceed £3,000 per annum, the balance of £1,000 to be obtained from the Zululand Treasury until such time as the two countries were united.<sup>118</sup> This motion was passed by the Council and eventually submitted to the Governor.<sup>119</sup>

In a telegraphic message dated 2nd November 1886 Stanhope approved of the agreement with the Boers and at the same time informed Havelock that he could now place before the Council the results of this agreement. Stanhope further added that he would be glad to act in concert with the Council in regard to the future relations of Natal with the Zulu Native Reserve as well as both portions of Zululand.<sup>120</sup>

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117. G.H. 1225 Copies of Despatches to the Secretary of State: No. 176, Havelock - Stanhope, 1.11.1886; See N.H. IX, 28.10.1886, pp. 204-216.

118. N.H. IX, 18.11.1886, p. 359.

119. N.H. IX, 23.11.1886, p. 383.

120. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 29, (Telegraphic) Stanhope - Havelock, 2.11.1886, p. 478; Sessional Papers 1886, L.C. No. 19, 3.11.1886, p.93.

The Governor also informed the Council that the British Government was now prepared to recommend the assumption of a protectorate over Eastern Zululand.<sup>121</sup>

The resolution expressing the Council's readiness to undertake the government of Zululand was really based on panic and anger. They cannot be taken as a serious attempt on the part of the Legislative Council to assume the government of Zululand. These resolutions were more a declaration that Natal's interests were involved in the Zululand question. This became evident when the results of the negotiations were made known. However, it must be remembered that the fate of Zululand was inextricably linked to the destiny of Natal, and therefore the question of incorporation was to come up time and again in the Council's confrontation with the Governor. With the publication of the final agreement on the 3rd November 1886, the Council's fear that much land had been given away to the Boers proved groundless. The Governor had not lost sight of Natal's interests, and much land was retrieved from the Boers in the interests of the Zulus. One of the most important conditions that Havelock laid down was the right of passage through central Zululand for *"all persons of all nationalities without let or hindrance, and without payment of licence or toll."*<sup>122</sup> The Legislative Council had thought that this important trade route to Swaziland through central Zululand had been lost to the commercial interests of Natal. The general newspaper opinion was also toned down considerably as a result of the publication of the agreement. The Witness,<sup>123</sup> for

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121. Sessional Papers 1886, L.C. No. 19, 3.11.1886, p. 93; See also C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 29, (Telegraphic) Stanhope - Havelock, 2.11.1886, p. 478.

122. Sessional Papers 1886, L.C. No. 19, 3.11.1886, p. 94.

123. Natal Witness, 5.11.1886.

example, was taken aback at the settlement for it had laboured under the false premise that Havelock had agreed to more land being given to the Boers than what they had originally asked for. The Natal Mercury<sup>124</sup> also toned down its adverse criticism, but insisted on the annexation of Zululand by Great Britain. The proposals of the Secretary of State of the 2nd November were hotly debated. The gap between the Governor and the Council was wider than ever, as is evident from the following resolutions adopted:<sup>125</sup>

1. The Council once again complained that the interests of Natal were not considered by the Governor in the negotiations which preceded the agreement entered into on the 22nd October, and that his actions were also in total disregard of the resolutions passed by the House on the previous day;
2. The Council reiterated its readiness to undertake the government of the Reserve and Eastern Zululand as the best means whereby peace and order could be established; and it was convinced that there was a strong desire of the Zulu people to come under the government of Natal;
3. The Council accepted the offer of the Imperial Government to act in concert with it with regard to the future of Eastern Zululand and the Reserve.

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124. Natal Mercury, 5.11.1886.

125. N.H. IX, 5.11.1886, pp. 251-256; See also C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 32, (Telegraphic) Havelock - Stanhope, 6.11.1886, p. 487.

4. In view of the agreements now signed it was imperative that in the interests of the Zulus on either side of the Tugela, as well as the interests of Natal and of British influence in South Africa, that British rule be extended over the remaining portions of Zululand, including the Reserve.
5. The Council was prepared to pass a Bill for the extension to Eastern Zululand and the Reserve of the laws in force in Natal;
6. The Council further argued the importance of providing, in any Convention that may be entered into between the Imperial Government and the Dutch settlers in Zululand, for the unrestricted passage of goods through the territory, free of duty or transit dues in any form.

The Governor felt very bitter about these resolutions<sup>126</sup> and regarded them as an attack on his person. In the first of these resolutions Havelock was censured on the grounds that he had entered into an agreement on the 22nd October with the Boer deputation in total disregard of the resolution passed by the House on the previous day, that "*the Colony was prepared to accept the Government of Zululand and of the Reserve.*" It was not clear in which way Havelock's action can be held to have been taken in disregard of this resolution. Had the Council distinctly expressed its desire that the negotiations should be suspended, Havelock would not have been justified in entertaining this request, as this would have had

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126. G.H. 1225 (C.O. 179/165 No. 22989) Copies of Despatches to the Secretary of State: No. 190, Havelock - Stanhope, 19.11.1886.



serious repercussions for the success of the negotiations. In any event Havelock was not obliged to act on the resolution as he was implicitly following the instructions of the Imperial Government in his capacity as Special Commissioner for Zululand.

In regard to the second resolution Havelock felt that such a course of action would not prove advantageous to Natal. Natal generally was a poor colony and financially in an embarrassed state. Even some branches of the public service like the administration of justice in respect of natives were insufficiently provided for. No provision was even made for the conservation of forests, and inadequate provision for the construction and maintenance of roads. Some of the public institutions and many of the public offices were defective. Natal's native population was ten times as large as the European. This problem would be intensified with the incorporation of Eastern Zululand and the Reserve. Sufficient revenue would be required for establishing a system of administration such as that which existed in Natal. The imposition of further taxation as would be required to run the new territory, would no doubt give rise to distress and discontent. And it was quite obvious that Natal was not in a position to provide the means from its own revenue.

The Council asserted that there was a strong desire on the part of the Zulu people to come under the government of Natal. This was not in fact the case. The Zulus, said Havelock, would not wish to come under the government and laws of Natal. The reason he gave was that the abrupt introduction of the native laws of Natal with respect to marriage and taxation would prove distasteful to them. It was envisaged, Havelock admitted, that Zululand would become part of Natal, but any hasty move towards that goal would be regretful.

The desire expressed in the fourth resolution of immediately extending British protection to the remaining portions of Zululand would be met by the protectorate which the British Government proposed to assume.

The important condition which was urged in the sixth resolution Havelock pointed out had not been overlooked. Provision was made in the Convention for the unrestricted passage of goods.

Stanhope immediately replied that representation of the Council would be fully considered "*when further information was received.*"<sup>127</sup> To this end the Legislative Council drew up a special address<sup>128</sup> to the Governor containing all the previous correspondence on the Zululand question. They once again stressed their conviction that the extension of British rule over the Reserve and Eastern Zululand under Natal afforded the only safe and economical solution to the Zulu problem and the Council advanced the following reasons for its conviction:

1. that the Colony had for the past years borne a charge of £15,000 on account of the interest on the Zulu war expenditure;
2. the Zulus, whether in Natal or Zululand, were in reality one people;
3. that peace and order of the native population of Natal afforded a moral guarantee for the good government of Zululand;

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127. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 35, (Telegraphic) Stanhope - Havelock, 12.11.1886, p. 492; Sessional Papers 1886, L.C. No. 17, pp. 89-90.

128. G.H. 932 Legislative Council Addresses No. 68, Presented, 20.12.1886. For full Legislative Council proceedings on this issue See N.H. IX, 6.12.1886, pp. 428-431, 481-490.

4. the Zulus left in tribal isolation would eventually come into conflict with the Dutch population;
5. Natal should have an outlet for her redundant native population;
6. the Imperial Government would thus be relieved of the cost of maintaining and administering Zululand.

Although the Council gave a full and detailed account of the Zululand question in their lengthy address<sup>129</sup> to the Governor, two main points of criticism can be levelled against it. In the first instance the Council omitted to mention the interview<sup>130</sup> which took place on the 7th October between the Governor, L.J. Hulett, the member who moved the first series of resolutions and J. Bisset who seconded that motion. Secondly, the assertion that the 22 elective members of the House sought to obtain a private interview<sup>131</sup> with the Governor might possibly convey the impression that this action was taken by the elective members of the Council. This impression would be a wrong one. The request for an interview was made in a letter addressed to the Private Secretary. These members, all being elective members, clearly indicated in their letter that the request was not made in their capacity as elective members of the House.

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129. G.H. 932 Legislative Council Addresses No. 68, presented, 20.12.1886.

130. See G.H. 1225 (C.O. 179/165 No. 21253) Copies of Despatches to the Secretary of State: No. 173, Havelock - Stanhope, 25.10.1886.

131. C-4980 Further Correspondence respecting the affairs of Zululand and

It was clearly evident then that while the Council seemed very anxious to obtain definite information on the negotiations and censured the Governor for his alleged withholding of information, it failed to have recourse to the ordinary and proper means of obtaining such information. It seemed even more surprising that although Havelock was in conference with the deputation from the 18th to the 21st October and, although the Council sat on each of those days no question<sup>132</sup> was asked in the Legislative Council with reference to the negotiations. Legislative Council proceedings<sup>133</sup> showed that Robinson insisted that the elective members acted in a private capacity, and not as members of the House, but the Acting Colonial Secretary reminded the House that these gentlemen were elective members. It was unusual that this correspondence was mentioned in the official address to the Governor, but not the interview with Hulett.

The Colonial Office must have realised the acute situation in Natal and that Havelock had reached the lowest level of his popularity. The Governor was in the unfortunate position that he was the moving target for the taunts of the Legislative Council. In order to safeguard the image of the Governor, the Assistant Under-Secretary for State said:

*"We must be careful in drafting (our reply)  
while amply defending the Governor to say*

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132. Legislative Council proceedings showed the following matters were discussed from the 18th to the 21st:
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|------|--|
| 18th | Pondoland  |
| 19th | Control of roads   |
| 20th | Resolution on minerals   |
| 21st | Scab law; Adjourned debate on the motion relative to union of Zululand to Natal. |
133. N.H. IX, 13.12.1886, p. 488.

*nothing in tone or substance that may tend to widen the breach between him and the Council."*<sup>134</sup>

The Secretary of State's reply did not pour oil on troubled waters. He emphasised that the negotiations which terminated in the conclusion of the agreement should be conducted by the Imperial Government alone. In a similar instance - the Transvaal Settlement - the Legislatures of the Cape Colony and Natal were not admitted as parties to the settlement.<sup>135</sup>

Holland said with considerable justification that the Imperial Government was not prepared to entertain the proposal that those portions of Zululand not under the New Republic be annexed to Natal. He reiterated Havelock's arguments that there was no evidence that the Zulus were willing to be brought under Colonial laws and administration and that the finances of Natal were quite unable to bear the cost of extending the colonial civil establishments to this vast territory - the recent reductions in salaries which the Council declared showed that the Colony could not burden herself with fresh responsibilities. However, the Imperial Government would not object to bringing these territories under the control of the Governor of Natal giving him power to legislate by proclamation (as the Governor of the Cape Colony did in the case of Bechuanaland by virtue of his office of Governor of that territory). Holland also asked whether there would be an advantage in the appointment of a small number of elected members of the Council to be a Committee to consult with the Governor and the Executive Committee on the administration of the Reserve and Eastern Zululand. Holland was now offering the

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134. (C.O. 179/165 No. 22989) Minute, R. Meade, 1.1.1887.

135. Sessional Paper 1887 L.C. No. 41, 26.1.1887, pp. 317-318.

Council a voice in the expenditure of any funds which may be provided from the Colonial revenue for advancing the interests of Zululand.<sup>136</sup>

Holland concluded that he "*sincerely trusts that the Legislative Council will co-operate cordially with Her Majesty's Government.*"<sup>137</sup>

Holland's suggestion of a committee for the administration of Zululand was viewed by Havelock with great enthusiasm. The Executive Council were unanimous in their opinion that two elected members of the Legislative Council should be appointed to assist them in a committee of consultation on the administration of Zululand.<sup>138</sup> This was a wise decision because the Legislative Council always complained that they were shut off from the negotiations respecting Zululand. The existing Executive Council already included two members selected by the Governor from the elected members of the Council. This would now mean that if the suggestion of the Executive Council was accepted the proposed committee would contain four elected members. Such a committee, said Havelock, would be viewed favourably by the Legislative Council and the colonists generally.<sup>139</sup> Havelock agreed with the suggestion of the Executive Council but he stipulated that the power of the Governor to act according to his own personal judgement, as well as carrying out the instructions of the Imperial Government, was not affected.<sup>140</sup>

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136. Sessional Paper 1887, L.C.No. 20, 18.7.1887, pp. 91-92.

137. Sessional Papers 1887, L.C. No. 41, 26.1.1887, p. 318.

138. G.H. 1225 Copies of Despatches to the Secretary of State: No. 88, Havelock - Holland, 26.3.1887.

139. G.H. 1225 Copies of Despatches to the Secretary of State: No. 88, Havelock - Holland, 26.3.1887, see also Sessional Papers 1887, L.C. No. 20, 18.7.1887, p. 93.

140. Sessional Papers 1887, L.C. No. 20, 18.7.1887, p. 94.

Here was now the opportunity for the Legislative Council to work in close co-operation with the Governor in administering Zululand. But this was not to be the case. The Council did not show any interest in the formation of the committee. It was now the Governor's turn to feel offended. Since no action was taken by the Legislative Council Havelock tried to put into effect the idea himself. He instructed the Colonial Secretary to speak to Mr. B.W. Greenacre (member for Durban Borough) in bringing the attention of elective members to the matter, or else after consultation with them to take such steps in the Council as the occasion might demand. However, Greenacre did not take any action and shortly after ill-health forced him to absent himself from the Council till almost the end of the session. The Colonial Secretary then made suggestions to H. Binns (member for Victoria County) that he should, in Mr. Greenacre's absence, take up the question. Binns promised to do so but up till the close of the session nothing more was done. From this it could be inferred that the Legislative Council did not attach much importance to the formation of an Executive Committee to assist the Governor.<sup>141</sup>

The Legislative Council had alleged that the Imperial Government had lost sight of Natal's interest.<sup>142</sup> But this was not the case. The offer of the Secretary of State to appoint two elected members to assist the Governor in the administration of Zululand was turned down without a discussion in the Council. In its refusal the Council lost a golden opportunity to bridge the gap with the Imperial Government. Their persistent refusal led

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141. G.H. 1225 Copies of Despatches to the Secretary of State: No. 206, Havelock - Holland, 19.9.1887.

142. N.H. IX, 21.10.1887, p. 197.

to continued friction in Natal over the Zululand question.

On May 14, 1887 when Havelock issued a proclamation declaring the whole of Zululand and the Native Reserve, British possession, the desire for union disappeared almost immediately.<sup>143</sup> For the moment the colonists were prepared to leave things as they were for they believed that Zululand would ultimately become part of Natal.<sup>144</sup>

But in March 1888 when it was realised that a union between the New Republic and the South African Republic was possible, the Council<sup>145</sup> resolved that "*it is desirable, both in the interests of the Empire and in those of the New Republic, that a union should if practicable, be effected of Natal and the New Republic ...*" It was further urged that the High Commissioner should make representations to the authorities of the New Republic in order to ascertain the opinion of the Boers on the plan. It seemed that the Legislature was more than desirous to prevent the union of the New Republic with the South African Republic. The Secretary of State pointed out that the British Government would regard it as impolitic to interfere in the affairs of the New Republic respecting a purely internal arrangement such as that of holding a fresh general election on the question of union with the South African Republic.<sup>146</sup> It seemed highly improbable that the Boers would take a retrogressive step and unite

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143. C-5143 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 22, (Telegraphic) Holland - Havelock, 14.5.1887, p. 685.

144. J. Lambert: Sir John Robinson and responsible government, 1863-1897, p. 183

145. N.H. XI, 1888, 22.3.1888, p. 52-62.

146. G.H. 148 Numbered Despatches received from the Secretary of State: No. 55, Knutsford - Havelock, 28.5.1888.



with Natal. Natal being a British colony was reason enough to prevent the Boers from uniting with Natal, and to this could be added the fact that Natal did not possess responsible government. The incorporation of the New Republic in the South African Republic on 28th June 1888 drew commentary in Natal. The newspapers deplored it, for according to them the Natalians had hoped that the New Republic would come to them. In his autobiography, Sir John Robinson, later Prime Minister of Natal, attributed the dissatisfaction to the "*ridiculously contorted frontier-line which now disfigures the map.*"<sup>147</sup>

Havelock was of the opinion that much land should be procured for the Zulus before any scheme for the union of Natal under its existing constitution with the New Republic was considered.<sup>148</sup> The Colonial Office, however, favoured the union of Natal and Zululand with the Cape Colony "*as a satisfactory way out of our South African complications.*"<sup>149</sup>

Again on the 19th September 1888 W. Hartley moved in the Council that it was "*necessary for the good and safe government of Zululand that it should be made a part of the Natal Colony.*" However, this motion was opposed by both Robinson and G.M. Sutton and consequently defeated by 22 votes to 6 on the grounds that it was "*not advisable at the present time to express any opinion as to the desirability or otherwise of annexing Zululand to Natal.*"<sup>150</sup>

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147. M.C. van Zyl: Die Uitbreiding van Britse gesag oor die Natalse noordgrensgebiede, 1879-1897, p. 173.

148. G.H.Z. 824 Confidential Despatches to the Secretary of State, Havelock - Stanhope, 12.9.1886.

149. C.O. 179/164 No. 18394 See Minute: AWLH - Bramston, undated.

150. N.H. XII, 19.9.1888, pp. 343-353.

With the publication of the Report of the Select Committee on the Political Constitution of Natal (1888) emphasis was again placed on the general conviction that the union of Natal and Zululand was absolutely necessary for the well-being of both.<sup>151</sup> The Secretary of State doubted whether such a step was feasible as many questions were required to be considered and provided for before that course could be entertained.<sup>152</sup>

(See under Responsible Government) No doubt Zululand and the Reserve was a thorny problem as far as the Colonial Office was concerned. Natal was always adamant in its requests for the incorporation of Zululand, but it seemed that the British Government were now running out of excuses. Under these circumstances the advice of the former Governor, Sir Henry Bulwer, was sought in helping the Colonial Office to form a judgement. On the question of Zululand, Bulwer said:

*"In my opinion it would be better that the establishment of our rule should precede the establishment of any relations between the Colony of Natal and the protected Zulu territories. Eventually those relations would have to be established, but it would be better I think under ordinary circumstances, that our authority and government in those territories should be settled before anything is done to link the territories with Natal, and then when the time comes for linking them it would be under such conditions as would properly secure the interests of the native population concerned."*<sup>153</sup>

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151. Sessional Papers 1888, L.C. No. 24, pp. 69-89.

152. G.H. 151 Numbered Despatches Received from the Secretary of State: No. 29, Knutsford - Havelock, 5.3.1889.

153. C.O. 179/165 No. 22989 Private Correspondence between Stanhope and Bulwer, 20.12.1886. During this time Bulwer was Governor of Cyprus.

Havelock had also enumerated the dangers (see under Responsible Government) which he thought would threaten native interest under responsible government. His opinion on Zululand was that:

*"The establishment in Natal of Responsible Government would, I think, render the incorporation of Zululand with that Colony, more impolitic than it is under present circumstances."*<sup>154</sup>

No doubt the views of Bulwer and Havelock influenced British officials in withholding the incorporation of Zululand to Natal for a period of ten years. Many of the factors which had prevented the union of Natal and Zululand had disappeared at the end of this period thus paving the way for the incorporation of Natal. Responsible government was granted to Natal in 1893. The economics of Natal improved considerably with the development of the Transvaal gold fields. Customs and railway revenue brought prosperity to Natal. Consequently the Natal Parliament met in a special session in November 1897 to pass a bill for the annexation of Zululand to Natal which received the Governor's assent on the 28th December. On 30th December 1897 Zululand finally became part of Natal.

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154. C.O. 179/175 No. 14526 Private Correspondence between Bramston and Havelock, 25.6.1889. This correspondence was facilitated by the fact that Havelock was on leave in London from the end of May until his appointment as Governor of Ceylon at the end of 1889. Sir Charles Mitchell was Officer Administering the Government during Havelock's absence, and became Governor of Natal in December 1889.

... 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.

CHAPTER 7.EXTRA-TERRITORIAL QUESTIONS.

One of the more important features of Natal in the nineteenth century was its spirit of aggressive expansionism. Unlike the Cape, Natal struck in all directions, to the north across the Tugela, north-westerly beyond the Drakensberg, and southwards across the Mzimkulu. The dominant motive behind all these expansionist moves was Natal's quest for colonial security, coupled with the fact that the colony was surrounded by non-Whites, giving her a preponderant element of African population within her own territory. Economic considerations also played a role in her expansionist move, especially in the case of Griqualand East, Pondoland, Swaziland and Tongaland.<sup>1</sup>

Against this larger background Havelock's administration saw the intense conflict in Natal's relationship with the Cape in regard to Griqualand East and Pondoland and these were mainly concerned with attempts at annexation. Swaziland and the territory to the east of it, lying between Portuguese East Africa and Zululand and reaching the sea in Tongaland offered Natalians a tempting opportunity to extend their commercial interests. Not far away was the South African Republic with its desire to annex Swaziland, thus acquiring a gateway to the sea. In all the areas of conflict Natal was inextricably involved in a tussle between the High Commissioner and the powerful Cape Ministry on the one hand, and on the other, she had to contend with the South African Republic making encroachments into Swaziland.

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1. See C. Saunders. (ed.): Beyond the Cape frontier; studies in the history of the Transkei and Ciskei, pp. 163-67.

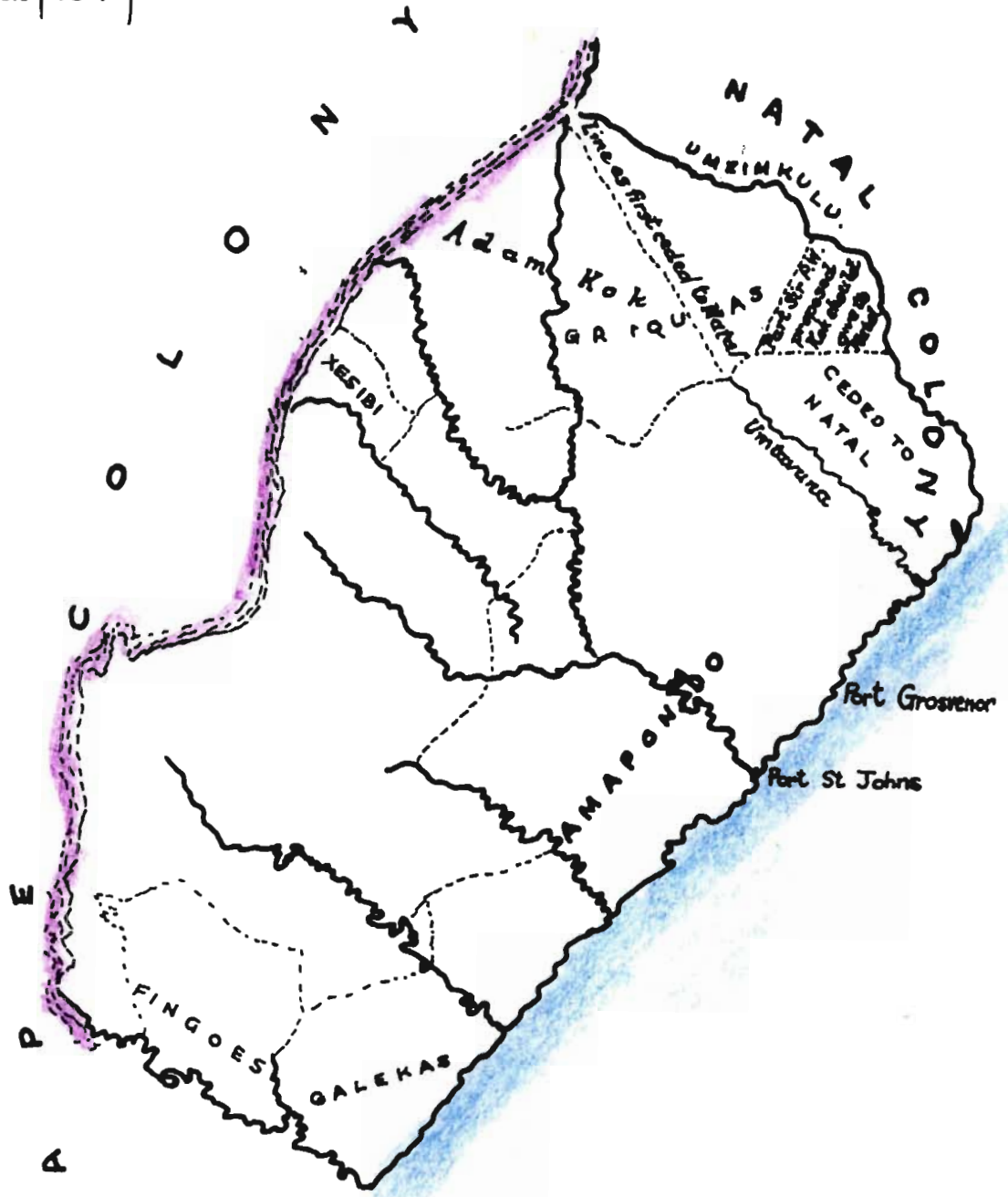
A. GRIQUALAND EAST AND PONDOLAND

Natal generally was a small colony and therefore seized every opportunity to extend her boundaries. For example as early as 1866 she acquired the area south of the Lower Umzimkulu which became known as Alfred County. This annexation only added about one million acres, but nevertheless it extended the coastline by a further twenty-five miles.<sup>2</sup> For many years Natalians had also shown a keen interest in Basutoland with eventual incorporation in mind but this hope was dashed when the Cape annexed it in 1871.<sup>3</sup> No doubt this "commercial" and political rivalry had developed to make relations between the two British colonies in South Africa strained and bitter to an acute degree.<sup>4</sup>

Before making an attempt to discuss Natal's relationship with the Cape over the question of Griqualand East it is necessary to go back a little in its history. Intrigue on the part of the Cape Colony prevented Natal from annexing Griqualand East.<sup>5</sup> In 1862 Adam Kok, the Griqua Chief, and a number of his followers were brought from the Orange Free State and placed in "No Man's Land", later to become known as Griqualand East. "No Man's Land" was so called because Faku, as chief under the Treaty of 1844, had exercised so little authority that he made a cession of the country to the Natal Government. But the High Commissioner withheld his consent to such a move. However, in 1861 Natal pressed for the annexation of this territory but the

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2. Sir John Robinson: A life time in South Africa, p.226; E.H. Brookes & C. de B. Webb: A History of Natal, p. 121.
  3. S. O'Byrne: Natal during the administration of Sir Arthur Havelock, p. 43
  4. A.M. Hatton: Pondoland: her Cape and Natal neighbours, p. 1.
  5. See Sessional Papers 1886, L.C. No. 13, 18.10.1886, p.62

adapted from C-5022



# Pondoland & Griqualand East

Secretary of State did not approve of this; but, however, the High Commissioner found this area an ideal place for Adam Kok<sup>6</sup> and his people. Consequently, a division was obtained of "No Man's Land" which gave the upper part of the country to Adam Kok, and the lower part known as Alfred County to Natal. Adam Kok's rule proved such a failure that in 1869 he asked to be relieved of his position. Three years later in 1872 the High Commissioner sent a Cape Commission to enquire into various matters connected with New Griqualand. The report referred to relations between Griqualand East and Natal; and that Natal had been placed at so much inconvenience by Adam Kok's rule. The report contained certain recommendations which if carried out would have neutralised to some extent the advantage at which Natal had been placed in respect of Griqualand East. These recommendations were not adopted, the reason being that the Cape Ministry at that time was engaged in changing its constitution and the question of Griqualand East was left in the words of the High Commission to "*stand over until a responsible ministry in the Cape Parliament is prepared to deal with it on the basis of colonial interests alone.*" This view taken by the High Commissioner was fatal to the interests of Natal, for two years later steps were taken to bring Griqualand East under British rule. As was to be expected, Griqualand East was

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6. See W. Dower: The early annals of Kokstad and Griqualand East, p. 12f.

It was evident that Sir George Grey was trying to use the Griquas as counters in his scheme to gain control over the whole of the Transkei. He said that they would "*form for Natal an important bulwark on one point of danger and, lying as they would do in the rear of the Kafir tribes, might, in as far as this colony is concerned, prove most important auxiliaries in the event of another Kafir was.*";

Robert Ross: Adam Kok's Griquas: a study in the development of stratification in South Africa. p. 101.



placed under the control of the Cape Colony,<sup>7</sup> and was afterwards annexed to that colony.<sup>8</sup>

Much criticism could be levelled at the High Commissioner who it was believed would act with strict impartiality, but who held Natal back until the Cape Government was in a position to act for itself, and step in before Natal. This retrospective move was far from pleasant and it was frustrating to see how Natal was checkmated by the action of its natural protector.<sup>9</sup> But the Grahamstown Journal took the Natal authorities severely to task for not having occupied the area ceded to it by Faku earlier. Natal "*has only itself to thank that others walk in and possess it.*"<sup>10</sup>

Conflict over Griqualand East rose early in Havelock's administration and this was clearly revealed in the despatches to the Secretary of State and the High Commissioner. In a letter to the Natal government<sup>11</sup> Messrs. Savage and

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7. By the end of 1870's Cape influence was imposed over all the territories between the Kei River and Natal with the exception of Pondoland which survived as an independent state into the 1890's. Of the Transkeian territories under Cape rule, Griqualand East and Fingoland had been formally annexed. Thembuland had been under de facto Cape magisterial rule in 1876 - See C.C. Saunders: The Transkeian Rebellion of 1880-1881: a case study of Transkeian resistance to white control, p. 33.
  8. Sessional Papers 1886, L.C. No. 13, Bulwer - Stanley, 26.9.1885, pp. 62-63; See B.A. Le Cordeur: The relations between the Cape and Natal, 1846-1879, pp. 209-212.
  9. Times of Natal, 19.10.1886.
  10. See B.A. Le Cordeur: The relations between the Cape and Natal, 1846-1879, p. 94.
  11. C-5022 Correspondence respecting the affairs of Pondoland No. 52, Havelock - Granville, 9.5.1886, p. 515. Enclosure in No. 52, Havelock - Governor, Cape, 9.5.1886, pp. 515-516, with Enclosure, Savage and Hill, Durban - Acting Colonial Secretary, 19.4.1886, p. 516.

Hill, merchants of Durban, drew attention to the fact that there was no legalised port or point of entry from Alfred County into Griqualand East. The Cape government had only recently sanctioned an arrangement in which sugar, the product of Alfred County, could be introduced into Griqualand East under certain conditions only, at a point at or near the junction of the Harding and Kokstad Roads. But all other goods imported into Griqualand East, either from Alfred County or any other part of Natal could only be cleared at Hancock's Drift. No doubt these restrictions were simply imposed with the object of safeguarding the customs revenue of the Cape. In other words this meant a virtual prohibition on the importation of the produce of Alfred County into Griqualand East with the exception of sugar, and such goods imported at Port Shepstone at the mouth of the Umzimkulu River. Such restrictions were bound to stimulate illicit trade into Griqualand East and a consequent loss of revenue to the Cape Colony. It was quite obvious that such restrictions would be injurious both to the Cape Colony and Natal. What Natal required was a point of entry for goods of all kinds at an appointed spot where the road from Harding in Alfred County to Kokstad in Griqualand East crossed the frontier. This would give Natal and Griqualand East the advantage of unobstructed commercial intercourse.<sup>12</sup>

But the Cape did not want to entertain any proposal for an additional point of entry on the border of Griqualand East and felt that it was quite questionable whether any advantage could be gained by establishing an additional Customs House on the border; the government would not be

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12. G.H. 1225 Copies of Despatches to the Secretary of State: No. 57, Havelock - Granville, 9.5.1887;  
G.H. 1327 Copies of Despatches to High Commissioner and General: Havelock - Governor, Cape, 9.5.1886.

justified in incurring the expense connected with such a proposal.<sup>13</sup> The Cape Collector of Customs maintained that no restrictions were imposed by the government on the importation into Griqualand East of any articles grown or produced in Natal other than beer, spirits, tobacco, coffee, sugar and molasses, and reiterated that the government had lately authorised an arrangement under which sugar, the produce of Alfred County, might be imported into Griqualand East at a point near the junction of the Harding and Kokstad roads. With respect to imported articles the Cape Government approved of an arrangement under which goods coming by that road and destined from Alfred County were forwarded to their destination under bond. It was scarcely conceivable that the people of Griqualand East would draw their supplies of imported articles from a district less favourably situated than their own. Hancock's Drift had always been the channel through which the merchants and traders of Griqualand East had obtained their supplies of imported articles from Natal.<sup>14</sup> It was obvious that the Cape authorities would go all out to protect their commercial interests. This rivalry and antagonism between two British colonies was keenly felt during Havelock's term of office. In a further plea from Messrs. Savage and Hill, it was suggested that to obviate all difficulty goods from Alfred County and Port Shepstone be introduced into the different townships of Griqualand East on bonds being given to the Resident Magistrate of Harding (an official of the Natal Government) and then declared and duties paid at Kokstad within a limited time.<sup>15</sup> This

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13. G.H. 609 Despatches Received from the High Commissioner for South Africa: S.A. No. 18, H. Torrens - Havelock, 10.6.1886.
14. G.H. 609 Despatches Received from the High Commissioner for Southern Africa: S.A. No. 18, H. Torrens - Havelock, 10.6.1886, Enclosure: Report of the Collector of Customs.
15. G.H. 1327 Despatches to High Commissioner and General: Havelock - Governor, Cape, 15.7.1886.

seemed to be a reasonable request but the Cape authorities viewed it differently as such an arrangement would be directly opposed to the Customs Act No. 10 of 1872. By the 15th Section of this Act it was declared that if any goods were imported other than through the free ports all such goods would be forfeited.<sup>16</sup> This Act protected the Cape effectively against any encroachment from Natal.

It seemed that the only road open to Natal was to ask for incorporation of Griqualand East into Natal. Consequently on the 20th September 1886 J.J. Bisset, member for Alexandra and Alfred Counties, moved that an address containing such a proposal be presented to the Governor for transmission to the Cape Ministry. It was urged that it was the general wish of the white colonists of the area to be united with Natal. The geographical position of the country clearly indicated that it rightly belonged to Natal. Griqualand East ran down to Natal in such a way that there was no way of approaching Harding except by passing through there. The Acting Colonial Secretary was doubtful whether such an "annexation"<sup>17</sup> would be in the interests of the colony. Therefore the government was not prepared to support it. As no finality was reached the debate was adjourned for 14 days.<sup>18</sup> When the debate was resumed J.J. Bisset once again emphasised that Griqualand East never formed an integral part of the Cape. This was evident when a petition was received from 334 inhabitants of Griqualand East desiring annexation to Natal.<sup>19</sup>

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16. G.H. 609 Despatches Received from the High Commissioner for South Africa: No. S.A. 27, Robinson - Havelock, 26.8.1886.

17. The word "annexation" was distasteful to some members of the Council. Escombe regarded the word "*hateful*" because it implied a degree of force. Bisset also did not approve of the word when the implication was clearly one of friendly union between two countries. See N.H. IX, 20.9.1886, pp. 51, 137.

18. N.H. IX, 20.9.1886, pp. 51-53.

19. N.H. IX, 11.11.1886, pp. 137-138.

The Speaker ruled that such a petition could not be received by the House as it was concerned with affairs beyond the borders of the colony. A similar petition<sup>20</sup> was received during Bulwer's term of office, and on that occasion it was also ruled out of order.<sup>21</sup>

This was not the end of Natal's attempt to incorporate Griqualand East. On the 11th October Havelock was requested to communicate with the Cape government to ascertain whether they "would be willing to allow East Griqualand to unite itself with Natal, should it be the wish of the majority of the residents in that territory to do so, or upon what terms the Government of the Cape Colony would facilitate the union of East Griqualand with this colony."<sup>22</sup>

The reply received from the Cape Ministry fell like a bombshell and a gloom was cast over Natal. Natal had lost its final battle to secure Griqualand East as part of its dominion. It was a sad day for Natal. The reply read:

*".... in the opinion of the Cape Colonial Government any incitement to disintegration in Her Majesty's South African Colonies, especially in territories occupied by natives*

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20. A memorial was addressed to the Government of Natal, purporting to be signed by the majority of the inhabitants of Griqualand East. Bulwer refused to receive either the memorial or the deputation - see A.M. Hatton: Pondoland: her Cape and Natal neighbours, p. 88.
21. N.H. IX, 11.11.1886, p. 137.
22. G.H. 1327 Despatches to High Commissioner and General: Havelock - Robinson, 19.10.1886; G.H. 1225 Copies of Despatches to the Secretary of State: No. 171, Havelock - Stanhope, 19.10.1886; N.H. IX, 20.9.1886, pp. 51-53, 11.10.1886, pp. 137-138.

*is not only fraught with the gravest danger to the peace and prosperity of Her Majesty's subjects, but calculated seriously to hamper the Cape Colonial Government in its administration under difficulties such as those arising on the Pondo border, and therefore, the Cape Colonial Government must earnestly urge upon the Natal Government the necessity for refraining strictly from interference in the internal affairs of this colony."*<sup>23</sup>

The Times of Natal blamed the Imperial government for this state of affairs. Had the British government not previously interfered in the interests of Adam Kok, this territory or "No Man's Land" could have come directly under the control of Natal. The High Commissioner was also to blame for he had put his foot on the amicable arrangement being made between Faku and the Natal government.<sup>24</sup>

Economic considerations played an important part in the Cape's decision to cling to Griqualand East. They regarded Griqualand East as a source of revenue, as providing added importance to the Cape Colony, and as a means of weakening Natal.

It seemed that Havelock played a very limited role in the affairs of Griqualand East. Perhaps he must have realised that it was futile to interfere in the affairs of the

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23. G.H. 609 Despatches Received from the High Commissioner: S.A. No. 33, H. Torrens - Havelock, 5.11.1886.  
24. Times of Natal, 19.10.1886.

Cape with its all-powerful responsible ministry which Natal lacked. In the case of the second letter<sup>25</sup> from Messrs. Savage and Hill which he forwarded to the High Commissioner, the Governor did not comment or give his views upon it. The Cape Ministry was quick to see this and in their reply to the Governor mentioned that the letter did not contain "*an expression of the views of the Natal Government on the subject.*"<sup>26</sup> This type of indifference on the part of the Governor was clearly borne out by the question of union of Griqualand East with Natal. In forwarding this address both to the Secretary of State<sup>27</sup> and Robinson<sup>28</sup> the Governor did not give any expression of his views on a question so vital to the interests of Natal.

This was not the end of the Griqualand East matter as far as Natal was concerned. Present day moves show that this area is now being excised from the Cape Province for its eventual incorporation into the Province of Natal.<sup>29</sup>

As a result of its failure to annex Griqualand East, Natal turned its attention to Pondoland. Here too Natal's ambition was to be thwarted by the High Commissioner. With the death of Faku in 1867, troubles in Pondoland began. This old chief was a firm believer in the value of a good relationship with Natal, of which he knew a great deal more than he did of his Cape neighbours. Faku's successor

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25. See G.H. 1327 Letters to High Commissioner and General: Havelock - Governor Cape, 15.7.1886.
  26. See G.H. 609 Despatches Received from the High Commissioner: No. S.A. 27, Robinson - Havelock, 26.8.1886.
  27. See G.H. 1225 Copies of Despatches to the Secretary of State: No. 171, Havelock - Stanhope, 19.10.1886.
  28. See G.H. 1327 Copies of Despatches to High Commissioner and General, Havelock - Robinson, 19.10.1886.
  29. Natal Mercury, 23.2.1878 & 17.4.1878; Natal Daily News, 25.4.1878.

was disputed and inter-tribal conflicts became chronic. On many occasions settlers appealed to the Natal government, but it was powerless to render any assistance.<sup>30</sup> In a most able and exhaustive dispatch to Stanley on 26th September 1885, Bulwer implored the Secretary of State that consideration be given to the interests of Natal on the question of Pondoland but without much avail. The new chief Umquikela was merely a vassal of the British government which declared itself to be the paramount power in Pondoland in 1878. Residents or magistrates were appointed to manage all affairs between the Pondos and the government.<sup>31</sup>

Havelock's term of office saw the Pondos torn between their allegiance to the Cape and Natal. Naturally Natal was easier to deal with and the Pondos made every effort to incorporate with Natal. To this end in April 1886 H. McNicholas, the self-styled Secretary for Umquikela, wrote to Harry Escombe, endeavouring through him to obtain a Royal Commission which would place Pondoland on a satisfactory footing with the Cape and Natal.<sup>32</sup>

There was no evidence to show that Escombe occupied any official position in regard to Pondoland. It is also unlikely that Escombe knew either Umquikela or his Secretary personally. There are two plausible reasons why Escombe was chosen to act for Umquikela. Firstly he was a member of the Natal Bar and was therefore in a better

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30. Sir John Robinson: A life time in South Africa, p. 229.

31. Sessional Papers 1886 L.C. No. 13, pp. 61,64. C-5022 Correspondence respecting the affairs of Pondoland: No. 48, H. Torrens - Granville, 8.5.1886, p. 483, Enclosures: Acting High Commissioner - Governor, Natal, 8.5.1886, p. 483.

32. C.S.O. 1075 Letters Received: 1566/86, Harry Escombe - Colonial Secretary, 8.4.1886, Annexure: McNicholas - Harry Escombe, 2.4.1886.



position to assist the chief. Secondly Havelock could not give advice (as was shown later) to the Pondos directly as the affairs of Pondoland came under the offices of the High Commissioner. Hence Escombe was to be the channel through whom the Pondos hoped to influence public opinion in Natal. The following extract to Escombe from McNicholas serves to illustrate this view:

*"I am directed by Umquikela, Paramount and Independent Chief of Pondoland, to request you will be good enough to act for and on his behalf with his Excellency the Governor of Natal ... "*<sup>33</sup>

In his reply to McNicholas, Escombe emphasised the difficulty Natal was placed in in that the Cape Colony exercised a protectorate over Pondoland. Nothing could be done without a clear expression by the Pondo nation of their wish to incorporate with Natal.<sup>34</sup> However, the Natal Government could do nothing as Havelock made it quite clear to Escombe that the affairs of Pondoland came directly under the High Commissioner in Cape Town.<sup>35</sup> Transmitting this correspondence to the High Commissioner, Havelock was told by the Cape Ministers that the Cape Government had made every effort to maintain friendly relations with the Pondos, and their aggressive behaviour was reflected in

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33. C.S.O. 1075 Letters Received: 1566/86, Harry Escombe - Colonial Secretary, 8.4.1886; Annexure: McNicholas - Harry Escombe, 2.4.1886.
34. G.H. 1066 Letters Received from Private Individuals: Escombe - Havelock, 29.7.1886, Annexure: Escombe - McNicholas, 29.4.1886.
35. G.H. 1327 Despatches to High Commissioner and General: Havelock - High Commissioner, 10.4.1886.

their conduct towards the Bacas and the Xesibes who were British subjects. Consequently the Bacas and the Xesibes had retaliated by making raids on the Pondos.<sup>36</sup> It was not surprising that the relations between the Pondos and the Cape government were strained, and they seemed to be drifting to war on account of the Xesibes who were their subjects. There was now fighting going on between the Xesibes and the Pondos and the Xesibes were apparently armed by the Cape Government. These two factions both lived close to the Natal borders and were in many ways connected with the Natal natives.<sup>37</sup>

It was rumoured that the Cape Government was about to exert pressure on the Pondo nation into accepting a new treaty and that a meeting was to be held to discuss the subject at the Great Place, Pondoland on the 11th April 1886. Major Giles, the Resident Magistrate of Alfred County, suggested that Natal should be represented at such a meeting to guard her political and economic interests. Major Giles was of the opinion that if the Cape government attempted to force terms on the Pondo nation, the Pondos would most likely ask for annexation by Natal, and that the government should be prepared for such a request.<sup>38</sup> However, H.C. Shepstone, the Secretary for Native Affairs, was of the opinion that if there were any truth in the rumour, it was unlikely that the Cape Governor would propose a treaty without consultation with Natal, which would obviously be interested in such a proceeding.<sup>39</sup> On querying this with the High Commissioner

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36. G.H. 609 Despatches from High Commissioner and General: No. S.A. 13, H. Torrens - Havelock, 8.5.1886.  
 37. S.N.A. 1/4/3 Confidential Minute Papers: C4/86, H.C. Shepstone - Governor, 6.4.1886.  
 38. S.N.A. 1/4/3 Confidential Minute Papers: C4/86, H.C. Shepstone - Governor, 6.4.1886, Annexure: Resident Magistrate Alfred - S.N.A., 6.4.1886.  
 39. S.N.A. 1/4/3 Confidential Minute Papers: C4/86, H.C. Shepstone - Governor, 6.4.1886.

Havelock was told that the Cape Colony would not secure advantages prejudicial to the interests of Natal. With regard to the report quoted by the Resident Magistrate, the Cape Ministers said that Major Giles had been misinformed. The only meeting held in Pondoland of which the Cape Government had any knowledge was the amicable settlement of the disturbances on the border of Griqualand East caused by the aggressive conduct of the Pondos.<sup>40</sup>

In the meanwhile Escombe received a further letter from McNicholas who suggested that the Pondos be taken under the custody of Natal, although he was of the opinion that the Pondos were not yet ripe for annexation. The advantages to be gained by Natal from such a protectorate would be the trade of the Pondo and the right to land goods on the east bank of the St. John's River and possibly Port Grosvenor as well. Escombe advised McNicholas that the Pondo nation had two courses open to them, that is to make terms with the Cape Colony or to link themselves with Natal. As the Pondos felt that it was impossible to come to terms with the Cape Colony, they would much prefer throwing in their lot with Natal. Escombe warned Havelock of the situation in Pondoland and the possibility of a Pondo deputation arriving in Natal to discuss incorporation.<sup>41</sup> Armed with this information Havelock enquired from the High Commissioner whether in the event of a Pondo deputation arriving to ask for their country to be annexed to Natal he should receive them on his behalf.<sup>42</sup>

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40. See G.H. 288 Confidential Despatches Received from the Secretary of State: Meade - Havelock, 24.6.1886, Enclosure: Acting High Commissioner - Governor, Natal, (Confidential) 8.5.1886.
41. G.H. 1066 Letters Received from Private Individuals: Escombe - Havelock, 29.4.1886, Annexures: McNicholas - Escombe, 24.4.1886.
42. G.H. 1327 Despatches to High Commissioner and General: Havelock - High Commissioner, 4.5.1886.

The Cape Government replied that the Acting High Commissioner had since 1878 had the responsibility of making delicate negotiations with the Pondos, which at last were reaching a satisfactory conclusion. Therefore it would be impolitic to introduce any fresh element of disturbance into the negotiations. The Cape Government had already given its assurance that it would not seek to secure advantages prejudicial to Natal, and it would regard it as an unfriendly act if Natal were to enter into negotiations with the Pondos. Moreover, the introduction of a third party would certainly jeopardise the hopes of a satisfactory settlement and this would impair the good feeling which should always be prevalent between the two principal British colonies in South Africa. In conclusion the High Commissioner stated categorically that Natal should not entertain any ideas for the annexation of Pondoland to Natal, even if the reasons as stated above did not exist. Under the circumstances Havelock was asked to decline a personal interview with a Pondo deputation. He added that Natal was already saddled with a huge native population and this would involve an increase of the direct responsibilities of the Imperial Government in South Africa.<sup>43</sup> In short, the reply received from the Assistant High Commissioner was a warning to Natal to keep out of the affairs of the Cape. The Governor was taken aback with this reply and felt that Torrens had misinterpreted his words. His reply to the High Commissioner showed how deeply hurt he felt:

*"I beg to disclaim any design of opening such negotiations when I asked of your Excellency to say whether you would wish me to receive a*

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43. G.H. 609 Letters from High Commissioner for Southern Africa: No. S.A. 14, H. Torrens - Havelock, 12.5.1886.

*possible deputation on your behalf. I had no thought of going beyond the action which the words I used would, in their ordinary sense, define; and I would ask your Excellency to observe that I submitted such action to the expression of your desire in the matter."*<sup>44</sup>

British Colonial opinion showed that they favoured the annexation of Pondoland with Natal but at the same time were doubtful whether the Pondos wished to come under any colonial rule. In a minute to J. Bramston, E. Fairfield said:

*"Mr. McNicholas and Mr. Escombe are probably both wrong in assuming that the Pondos wish to become predominantly under any Colonial control, but if they did I see no reason why they should not go to Natal as a permanent arrangement - although of course we cannot have Natal backing them up in this particular dispute with the Cape."*<sup>45</sup>

The view of Robert Herbert was that the Cape would strongly object to the Pondos coming under Natal. But if Natal could unite with the Cape, Pondoland might be thrown into the new Eastern Province with Natal.<sup>46</sup> But this was not the case as later events showed. The Natal Government's complete subordination to the whims and fancies of the High Commissioner and the dictatorial attitude of the Cape

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44. G.H. 1327 Despatches sent to High Commissioner and General: Havelock - High Commissioner, 25.5.1886.  
 45. C.O. 179/164 No. 16235, Minute: E. Fairfield - Bramston, 8.9.1886.  
 46. C.O. 179/164 No. 16235, Minute: Robert Herbert, 12.9.1886.

Ministry destroyed all hopes of a compromise. This was made even more evident when one realises that the High Commissioner was also an official of the Cape Ministry. McNicholas, the Pondoland Secretary, in a final despatch to Escombe showed the weak bargaining position of the Natal government:

*"I presume the Chief may now conclude that he has nothing to expect from the Natal Government. As perhaps you are no doubt aware all communications sent to his Excellency the High Commissioner are referred by him to his responsible advisors, the Ministers of the Cape Government, your Government therefore being subject to the dictum of the Cape Government. I think you will admit it is rather anomalous that the Cape Government should enjoy the privilege which your Government does not possess, of treating with the Pondos. Is this not rather a strong argument in favour of those who advocate responsible Government for Natal?"<sup>47</sup>*

It was imperative for the Pondos to come to terms with the Cape as war was completely out of the question. Realising the desperate situation the Pondos were in, a letter was written by the authority of Umquikela to Sir T. Shepstone requesting him as the "old and trusted friend"<sup>48</sup> to

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47. G.H. 1066 Letters Received from Private Individuals: Escombe - Colonial Secretary, 29.4.1886, Annexure: McNicholas - Escombe, 24.4.1886.

48. Sir T. Shepstone was the officer who 42 years before had negotiated the treaty which still influenced relations between the Cape Colony and Pondoland. It was because of Shepstone's previous and subsequent dealings with the Pondos that he was affectionately called the "old and trusted friend."

go into Pondoland and give the Pondos the benefit of his advice regarding certain proposals of the Cape Government.<sup>49</sup> These overtures to Shepstone angered the High Commissioner and in a strongly worded despatch to Havelock, he deprecated any action in the matter by a third party which would only cause to frustrate or delay a settlement which was approaching a satisfactory conclusion. The Governor therefore politely told Shepstone that it would be impolitic and inexpedient on his part to accept the invitation.<sup>50</sup>

The Pondos were not happy with this intimation and in a last desperate effort asked Shepstone to come in an unofficial capacity, since they were not prepared to make any settlement with the Cape Government without his presence.<sup>51</sup> But the Secretary of State's opinion was that this would retard a satisfactory solution if the Pondos were to appear to receive encouragement from any persons of authority and he was therefore advised not to accede to the request.<sup>52</sup> Colonial Office minutes clearly indicated that the British Government were scared of the influence Shepstone would wield on the Pondos if he did go to them or alternatively if they did come to Natal to seek his advice.<sup>53</sup> Thus it was clearly demonstrated that the only basis upon which the Cape Government was

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- 49. G.H. 1067 Letters Received from Private Individuals: Shepstone - Private Secretary, 27.5.1886.
  - 50. Shepstone Papers 54: Private Secretary - T. Shepstone, 31.5.1886; Shepstone Papers 54: Havelock - T. Shepstone, 28.5.1886.
  - 51. Shepstone Papers 54: McNicholas - Shepstone, 8.7.1886; G.H. 1327 Despatches to High Commissioner and General: Havelock - Robinson, 31.6.1886.
  - 52. Shepstone Papers 54: Private Secretary - T. Shepstone, 26.10.1886.
  - 53. C.O. 179/164 No. 15773 Minutes: E. Fairfield, 1.9.1886, R. Meade, 1.9.1886; R.W. Gerbert, 2.9.1886.

prepared to treat with the Pondos was one in which the latter should have no skilled assistance, and in consequence no real voice in the terms of the agreement to which it was to be a party.<sup>54</sup> The Government decided either to dictate to them or enter upon a pretext of negotiations which it had determined should prove abortive.

It was therefore not surprising that when rumours reached Natal that a large Pondo impi under Umquikela's sons, with the promise of Basuto aid, attacked the Xesibis, it was thought that the situation was now getting out of hand. Fortunately telegrams received by the Secretary for Native Affairs from the Chief and Resident Magistrates in Kokstad and Alfred County revealed the situation as not being very critical.<sup>55</sup> The Pondos were certainly bent on giving the Cape Ministry the long-looked for pretext for annexation should they resolve on fighting for their independence. In view of this state of affairs the Secretary of State asked Havelock to warn Umquikela that his action was calculated to cause disquiet on the border and in view of his bad conduct in invading British territory he must not expect sympathy from Natal.<sup>56</sup> The British government did not entirely display a negative attitude in respect of Natal's interest in Pondoland. On the 10th December 1886,

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54. Natal Witness, 23.7.1886.

55. S.N.A. 1/4/3 Confidential Minute Papers: Telegrams: Resident Magistrate - Secretary for Native Affairs, undated, Chief Magistrate - S.N.A., 22.10.1886, Resident Magistrate Alfred - S.N.A., 22.10.1886; S.N.A. - Chief Magistrate Kokstad, 26.10.1886; S.N.A. - Chief Magistrate, Kokstad, 27.10.1886; Chief Magistrate - S.N.A. 27.10.1886.

56. G.H. 455 Copies of Despatches Received from the Secretary of State: Telegram: Secretary of State - Havelock, 19.11.1886; G.H. 1225 Copies of Despatches to the Secretary of State: No. 191, Havelock - Stanhope, 21.11.1886.



Stanhope made it quite clear to the Acting High Commissioner that Natal's trade interest must be carefully considered in any Pondo agreement, and consequently he reserved his judgement on the agreement.<sup>57</sup> On the 8th December 1886 a satisfactory agreement was concluded with the Pondos,<sup>58</sup> but only in so far as the Cape was concerned. It provided amongst other things for the right of the Cape Government to construct and maintain roads through Eastern Pondoland to the mouth of the St. John's River, with outspans and grazing rights and free use of the road; further to this Umquikela ceded his right of that portion of his territory called the Rode, and renounced all claims to the territories of St. John's River<sup>59</sup> and Xesibeland.<sup>60</sup>

In their reply to Stanhope's telegraphic despatch of the 10th December the Cape Ministry said that the arrangements arrived at did not affect the rights of Natal in Pondoland. The Cape Government were not aware of any communication respecting Natal's interests in trade in

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57. C-5022 Correspondence respecting the affairs of Pondoland: No. 91 (Telegraphic) Stanhope - H. Torrens, 10.12.1886, p. 566.
58. C-5022 Correspondence respecting the affairs of Pondoland: No. 90 (Telegraphic) H. Torrens - Stanhope, 9.12.1886, p. 565.
59. The Eastern Pondos did not forget the way Port St. Johns had been seized from them in 1878. They had been persuaded that they were likely to recover most of their lands by sending a deputation to England and when the rebellion of 1880-81 broke out they collected money for it. The British Government had promised in February 1881 that if the Pondos remained neutral they would be left undisturbed. But with the new agreement of December 1886, the Pondos had to renounce all claims to the territories of St. John's River and Xesibiland - C.C. Saunders: The Transkeian Rebellion of 1880-1881; a case study of Transkeian resistance to white control, pp. 37-38.
60. G.H. 610 Despatches Received from the High Commissioner: S.A. No. 15, Robinson - Havelock, 23.3.1887.

Pondoland nor were they aware of any special stipulation or agreement. The matters affected in the agreement only referred to the dispute between the Pondo Chief Umquikela and the Cape Colonial government. The Cape government felt unjustified at this late stage to introduce any fresh element to an agreement already concluded respecting stipulations regarding Natal trade. This would probably be regarded by the Pondos as acting in bad faith and prospects of peace would be jeopardised.<sup>61</sup> This view was not entirely correct. Natal had always shown a keen interest (as was the case with Griqualand East) in Pondoland. Appeals made to Escombe and Shepstone by the Pondos clearly illustrate the fact that Natal was closely interested in any arrangement being made by the Cape government. Although the Cape government had told Havelock on numerous occasions that they were negotiating for a peaceful settlement of the Pondo question they did not inform the Natal government of the basis of their negotiations. It was only when the negotiations had been signed between the two parties that Natal was informed of the terms of the settlement.

Another case in point was when McNicholas made an appeal to Escombe for the incorporation of Pondoland into Natal, he outlined the advantages that would accrue to Natal (See page 13) in the event of such an incorporation. Now with the Cape's agreement with the Pondos (December 1886) the very same advantages which McNicholas had mentioned to Escombe were included in this agreement. This was illustrative of the Cape's intention to stamp out all Natal's trade interest in Pondoland. To salvage its own conscience pecuniary compensation of £1,600 and an annuity

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61. C-5022 Correspondence respecting the affairs of Pondoland: No. 102, H. Torrens - Stanhope, 15.12.1886, p. 600.

of £200 was given to Umquikela for the loss of St. John's River and Xesibiland.<sup>62</sup> Undoubtedly the British government was convinced of the correctness of the Cape's conduct and consequently approved of the agreement with Umquikela.<sup>63</sup>

The Legislative Council had meanwhile finally decided on the 18th October that steps should be taken for bringing about the union of Pondoland with Natal. They protested "*against any and all proposals for the political separation of the two countries.*"<sup>64</sup> The question of Pondoland had been extensively discussed in previous dispatches even as far back as 1881. To enlighten Stanhope, Havelock<sup>65</sup> outlined the various despatches connected with this territory, thereby completely identifying himself with the Legislative Council's wish to incorporate Pondoland. The Pondoland question was indeed a difficult task for Havelock because his predecessor, Bulwer, had sent out an exhaustive despatch in 1885 containing a complete historical review of the past relations of Pondoland with this colony, but without much success. Commercial opinion

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62. C-5022 Correspondence respecting the affairs of Pondoland: No. 92 (Telegraphic) H. Torrens - Stanhope, 11.12.1886, p. 566.
63. C-5022 Correspondence respecting the affairs of Pondoland: No. 105 (Telegraphic) Holland - Robinson, 21.1.1887, p. 602.
64. N.H. IX, 1.10.1886, p. 111, 5.10.1886, p. 115, 13.10.1886, p. 159, 18.10.1886, pp. 171-174; G.H. 1225 Copies of Despatches to the Secretary of State: No. 174, Havelock - Stanhope, 25.10.1886; G.H. 1327 Despatches to High Commissioner and General: Havelock - H. Torrens, 28.10.1886; See also V.P. XXXVIII, 27.10.1886, pp. 126, 140, 203, 236, 278; G.H. 1225 Copies of Despatches to the Secretary of State: No. 191, Havelock - Stanhope, 21.11.1886; G.H. 1225 Copies of Despatches to the Secretary of State: No. 279, Havelock - Holland, 17.12.1887.
65. See G.H. 1225 Copies of Despatches to the Secretary of State: No. 174, Havelock - Stanhope, 25.10.1886.

showed that this country should be annexed to Natal. Apart from the civil strife between the Pondos and the Xesibis, annexation of Pondoland by the Cape would mean that the Cape would establish custom houses on the Umtamvuma Border, compelling the traders to get their supplies from the Cape, or pay dearer for them if obtained from Natal.<sup>66</sup> Similar opinions were expressed by the Durban Chamber of Commerce.<sup>67</sup> They found that Natal merchants suffered a serious diminution in the extent of their trade with Pondoland as a result of the Cape government taking possession of the western bank and placing a customs house at the mouth of the St. John's River. They argued that if the Cape annexed the whole country the remaining trade partly through St. John's via East London, and partly overland through Alfred County, would have to be abandoned - a sequel to many years' enterprise which should be protected at all costs. The Chamber hoped that Havelock would consider its annexation to Natal and gave the following reasons for their conviction:

1. Its trade was established and since then had been in the hands of the Natal merchants.
2. The Pondos and Europeans living there hoped that the country should form a portion of Natal rather than the Cape Colony.
3. Because of the long-standing relations between Pondoland and Natal, it would be prejudicial to the interests of Natal if the Cape should get possession of the country.

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66. G.H. 1066 Letters Received from Private Individuals: I. McCubbin - Havelock, 29.4.1886.  
 67. G.H. 1141 Letters Received from Private Organisations: Durban Chamber of Commerce - Colonial Secretary, 13.12.1887, See also letters dated 13.4.1886 and 27.2.1888.

Natal's interest in Pondoland received a temporary setback with the death of Umquikela on the 28th October 1887.<sup>68</sup> This was reported in a despatch to the Governor by Herr Einwald,<sup>69</sup> a German then residing in Pondoland. Sigcau was elected as successor to the late chief on 13th February 1888.<sup>70</sup> With the new successor firmly established in Pondoland, Havelock renewed his appeal to the Secretary of State as well as the High Commissioner for a consideration of the question of union. The Governor reminded them of the great injury done to Natal, in the case of Griqualand East.<sup>71</sup> The Governor further stressed the close unity between Pondoland and Natal. His despatch to the Secretary of State was tinged with sentimentality, which would no doubt create the least impression on Holland, Stanhope's successor, and Robinson. He said:

*"I am informed that the inhabitants of Pondoland would accept with greater willingness and satisfaction, union with Natal than union with*

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68. G.H. 1327 Despatches to the High Commissioner and General: Havelock - Robinson, 23.11.1887, Annexure: Einwald - Havelock, 28.10.1887.
69. Herr Einwald did not hold any recognised position and it was difficult to understand what prompted him to report the death of Umquikela. The Cape Government in particular did not wish to recognise Einwald as it had received no intimation of any responsible position assigned to him by Umquikela or his Councillors - See C-5410 Correspondence respecting the affairs of Pondoland: No. 5, Robinson - Holland, 23.11.1887, Enclosure: Under Secretary for Native Affairs - Chief Magistrate Kokstad (Telegram) 11.11.1887.
70. G.H. 1068 Letters Received from Private Individuals: Umhlangaso J.S. Faku - Havelock, 17.2.1888; S.N.A. 1/1/104 Minute Papers: 130/88, Telegram, Resident Magistrate, Alfred County - S.N.A. 15.2.1888.
71. G.H. 1225 Copies of Despatches to the Secretary of State: No. 279, Havelock - Holland, 17.12.1887; G.H. 1327, Despatches to High Commissioner and General: Havelock - Robinson, 17.12.1887.

*the Cape Colony. and there is no doubt that the Colonists of Natal would regard the concession by the Cape to Natal of any vested right the former Colony may consider that it possesses in Pondoland, as a friendly and generous act."*<sup>72</sup>

The Secretary of State's reply did not bring satisfaction to Natal. Holland said that when the transactions took place in regard to Pondoland in November 1886 it was decided by the Imperial government that the responsibility for policy and expenditure should rest with the Cape. It became even more apparent with the annexation of the Xesibe country to the Cape Colony. As far as Holland was concerned the decision as to whether Pondoland should be annexed to Natal lay with the Cape, subject to such financial settlement as would be satisfactory to that colony.<sup>73</sup> In this way the British Government steered clear of the issue and shouldered the responsibility onto the Cape. The Cape had no intention whatsoever of bowing to the pressure exerted by Natal. When Havelock in turn appealed to Robinson as to the financial implication of such a move, it was rejected by the Cape. The Cape Ministry replied by saying that Pondoland could not be annexed to Natal without an entire change in policy which had been so prevalent in their administration during the previous four years. The peculiar position of Pondoland and Griqualand East, coupled with the strained relations which had existed between the native tribes necessitated that the Cape government should have direct communication

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72. G.H. 1225 Copies of Despatches to the Secretary of State: No. 95, Havelock - Knutsford, 10.4.1888.

73. G.H. 146 Numbered Despatches Received from the Secretary of State: No. 10, Holland + Havelock, 31.1.1888.

with the Pondos. Annexation of Pondoland as envisaged by Natal would give rise to complications and friction between the governments of the Cape and Natal.<sup>74</sup> The Secretary of State too had succumbed to the decision of the Cape Ministers by saying that nothing useful could be added to what already had been said.<sup>75</sup>

In a lengthy minute submitted to Holland the Cape Ministers accused Natal of unduly sympathising with the Pondos, not because they were in the right but because Natal considered herself to have a better right to Griqualand East than did the Cape Colony. With respect to the conflict in Pondoland, the bitterness was raised to the highest pitch by Fowle, Passmore and Molyneux, delegates of the Kokstad Political Association, which comprised mainly of persons who had commercial interests in that colony. The main motives of the Kokstad Political Association (K.P.A.) was the redressing of Pondo grievances in conjunction with those of Griqualand East; the appointment of a Royal Commission; and the formation of the Transkei and Pondoland into a Crown Colony.<sup>76</sup> As the Cape had been responsible for maintaining peace and order in Pondoland, the Ministers thought that the decision of the Secretary of State announced to Havelock was justified. Griqualand East and Pondoland, they said, formed part of the Transkeian Territories with the colonial seaport at St. John's and the *"geographical position and existing political relations made it apparent that the annexation*

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74. G.H. 612 Despatches Received from the High Commissioner: Natal, No. 23, Robinson - Havelock, 7.5.1888.

75. G.H. 148 Numbered Despatches Received from the Secretary of State: No. 64, Knutsford - Havelock, 20.6.1888.

76. See C-5022 Correspondence respecting the affairs of Pondoland: No. 69, L.L.Dillwyn, Esq., M.P. - Colonial Office, 14.10.1886, Enclosure: The K.P.A. Deputation to Pondoland, pp. 535-541.

*of Pondoland to Natal would eventually lead to serious complications between the Government of Natal and the Cape."*<sup>77</sup>

Thus the Cape government had no intention whatsoever of surrendering Griqualand East or Port St. John's to Natal. Upington, Sprigg and Rhodes, the three successors of Scanlen (Prime Minister of the Cape Colony, 1881-1884) were of the conviction that the Cape should eventually rule all of the Transkei and when the opportunity arose Pondoland too should be annexed. Pondoland was only annexed in 1894 because the Cape was afraid of the risk of a Pondo uprising. However, Rhodes finally acted when it seemed that Natal was going to impose its will on Pondoland. As a result of the civil war on Natal's southern boundary in late 1893, the High Commissioner hinted that the Cape would lose Pondoland if it did not step in. Rhodes quickly intervened by ending African rule in Pondoland thereby leaving Natal standing with empty hands.<sup>78</sup>

One thing that stands clear in this conflict between Natal and the Cape was the Cape Governor's extensive use of the High Commission as an instrument of expansion as well as administration in frontier conflicts. This cheap and informal technique of achieving expansion readily commended itself to the Cape Governor. As the paramount executive officer of British supremacy in South Africa, he resorted to it whenever the opportunity showed itself even without any definite authority from Downing Street.<sup>79</sup>

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77. A.M. Hatton: Pondoland: her Cape and Natal neighbours, 1878, p. 102.
78. B.A. Le Cordeur: The Relations between the Cape and Natal, 1846-1879, p. 192.
79. John Benyon: The Cape High Commission another neglected factor in British Imperial expansion in Southern Africa. (South African Historical Journal No. 1973, No. 3. pp. 28-40.



"Thus all, and far more than all, the territory which Wodehouse had prudently abandoned in 1864 was at length annexed",<sup>80</sup> and "Pondoland continued to offer tempting opportunities for colonial enterprise and aggression which neither colony could resist."<sup>81</sup>

#### B. SWAZILAND AND TONGALAND

Attention must now be focused on the colony's relationship with Swaziland. Natal's interest in Swaziland was both politically and commercially orientated. Like Pondoland, Natal was to become the channel through which the Swazi chief addressed his complaints.

By the Conventions of Pretoria (1881)<sup>82</sup> and London<sup>83</sup> (1884) the independence of the Swazis was formally recognised by both Great Britain and the Transvaal.

As early as 1880 the Boers from the Transvaal were in the habit of entering Swaziland in the winter to graze their stock. This was reflected in the report of the British Commissioners who had beaconed the boundary between the

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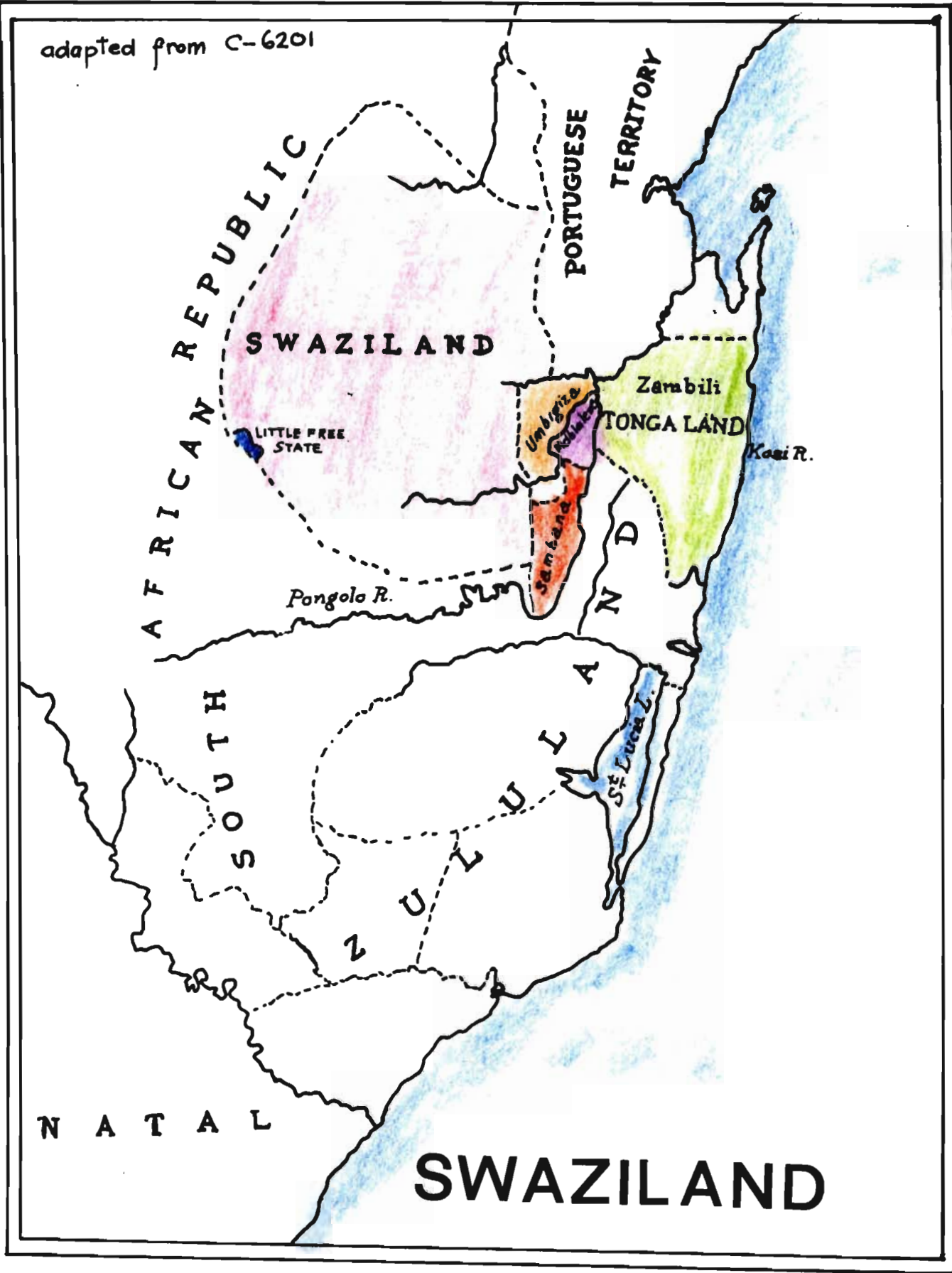
80. A.M. Hatton: Pondoland: her Cape and Natal neighbours, 1878, pp. 102-103.

81. B.A. Le Cordeur: The Relations between Cape and Natal, 1846-1879, p. 217.

82. Article 24 reads: "The independence of the Swazies within the boundary line of Swaziland, as indicated in the first article of this Convention, will be fully recognised."

83. Article 12 reads: "The independence of the Swazies within the boundary line of Swaziland, as indicated in the first article of this Convention, will be fully recognised."

adapted from C-6201



# SWAZILAND

Transvaal and Swaziland. The Swazi chief Umbandine's first reaction to this sort of pressure on his western frontier was to complain of Boer encroachments. In the beginning these complaints were addressed to the British Resident in the Transvaal, but were later switched to Natal.<sup>84</sup>

In an exhaustive memorandum in January 1886 on the situation in Zululand Bulwer recommended the establishment of a British Protectorate over Zululand and Swaziland in order to prevent the Boers from further occupying native territory.<sup>85</sup> *"It will become," he said, "I apprehend, a matter of importance to reach Swaziland and the only way by which we shall be able to reach it will be through Zululand."*<sup>86</sup>

Again in October 1886 the Legislative Council emphasised in a resolution the policy of the British Government towards Zululand and Natal, and at the same time included a request for the establishment of a protectorate over Swaziland.<sup>87</sup> However, the British Government did not heed this pressure exerted by Natal.

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84. N.G. Garson: The Swaziland question and the road to the sea, p. 203; H.R. Haggard: The Fate of Swaziland (New Review, 1890, vol. 2, p. 66(; A.M. Miller: Swaziland (Royal Colonial Institute Proceedings) 1899-1900, vol. 31, p. 291).
85. Bulwer had in mind the loss of territory to the New Republic which was established in 1884 under Lucas Meyer as President.
86. C-4913 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 2, H. Bulwer, on Further Memorandum on the situation in Central Zululand with suggestions. . . ., p. 336.
87. C14980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 43, Havelock - Stanhope, 25.10.1886, p. 504, Enclosure: No. 2, Notice of Motion, p. 506; See also G.H. 1225 Copies of Despatches to the Secretary of State: No. 174, Havelock - Stanhope, 25.10.1886.

In August 1886 Havelock himself forwarded complaints to the High Commissioner, of Swazi messengers in respect of a certain Charlie Dupont who had conducted treasonable negotiations with Hanyana of the Amandwandwe tribe, recommended the appointment of a British representative to reside in the country.<sup>88</sup> The High Commissioner did not really appreciate Havelock's overtures and curtly replied that "*Swaziland, being an independent state, the King is alone responsible for its government.*"<sup>89</sup>

H.C. Shepstone, the Secretary for Native Affairs, reported in October 1886 that Swazi messengers to Natal alleged that Piet Joubert and two other Boers had called on Umbandine and asked him to sign a paper acknowledging the Boers as their rulers. Umbandine refused, saying that he had already acknowledged the British Government as his chief.<sup>90</sup> This allegation was reported again by Shepstone on the 23rd June 1887,<sup>91</sup> and further authenticated by Savage and Hill, merchants from Durban, on the 25th January 1887.<sup>92</sup> The independence of the Swazis was further threatened by Mr. Kreog, the Landdrost of Wakkerstroom,

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88. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: See Enclosure 1 in No. 13, Havelock - Robinson, 23.8.1886, p. 462.
89. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: Enclosure 2 in No. 13, Robinson - Havelock, 6.9.1886, p. 464.
90. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: Enclosure in No. 71, Governor, Natal - Acting High Commissioner, 1.11.1886, p. 589; See also S.N.A. 1/4/3 Confidential Minute Papers, T. Shepstone - S.N.A., 10.6.1887.
91. C-5090 Correspondence respecting the affairs of Swaziland: Enclosure 1 in No. 8, S.N.A. - Governor, 23.1.1887, pp. 27-28.
92. C-5089 Correspondence respecting the affairs of Swaziland: Enclosure 1 in No. 8, Savage and Hill - Private Secretary, 25.1.1887, p. 28.

who was said to have the authority of the Transvaal government to take over the Swazi Territory.<sup>93</sup> Under these circumstances H.C. Shepstone suggested that a protectorate over the Swazi country would effectively stop any unauthorised proceedings by irresponsible Boers.<sup>94</sup>

The South African Republic denied all these allegations.<sup>95</sup> Havelock, however, was not satisfied and in a despatch to Robinson expressed the view that "*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.*"<sup>96</sup> The Swazis themselves held the view that it was customary for the Boers to deny what was inconvenient to admit.<sup>97</sup>

Although the independence of Swaziland was recognised by the Pretoria and London Conventions, it was clearly evident that it was independence in name rather than in fact. The Boers realised this too. Their encroachments into Swazi territory were purposeful, the circumstances being similar to those connected with Zululand, which eventually resulted in the creation of the New Republic in 1887.

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93. C-5089 Correspondence respecting the affairs of Swaziland: Enclosure 1 in No. 9, T. Shepstone - S.N.A., 29.1.1887, pp. 29,30.
94. C-5089 Correspondence respecting the affairs of Swaziland: Enclosure 1 in No. 9, S.N.A. - Governor, 31.1.1887, p. 31.
95. C-5089 Correspondence respecting the affairs of Swaziland: Enclosure 1 in No. 8, Governor, Natal - High Commissioner, 28.1.1887, p. 26, Enclosure 2 in No. 8, Robinson - State President, 8.2.1887, p. 28.
96. C-5089 Correspondence respecting the affairs of Swaziland: Enclosure in No. 18, Havelock - Robinson, 21.2.1887, pp. 45-46.
97. C-5089 Correspondence respecting the affairs of Swaziland: Enclosure in No. 8, S.N.A. - Governor, 23.1.1887, p. 27.

Umbandine failed to impress upon the British government the advisability of appointing a British Resident in Swaziland to control the influx of whites and was now left on his own initiative to find a solution. In sheer desperation the chief appointed Theophilus Shepstone<sup>98</sup> on the 25th February 1887 to be his Resident Advisor and Agent.<sup>99</sup> This appointment both Havelock and Robinson declined to recognise, fearing responsibility.<sup>100</sup> Robinson's view was that if any officer was sent to Swaziland as British Resident, he should be an independent man not connected with any local interests.<sup>101</sup> It was evident that Robinson feared Natal and Shepstone.

Shepstone himself wielded much power in Swaziland. This was clearly evident in his dealings with the Boers. Mathers in his book, "Golden South Africa" states succinctly:

*"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 but that these plans would have been carried out had Shepstone not been appointed to the position he now occupies."*<sup>102</sup>

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98. The Chief invested Shepstone with authority to frame laws for the government of all persons other than the natives with jurisdiction to deal with offences and disputes and to collect such revenue from the whites for their administration. A Committee of 25 Europeans were also appointed to assist Shepstone.
99. C-5089 Correspondence respecting the affairs of Swaziland: Enclosures in No. 24, Havelock - Robinson, 16.3.1887, p. 501, T. Shepstone - S.N.A. 28.2.1887, p. 502.
100. C-5089 Correspondence respecting the affairs of Swaziland: Enclosure 2 in No. 3 (Telegram) Governor, Pietermaritzburg - High Commissioner, 17.1.1887, Enclosure: 3 in No. 3, High Commissioner - Governor, Pietermaritzburg, 19.1.1887, p. 23.
101. C-5089 Correspondence respecting the affairs of Swaziland: No. 32, Robinson - Holland, 20.4.1887, p. 58.
102. E.P. Mathers: Golden South Africa, p. 227.

If any value could be attached to his opinion, then the power wielded by Shepstone was indeed immense. On the other hand, the Boers may have assumed that Shepstone was appointed British representative and therefore decided not to take any decisive action.

Robinson was further motivated by the fact that he suspected Umbandine of double dealing. The South African Republic had already assured Robinson that they had no intention of interfering with the independence of Swaziland. Umbandine had allowed Boers to enter Swaziland for winter grazing and at the same time sold gold concessions over nearly the whole area of his country. Now that he could no longer control this influx he turned to the British Government to protect him from his folly.<sup>103</sup>

Natal was immensely interested in the affairs of Zululand and Swaziland. This was evident from the pressure exerted from Natal in an address to the Governor:

*"That this Council, as representing the Colony of Natal, claims a voice in any settlement of questions so vital to its interests as are the future disposal of Zululand, including the Reserve, and the control of the trade route to Swaziland and the north."*<sup>104</sup>

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103. C-5089 Correspondence respecting the affairs of Swaziland: No. 11 (Telegraphic) Robinson - Holland, 7.3.1887, p. 32.
104. C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 48, Havelock - Stanhope, 1.11.1886, p. 511, Enclosure 2 in No. 48, p. 513; See also C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 43, Havelock - Stanhope, 25.10.1886, p. 504. Enclosure 2 in No. 43, p. 506; N.H. IX, 28.10.1886, pp. 204-216; G.H. 932 Legislative Council Addresses, No. 68, 13.12.1886; G.H. 1225 Copies of Despatches to the Secretary of State: No. 212, Havelock - Stanhope, 20.12.1886.

R.J. Finnemore, the Collector of Customs, maintained that Natal's trade with Swaziland would be materially increased if there was a settled form of government in that country. Natal's trade alone with Swaziland amounted to £70,000 a year which was considerable in terms of Swaziland's total value of imports which ranged between £120,000 and £150,000.<sup>105</sup>

Like Natal, the Transvaal also had its eye on Swaziland. Because of the apathy on the part of the British Government, the Republic had instituted its own commission of inquiry into the complaints regarding the winter grazing and mineral concessions, but found that they were unable to settle the question. They in turn suggested that the question should be settled by the mutual co-operation of the two governments.<sup>106</sup> But Robinson did not share these views. He asked Havelock to ascertain from Umbandine whether he still desired the interposition of the two governments.<sup>107</sup> The State Secretary, W.E. Bok, said that Umbandine had no objection to a commission. This opinion was based on a letter received from Shepstone acknowledging the receipt of Bok's letter suggesting the appointment of a joint commission, but no such acknowledgement was received from the British Government.<sup>108</sup> Havelock replied

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105. C-6201 Report on Swaziland: Sir F. de Winton - Knutsford, Enclosure in No. 3, 25.2.1890, p. 97.
106. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 2 in No. 26, Robinson - Havelock, 27.1.1888, p. 261.
107. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 1 in No. 37, State Secretary - High Commissioner, 16.3.1888, p. 270.
108. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 2 in No. 44, Governor, Natal - High Commissioner (Telegram) 21.4.1888, p. 281; C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure in No. 45, T. Shepstone - S.N.A., 16.4.1888, p. 281.



on the 21st April saying that Umbandine had given no authority for a commission of inquiry.<sup>109</sup> and consequently Robinson informed Kruger that he could not assent to the interference of a joint commission in the internal affairs of the country.<sup>110</sup>

The question of Swaziland was not the only problem for the British administration in South Africa. Therefore, to judge the Swaziland issue in its relation to the South African Republic against the background of British power politics, it is necessary to bring into perspective the territories of Zambili, Zambaan and Umbegisa, including the "Little Free State". Natal was drawn in considerably into these areas and Havelock had to weigh his own opinion against that of the High Commissioner.

Power politics in Tongaland was accentuated by the fact that the Portuguese had asserted that Zambili, the Regent Queen of Tongaland, was under their protection and therefore had to pay taxes to the Portuguese Government. This was denied by Queen Zambili who in turn appealed through Havelock for British protection.<sup>111</sup> Holland had already intimated privately<sup>112</sup> to Havelock that the government would consider an agreement with Zambili not to alienate

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109. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 2 in No. 44, Governor, Natal - High Commissioner, 21.4.1888, p. 281; C-6200 Further Correspondence: Enclosure in No. 45, T. Shepstone - S.N.A., 16.4.1888, p. 282.
110. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 3 in No. 44, High Commissioner - State President, 23.4.1888, p. 281.
111. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 2 in No. 5a, Statement G. Brühein, Masololo and Umkonka, a deputation from Zambili, 17.6.1887, pp. 217-218.
112. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 1 in No. 5a, Havelock - Robinson, 9.7.1887, p. 216.

any part of her territory to any Foreign Power. Consequently Havelock signed an agreement with the Tonga Queen on the 6th July 1887.<sup>113</sup> The existence of such an agreement would prevent any possible Portuguese encroachments. Amongst other clauses in the agreement it was clearly stipulated that the Regent Queen bound herself to 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 ... without the previous knowledge and sanction of Her Majesty's High Commissioner for South Africa.*" The British Government ratified the agreement on the 18th August 1887.<sup>114</sup> Holland emphasised that with the signing of the agreement with Zambili, she was recognised by the British Government as Regent and Paramount Chief over all the country including the area belonging to Zambaan and Umbegisa.

The South African Republic protested in January 1888 saying that the treaty wrongly included the area of Zambaan and Umbegisa, who were independent chiefs. These chiefs had repeatedly expressed the desire to come under the influence of the South African Republic, and consequently J. Ferreira, the Native Commissioner at Wakkerstroom, had concluded agreements with them. The intention of the Republic now was to incorporate these two areas within the purview of Article IV<sup>115</sup> of the London

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113. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Agreement between Havelock and "Masololo" and "Umkonka", messengers of Zambili, pp. 220-221.
114. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: No. 6, Holland - Robinson, 18.9.1887, p. 222.
115. Article IV reads: "*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.*"

Convention.<sup>116</sup> But there was no evidence to show that Zambaan and Umbegisa were independent chiefs. Havelock had pointed out to Knutsford and Robinson that these two chiefs were in fact under the authority of Umbandine and as such not independent.<sup>117</sup> Robinson then refused to acknowledge the agreements made with them by the South African Republic by saying that the government could not sanction the acquisition of those territories which would prevent the government from exercising any effective control over the future settlement of the Swaziland question.<sup>118</sup>

The South African Republic then asked for the incorporation of the "Little Free State" into the Republic.<sup>119</sup>

This area was situated on the western boundary of Swaziland and consisted of between 12,000 and 15,000 acres,<sup>120</sup> and came about as a result of a cession of land made to two Boers by Umbandine in 1867, this area was further increased by sale in September 1888. Umbandine later ceded

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116. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 1 in No. 27, State Secretary, Pretoria - High Commissioner, 30.1.1888, p. 262; C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 1 in No. 85, State Secretary - High Commissioner, 13.4.1889, pp. 343-344.
117. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland, No. 40A, Havelock - Knutsford, p. 274; C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: No. 42, Havelock - Robinson, pp. 276-277; C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: No. 51, Havelock - Knutsford, 26.7.1888, p. 290.
118. G.H. 615 Despatches Received from the High Commissioner Robinson - Havelock, 25.2.1889, Enclosure: Robinson - State President, 3.1.1889.
119. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure in No. 69, State Secretary - High Commissioner, 14.2.1889, p. 316.
120. G.H. 615 Despatches Received from the High Commissioner, No. 9, Robinson - Havelock, 26.2.1889, Enclosure: Minute G.M. Rudolph, 16.3.1889.

this area and gave permission for its incorporation in the South African Republic.<sup>121</sup>

G.M. Rudolph, the Resident Magistrate's view was that about half of the population of the "Little Free State" preferred to be under the Swazi King rather than come under the laws of the South African Republic. Generally Havelock felt that no useful purpose would be served by opposing the proposed annexation of the "Little Free State".<sup>122</sup> Knutsford felt that it would be difficult to reject the claims of the South African Republic to the "Little Free State", and was therefore favourably disposed to a joint commission in South Africa to reconsider the London Convention of 1884.<sup>123</sup> Robinson agreed that a joint commission was necessary to enquire into the existing conditions in Swaziland.<sup>124</sup>

There was evidence to show that the South African Republic had already obtained railway, postal, telegraph, canal navigation and surveying concessions. All it now required was the incorporation of Swaziland into the Republic as the only just and practical solution.<sup>125</sup>

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121. N.G. Garson: The Swaziland question and the road to the sea, p. 301; G.H. 615 Despatches Received from the High Commissioner: Natal No. 9, Robinson - Havelock, 26.2.1889.
122. G.H. 1327 Despatches sent to the High Commissioner, Havelock - Robinson, 22.3.1889.
123. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: No. 70, (Telegraphic) Knutsford - Robinson, 23.3.1889, p. 319.
124. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: No. 71, Robinson - Knutsford, 28.3.1889, p. 319.
125. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: Enclosure 2 in No. 68, State Secretary - High Commissioner, 13.2.1889, pp. 314-315; G.H. 615 Despatches Received from the High Commissioner: Natal No. 8, Robinson - Havelock, 25.2.1889.

Viewing the Swaziland question from a broad perspective Robinson said that it was no longer possible to uphold Article II of the London Convention. The area was practically overrun with Europeans and it was too late to even prevent encroachments. It was generally acknowledged that Umbandine could no longer hold his own in the country and it was now imperative to decide whether the country should be absorbed by Britain or allowed to be annexed by the South African Republic.<sup>126</sup> Robinson was in favour of giving the Transvaal control of Swaziland since he thought more good than harm would result in the Transvaal having a seaport of its own.<sup>127</sup> Natal, too, was interested in that territory. Legislative Council, for example, had continually fought to safeguard its own interests in Zululand and Swaziland, but the British government had not been favourably disposed towards the interests of Natal.<sup>128</sup> Commercial opinion also showed the immense importance of a settled Swaziland in respect of Natal's trade with it.<sup>129</sup> Newspaper opinion supported the annexation of Natal.<sup>130</sup>

On the 17th March 1889 Havelock gave his own views at the request of the High Commissioner.<sup>131</sup> The Governor, who

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126. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: No. 80, Robinson - Knutsford, 2.4.1889, 334-335.
127. H. Robinson: The Swaziland question (Fortnightly Review, 1890 vol. XLVII, p. 291).
128. N.H. IX, 28.10.1886, pp. 214-216; C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 84, Holland - Havelock, 22.1.1887, p. 604; C-4980 Further Correspondence respecting the affairs of Zululand and Adjacent Territories: No. 93, Holland - Havelock, 3.2.1887, pp. 614-615.
129. G.H. 1141 Private Organisations: Durban Chamber of Commerce - Gerald Browne, Private Secretary, 13.4.1886.
130. Natal Mercury, 7.1.1889; Natal Witness, 7.1.1889.
131. G.H. 615 Despatches Received from the High Commissioner Natal, No. 8, Robinson - Havelock, 25.2.1889.

had previously suggested a British protectorate over Swaziland, now rescinded this view, expressing agreement with Robinson's views that Swaziland should be controlled by the South African Republic. The Boers from the Republic, he said, had considerable vested interests in Swaziland and the government itself had bought numerous concessions. Although British subjects had also acquired rights and interests, the British Government, unlike the government of the South African Republic, had not bought any concessions. The Transvaal had already lost the territories of Zambaan and Umbegisa which had been declared a British sphere of influence.

From a geographical point of view the incorporation of Swaziland into the South African Republic would be the obvious solution. Examining the question politically, Havelock argued that if it was the policy of the British Government to allow the Dutch republics to develop into a healthy power in South Africa, then the *"movements and aspirations of the South African Republic as regards the acquisition of a means of access to the sea, should be left to take their natural course."* If the British Government approved of this suggestion then the territories of Zambaan and Umbegisa would cease to exist, the end result would be the absorption of Tongaland and Swaziland into the South African Republic. But if the British Government had hopes of a South African dominion which would also include the Republics, then it would be unwise to allow the Republics to extend the sphere of influence in any direction. British assumption of a protectorate under Article II of the Convention, *"to maintain order and prevent encroachments"*, would be much resented by the South African Republic and would be a breach of Article XII of the Convention. Moreover,

such extension of British authority would be both costly and ineffectual.<sup>132</sup>

The view held by Ralph Williams, the British Agent in Pretoria, was in direct contrast with Havelock's.

He held that if Kruger possessed Swaziland, Tongaland would also simply fall to him. Then the Republic would be a seapower, and could negotiate direct with Germany or with other powers, to the detriment of Britain.<sup>133</sup>

At this time petitions received from the whites in Swaziland clearly indicated the unstable conditions prevalent in the country and called for British intervention.<sup>134</sup>

From the despatches it was clear that Natal and the Cape both favoured the annexation of Swaziland to the South African Republic. What was the real reason behind this sudden change? At this time Natal was most anxious to extend her railway into the Transvaal, and Kruger's approval was required to effect such a move. The Cape Colony too had similar ambitions and strongly championed the cause of the Republic.<sup>135</sup>

British annexations of 1884-1886 had completed the encirclement of the South African Republic from the mouth of the Orange River in the west to the Portuguese frontier with the exception of Kosi Bay. Kosi Bay thus offered Kruger the last chance to reach the sea. But in order to

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132. G.H. 1327 Despatches sent to the High Commissioner and General: Havelock - Robinson, 22.3.1889.

133. H.R. van der Walt: Die Suid Afrikaanse Republiek in die Britse buitelandse en Koloniale belied. (1881-1899) p. 151.

134. G.H. 1169, Petitions Received: Petition from the inhabitants of Swaziland - Secretary of State, 14.3.1889.

135. A.M. Miller: Swaziland (Royal Colonial Institute Proceedings, 1899-1900, vol. 31, pp. 275-276.)

reach the sea the territories of Zambaan and Umbegisa had to be crossed, and these two areas were in the British sphere of influence.<sup>136</sup> Consequently, Kruger proposed in May 1889 that he would withdraw all claims to the north and use his influence to support British expansion in Bechuanaland and Matabeleland, if the British Government would withdraw from Swaziland the territories of Zambaan and Umbegisa and Tongaland including Kosi Bay.<sup>137</sup>

If there was to be any annexation at all Natal was just as interested as Kruger to gain a foothold in Swaziland. But the independence of the Swazis was protected by Article II of the London Convention. On the eve of his retirement as High Commissioner, Robinson made it clear that Swaziland must either come under British or Boer rule.<sup>138</sup> The British Government did not want the country, but Knutsford promised to consider Kruger's proposal.<sup>139</sup> By this time Havelock was already on leave<sup>140</sup> and Charles Mitchell was appointed to administer Natal in June 1889.

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136. Cambridge History of the British Empire, vol. 8, p. 538.

137. C-6200 Further Correspondence respecting the affairs of Swaziland and Tongaland: No. 82, (Telegraphic), H.A. Smyth - Knutsford, 4.5.1889, p. 339. Note: Cambridge History of the British Empire, p. 539, says Kruger intimated in April 1889. This view is erroneous. Kruger's telegraphic despatch was dated 3.5.1889. Reference C5918 as cited by Cambridge History is also incorrect. Kruger's telegraphic despatch is found in C-6200, Enclosure in No. 93, State President - High Commissioner, 3.5.1889, p. 357.

138. Cambridge History of the British Empire, vol. 8, p.539.

139. R.I. Lovell: The Struggle for South Africa, 1875-1899, p. 149.

140. Havelock did not "resign" in June 1889. This is the view held by Garson, p. 310. Havelock was given leave from about the end of May 1889. He was subsequently appointed Governor of Ceylon in December 1889 - See C.O. 179/169, No. 1246 (Private) Havelock - Robert Herbert, 13.12.1887; G.H. 1226 Copies of Despatches to the Secretary of State: No. 86, Havelock - Knutsford, 11.4.1889, G.H. 151 Numbered Despatches Received from the Secretary: No. 37, Herbert - Havelock, 21.3.1889.



In September 1889 De Winton was appointed British Commissioner to investigate and report on the existing conditions in Swaziland.<sup>141</sup> Knutsford also instructed De Winton to bear in mind Kruger's proposal of May 1889.

With regard to the political aspects of the Swaziland question, De Winton obtained the views of the Cape and Natal. The Cape stipulated the following, amongst other things, as an equivalent return for the cession of Swaziland to the Transvaal:

1. support of railway extensions unconditionally; and
2. territory of Zambaan and Umbegisa to be given to the Transvaal with the express condition they join the customs union.<sup>142</sup>

Natal stipulated the following:

1. the road through Zululand and Swaziland should be left open;
2. concessions of free trade in local produce and manufactures between the Transvaal and the British Colonies;
3. extension of railway line into the Transvaal; and
4. the New Republic to be returned to Natal.<sup>143</sup>

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141. G.H. 1069 Letters Received from Private Individuals: Local No. 4, De Winton - Mitchell, 2.11.1889; C-6201 Report on Swaziland: No. 1, Lord Knutsford - Sir Francis De Winton, 22.9.1889, p. 91.

142. C-7611 Further Correspondence respecting the affairs of Swaziland and Tongaland: No. V, pp. 778.

143. G.H. 1352 Despatches sent to the High Commissioner (Confidential) Mitchell - de Winton, 4.11.1889; C-7611 Further Correspondence respecting the affairs of Swaziland and Tongaland: No. V, p. 779.

De Winton's report was ready in February 1890. He thought it wise that the British Government should rather enlist the support of the Transvaal in Mashonaland and Matabeleland than "to cling to the doubtful possession of a territory (Swaziland, one tenth as large), the conditions of which would render a protectorate by Great Britain a work of considerable difficulty."<sup>144</sup> De Winton reported that Great Britain should not give up Zambaan's lands or Tongaland, nor should she allow the Transvaal to annex Swaziland. But the Transvaal could enter treaties approved by Britain, and possibly Britain could assist the Transvaal to build a railway through Swaziland, as well as to acquire a ten mile stretch of land around Kosi Bay, but the last named was made conditional. Firstly, she must allow the Cape and Natal to extend their railway into the Transvaal, and secondly, to enter the customs union with either Natal or the Cape.<sup>145</sup> Natal had not joined the Customs Union because the Cape's tariff was high at 15%, whilst that of Natal was not more than 5%. If the Transvaal entered the Customs Union according to the Cape's terms, this would have seriously jeopardised Natal's trade with the interior.

De Winton's view on Swaziland was very similar to that expressed by Robinson. Robinson said:

*"I should see more good than harm in the Transvaal having a seaport. It would enable us to coerce them cheaply if necessary, and, by rendering naval protection against the outside world indispensable, would pave the way for*

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144. See R.I. Lovell: The Struggle for South Africa, p. 170.

145. R.I. Lovell: The Struggle for South Africa, pp. 170-171.

*the ultimate establishment of a Federal dominion of South Africa under the British flag."*<sup>146</sup>

But this was not to be the case. Before the Blignaut's Pont Conference on 5th March 1889, Knutsford cabled Loch, the new High Commissioner, stating that Parliament could not approve the exclusive control of the whites in Swaziland to the Transvaal. Knutsford further said that Swaziland must remain under joint control. Kruger was disappointed. Nothing definite was settled at Blignaut's Pont, so Kruger refused to sign anything, but he promised to submit Loch's proposal to the Executive Council. Loch sent a draft Convention already signed by him with Hofmeyer to Pretoria in June 1899. Hofmeyer was instructed not to discuss the draft Convention, but matters outside the Convention could be discussed.

Loch had suggested giving the Transvaal control over a railway strip through Swaziland, as far as Kosi Bay, but this was refused by the British Government. The Transvaal, Loch said, might acquire land on the Swaziland border only, and possibly sovereignty over Kosi Bay. After much difficulty a modified Convention was signed on the 24th July, 1890. Details of the Blignaut's Pont Conference were altogether omitted. It was agreed that the railway clauses would only become effective six months after the Transvaal had joined the Customs Union. The Volksraad refused this, and the First Swaziland Convention was provisionally ratified in August 1890 on the condition that the British Government would consider modifications.

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146. H. Robinson: The Swaziland question. (Fortnightly Review, 1890, vol. XLVII, p. 291).

It was only in 1893 that the Swaziland question was to come up again. Swaziland was given to the Transvaal in 1894, but in 1895 Lord Ripon annexed Tongaland, thus crippling Transvaal's prospects of reaching the sea.<sup>147</sup>

Natal did not achieve much in the First Swaziland Convention. De Winton's despatches showed that he was greatly influenced by Rhodes and the settlement of the Swaziland question reflected the interest of the Cape politicians. This tendency brought bitter complaints from Mitchell who said that the interests of Natal were neglected: "*Natal is to pay the piper, and the Cape Colony to call the tune,*" he told Knutsford. Natal did not get the New Republic, but at the same time the Imperial Government did not allow the South African Republic to have the whole of the trans-Pongola region and Tongaland, thus safeguarding Natal's trade interests.<sup>148</sup>

The extra-territorial regions, viz. Griqualand East, Pondoland and Swaziland, had thus become the focal point in inter-colonial rivalry. In all these areas of conflict Natal was at the losing end. It was only in the 1890's that most of these areas of conflict were finally resolved.

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147. R.I. Lovell: The Struggle for South Africa, 1875-1899, pp. 170-171.

148. N.G. Garson: The Swaziland question and the road to the sea, p. 416.

Natal achieved responsible government in 1893. On the 23rd April 1895 the territories of Zambaan, Umbegisa and the widow Mahilaleni were annexed by Britain and incorporated into Zululand. In November 1897 Tongaland was finally annexed and added to Zululand. In December 1897 Zululand, including Tongaland and the Trans-Pongola territories were incorporated into Natal. And finally in 1903 the New Republic was returned to Natal.

*I regret in consequence of the present financial embarrassment of the Government, it is impossible to appropriate any funds whatsoever for the purposes of European Immigration.*

CHAPTER 8.EUROPEAN IMMIGRATION.

During Havelock's first year (1886) of administration of Natal there were 37,437<sup>1</sup> whites in the colony. The need for white immigrants was keenly felt in the colony. At this time there were 374,915 natives and 30,345 Indians in the colony. The population at the end of 1885 was estimated at 443,639, of whom 36,000 were Europeans, over 360,000 natives and about 28,000 Indians.<sup>2</sup> Thus, during one year there had been an increase of only about 1,437 whites in the colony. The need for white colonists was emphasised by the Trade Commission of 1885-1886. The Commission expressed the opinion that the "*most important factor in securing a sound and steady development in trade is the enlargement of the European population by immigration.*"<sup>3</sup>

Natal possessed many splendid attributes as an area for profitable immigration. The colony's excellent climate, together with her position on the south east coast of Africa, its abundant water supply, and its rich lowlands made it a "*veritable paradise for the agriculturist.*"<sup>4</sup> There was also an abundant supply of native and Indian labour.<sup>5</sup>

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1. For population figures for 1886 see Natal Almanac, 1888.
  2. Natal Handbook: Issued by the Emigrant's Information Office (1887) p. 5.
  3. N.B.B. Supplements: 1886, Report of the Trade Commission, 1885-1886, p. XI.
  4. D. Bagwandeem: European immigration into Natal 1862-1884, p. 178.
  5. Natal Handbook: Issued by the Emigrants' Information Office (1887) p. 18.

A further factor was that the European population had increased by almost 50% since 1879. There were about 25 inhabitants per square mile while in England and Wales in the year 1881 there were 446. In Natal there were about 24 acres to each inhabitant while in England and Wales it was about 1,4.<sup>6</sup>

Before making attempts to discuss the various schemes during Havelock's administration it is necessary to go back to previous attempts at immigration so that the period 1886-1889 could be seen in perspective.

The failure of the Byrne<sup>7</sup> immigration scheme in the early fifties coupled with the allotment of some of the best lands to a few Europeans who were already in the district made it imperative for Natal to attract people who might otherwise settle in other parts of South Africa.<sup>8</sup>

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6. Natal Handbook: Issued by the Emigrants' Information Office, (1887), p. 5.
  7. Byrne was unsuccessful and had no knowledge of the conditions which had existed in Natal. One of the fundamental errors in Byrne's plan was that it was based on a "*mistaken notion of the physical nature of the district*". - H. Akitt. Government assisted immigration into Natal, 1857 to 1862, p. 16. But the Byrne scheme was however the most far-reaching. Through his efforts and those of his agents John Moreland, communities were established in Pine-town, Richmond, Byrne and Ladysmith, as well as several places along the North Coast - See Mrs. Dick: The Centenary of the British settlement of Natal (Typescript notes) p. 15. The importance of the Byrne scheme is illustrated further by the fact that with its demise the flow of immigrants fell considerably and during the first 6 months of 1852 only 62 immigrants arrived in Natal - See 1849-1949. Natal Settlers Centenary. Issued by the Centenary Committee, p. 4. For further exposition of the Byrne Scheme see A.F. Hattersley's books: The British settlement of Natal, pp. 106-112, 279-280, 221-2; Later annals of Natal, pp. 67-68; More annals of Natal, chap. 1-3; E. Hammond: The Settlements of the Byrne immigrants in Natal, 1849-1852.
  8. A.F. Hattersley: Later annals of Natal, p. 67.



It was true that by 1853 and 1854 enthusiasm for immigration waned considerably. This was due to the discovery of gold in Australia, while the general feeling of depression and disillusionment as a result of the failure of the efforts of settlement gripped the minds of the people.<sup>9</sup>

In order to make immigration a little more attractive the Legislative Council proposed in 1857 that prospective immigrants be given either full passage money, a substantial government subsidy or an advance to be repaid on arrival. Consequently the Executive set up the Immigration Board<sup>10</sup> which adopted a Select Committee recommendation that money advanced for passages to Natal should be guaranteed by relatives in the colony. Few immigrants took advantage of this scheme and during the period 1857 to 1860 only 560 adults were given assistance to Natal and from 1861 to 1864, only 1,236 availed themselves of this opportunity. This state of affairs was largely the result of high land prices caused by speculators who did little but hold land in the hope of a rise in price. Among the main speculators were the Natal Land and Colonization Company, the Cotton Plantation Company and the Natal Investment Company.<sup>11</sup>

The Natal Land and Colonization Company came into operation through a grant of local speculators and London financiers. Its main task was to sell land to emigrants

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9. R.E. Ralls: Early immigration schemes in Natal, 1846-1853, p. 83.
  10. "The Board, represented for the first time in Natal, an official machinery for inducing a greater European settlement of Natal" - D. Bagwandeem: European immigration into Natal, 1862-1884, p. 11.
  11. B.J.T. Leverton: Government finance and political development in Natal, 1843 to 1893, p. 83.

on reasonable terms, thereby leading to a speedy colonization of the Company which would at the same time benefit the Company and its members. Initially the Company came into existence with a pool of 250,000 acres.

The agricultural crises of 1866-1868 brought chaos for many farmers and resulted in a number of bankruptcies. During the years 1868-9 the Natal Land and Colonization Company purchased over 200,000 acres, and in 1870 three other similar companies possessed more than 50,000 acres each. By 1874 the Natal Land and Colonization Company had amassed over 660,000 acres with the amalgamation of smaller companies. By 1880, with the exception of one, it was the sole land company in the colony.<sup>12</sup>

A much more profitable role was played by the Land and Immigration Board (hereafter referred to as the Board) which was constituted under Law 21 of 1876. Since its inception in 1878 it had introduced 4,683 immigrants by 1884. The most important powers conferred on the Board by law were:

- (a) to provide for the introduction of artisans, mechanics, domestic servants and general labourers.
- (b) to arrange for the occupation of such lands as may be placed at the disposal of the Board.
- (c) to establish special settlements on the lands.
- (d) to procure, by purchase or lease, or otherwise, lands which may be required for the purpose of special settlements.

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12. A.J. Christopher: Land speculation in colonial Natal, 1843-1910, p. 107.

- (e) to facilitate arrangements for the acquisition of land by intending immigrants from private owners of land.

Some of the more important settlements established by the Board were Wilgefontein (1879) where 23 families were placed, and Marburg (1881) where 33 families were introduced.<sup>13</sup> The Weenen scheme which was approved of in 1876 was only laid out in 1885 when a small scheme was surveyed. There was a total of 17 plots covering 709 acres. This scheme did not prove very successful as the plots were taken up very slowly and by 1888 only 8 plots had been allocated.<sup>14</sup>

Havelock's first task in connection with immigration was to consider a new set of rules brought out by the Immigration Board in 1886. Those rules were somewhat more liberal in character than the previous ones as regards the payments proposed to be made from the immigration funds in the case of assisted passages.<sup>15</sup> Assisted third class passages would be provided from Europe to Natal for agricultural and field labourers at a rate of £7 for adults and £3.10. for children under 12 years. In any event the full amount was to be paid when making the application to the Secretary of the Immigration Board. The onus was left on the applicant to find employment together with board and lodging and medical attendance for every immigrant for at least 12 months from the date of arrival in

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13. C.S.O. 1076 Letters Received: 1644/861, J.H.B. Moreland - Colonial Secretary, 14.4.1886; Annexures: Report by Major Butler upon European immigration, 3.7.1875, Report of the Land and Immigration Commission (Government notice No. 395, 1885), 6.11.1885. For detailed account of the various schemes see D. Bagwandeem: European immigration into Natal, 1862-1884, Chapter 9, pp. 150f.
14. A.J. Christopher: Natal; a study in colonial land settlement, p. 139.
15. E.I. 1406/1886: Secretary Land and Immigration Board Colonial Secretary, 31.3.1886.

the colony. Assisted third class passages would be provided from Europe to Natal for agricultural and field labourers at the rate of £7 for adults and £3.10. for children under 12 years. In any event the full amount was to be paid when making the application to the Secretary of the Immigration Board. Passages would also be considered for those immigrants not included in the above category, on the application from persons residing in the colony, at the rate of £14 for each adult, children to be paid at the rate of 1/16th of the adult rate for each completed year of age. In the case of an emigrant travelling second class, he would have to pay to the Emigration Agent in London, in addition to the above, the amount of the difference between the sum of £14 and the ordinary second class fare as charged to them.<sup>16</sup> However, these rules contained no provision for free passages as had been the case with certain classes of immigrants under the old regulations.<sup>17</sup> These draft rules were brought before the Executive Council for decision but they were rejected. Havelock concurred in the view expressed by the Executive Council and said that they offered no decided advantages over those of 8th March 1882 and he was therefore not prepared to approve of them.<sup>18</sup>

In February 1886 a new emigration contract was entered into with the "Union" and "Castle" Companies,<sup>19</sup> but owing to the necessary funds not having been placed at the disposal of the Board, no advantage was taken of that contract.

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16. E.I. 15: 1406/1886. Secretary Land and Immigration Board - Colonial Secretary, 31.3.1886.

17. The old regulations read: "Free passages will be provided from Europe to Natal for Immigrants of the following classes:- Farm labourers and Mechanics, viz. Carpenters, Bricklayers, Stonemasons, Tinsmiths, Shoemakes, Plasterers, Cabinetmakers and Wheelwrights, on application from persons residing in the Colony ...." See Government Notice No. 196, 1882 in E.I. 15, 1406/1886, 31.3.1886.

18. E.I. 15, 1406/1886, Secretary Land and Immigration Board - Colonial Secretary, 31.3.1886, Minute: Havelock, 17.5.1886.

In August and October 1886 the Board appealed once again for approval to grant passages at contract rates to immigrants on application from approved resident colonists. Even this permission was refused and as a result the Board opined that a number of useful settlers had been lost to the colony. Because of its financial embarrassment application was made to the government to authorise the Board to collect rent from natives squatting on lands reserved for immigration purposes. As a consequence of the opinion of the Attorney General, the Government was compelled to refuse this request, thereby causing a considerable loss of revenue to the Board.<sup>20</sup> The position became even more critical when the Board's request to transfer £2,000<sup>21</sup> to the Crown Agents was turned down by the Executive Council<sup>22</sup> on the 15th May. The Board now wished to be informed of "*whether its power to introduce European Immigrants has been entirely suspended by the Government.*"<sup>23</sup> The Governor was quick to reply:

*"I regret in consequence of the present financial embarrassment of the Government, it is impossible to appropriate any funds whatsoever for the purposes of European Immigration."*<sup>24</sup>

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19. See N.B.B. (1884-1887) vol. 6. Colony of Natal: Contract with the Union Ship Company Ltd., and the Castle Mail Packets Company Limited, for the emigration service to the colony for the years 1886, 1887, and 1888. Dated 1st February, 1886.
  20. N.B.B. 1886, Supplements Dept. Reports. Report of the Land and Immigration Board, p. A65.
  21. E.I. 1431/86. Secretary Land and Immigration Board - Colonial Secretary, 2.4.1886.
  22. E.I. 1431/86. Minute: Executive Council, 15.5.1886.
  23. E.I. 1431/86. Minute: Secretary Immigration Board, 10.6.1886.
  24. E.I. 1431/86. Minute: Governor, 12.6.1886.

This startling disclosure spelt doom for the Board temporarily and it ceased to function. The Report of the Board showed that no meeting was held after October.<sup>25</sup>

The government could hardly be blamed for this attitude. When Havelock took over the reins of the government, the colony was suffering from the depression but as railways and harbour development was the economic lifeblood of the colony it had to be pursued at all costs, if Natal was not to lose her commercial opportunities with the discovery of the new gold fields. The colony had refused additional taxation, and with civil service cuts, the colony could ill-afford to promote a vigorous immigration policy, until its finances showed some signs of improvement.

The financial embarrassment of the colony was further accentuated with the publication of the report of the Crown Lands Commission in August 1886 which showed that arrears due on the lands leased amounted on the 20th February 1885 to £1,803.18.11. On the 3rd July 1886, the arrears had increased to £4,665.7.6. The Commission suggested that it would be desirable to introduce a system of leases of Crown Lands with the right of pre-emption and that the period for the payment of the purchase money be extended to 20 years.<sup>26</sup> In May 1889 the Legislative Council proposed that increased facilities should be provided for European immigrants for "*beneficially occupying certain of the waste Crown Lands of the Colony.*" In this respect they suggested that leases

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25. N.B.B. 1886 Supplements Dept. Reports: Reports of the Land and Immigration Board, p. A65.

26. N.G.G. vol. 38. 1886 Crown Lands Commission Report, pp. 662-667; Natal Almanac 1887, pp. 356-361; N.H. IX, 2.11.1886, pp. 218-219.

up to 2000 acres in certain districts should be sold by auction at a rental of one penny per acre per annum for a period of 10 years, with the right of purchase at 10s. per acre at the end of the lease.<sup>27</sup> But the government disregarded the leasing provisions which they regarded as unpopular and instead the period of purchase was extended to 20 years as a result of Proclamation No. 49 of the 23rd September, 1889. It was further specified that no interest would be charged on the outstanding sums of money and the terms of purchase amounted to 5% of the price per year or 6d per acre per year.<sup>28</sup> This Proclamation was issued without the prior approval of the Secretary of State by Governor Mitchell, who was now at the helm of the government. This was because the Council's address was issued in May 1889 while Havelock was still in Natal, and since then many young colonists and others were leaving Natal for Griqualand East and other areas where land could be purchased on much easier terms than in Natal.<sup>29</sup> The Colonial Office too realised the importance of the Proclamation. One of the officials remarked:

*"The Proclamation has already been issued and as far as I can judge is well deserving approval. At the same time I cannot quite understand the force of the Governor's objections to the proposals of the Legislative Council."*<sup>30</sup>

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27. N.H. XIII, 28.5.1889, pp. 153-165; G.H. 1226 Copies of Despatches to the Secretary of State: No. 223, Mitchell - Knutsford, 23.9.1889.
28. A.J. Christopher: Natal; a study in colonial land settlement, pp. 137-38; G.H. 1226 Copies of Despatches to the Secretary of State: No. 223, Mitchell - Knutsford, 23.9.1889.
29. G.H. 1226 Copies of Despatches to the Secretary of State: No. 223, Mitchell - Knutsford, 23.9.1889; N.H. XIII, 28.5.1889, p. 154.
30. C.O. 179/175 No. 20686, Minute: Bramston, undated.

In September 1886 the Governor approved of a scheme introduced by the National Association for promoting State-Directed Colonization of which Lord Brabazon was the chairman. This scheme involved the co-operation of the Home government and the colonial governments in:

1. permitting the Emigration Agent in London to become ex-officio a member of a Colonization Board; and
2. placing in the hands of such Colonization Board free grants of land for colonization purposes.

The Executive Council agreed with the Governor that it would be in the interest of the colony to make free grants of land available and to place the services of the Emigration Agent as a selector of immigrants for Natal at the disposal of the Board.<sup>31</sup> In spite of this concession only five immigrants had arrived by the end of 1886.<sup>32</sup> Had the Legislative Council voted the necessary funds, 1886 would have seen a great deal more immigrants but this was impracticable owing to the financial state of the colony.

Walter Peace, Natal Emigration Agent in London, pointed to the fact that there was no permanent and properly constituted department in the colony where immigrants could ascertain without delay definite information as to the character of the soil, the most suitable systems of farming, and the general conditions and prospects of the various districts of the colony, as well as prompt guidance and assistance for the acquirement of allotments

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31. G.H. 1225 Copies of Despatches to the Secretary of State: No. 151, Havelock - Stanhope, 17.9.1886; N.H. XI, 9.10.1888, p. 468.

32. See N.B.B. 1889. Supplements. Dept. Reports. Report of the Land and Immigration Board, p. A7.



suitable to their means and experience. Peace therefore suggested that the Land and Immigration Board be transformed into a department and invested with the authority, duty and power of giving effect to the above proposals. The operations of the proposed department would be welcomed by the landholders whose property was left practically unoccupied, and there were also those tenants who did not have the means to cultivate or utilise all their holdings. Peace concluded by saying:

*"Surely no one doubts that Natal will eventually afford comfortable homes for a white population several times greater than it now has. Yet its natural resources will be no greater than they are now. Therefore I urge the sweeping aside of hindrance to the creation of facilities for that increase of the British population which is the first and greatest of all the colony's needs."*<sup>33</sup>

The Board, however, considered that this proposition dealt with the tenure of lands throughout the colony and was not within its power to deal with, but should be dealt with by the government.<sup>34</sup> This whole question of land tenure was discussed by a Select Committee appointed on the 5th July 1887 *"to enquire into the present position and tenure of the lands in the Colony."*<sup>35</sup> In its report the Committee enumerated the various kinds of land tenure in the colony. They came to the conclusion that the colony's existing system of land tenure was very unsatisfactory.

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33. Sir Walter Peace Collection: Peace on Colonization, 11.11.1887, p. 37.

34. N.B.B. 1887 Supplements, Dept. Reports. Report of the Land and Immigration Board, p. A58.

35. N.H. X, 5.7.1887, pp. 140-145.

But the Report did not contain any suggestion as to how this problem could be combated. The Committee also found that a large amount of the best land situated near populated areas and markets in the colony was lying waste. Here again the Committee failed to give one single suggestion as to how this state of affairs could be alleviated.<sup>36</sup>

In August 1887 the Governor sanctioned the resumption of European immigration but on a limited scale. Passages were granted to immigrants who were nominated by resident colonists at third class contract rate, namely £12 per adult, a pro rata amount for children, payable in advance. All applications had to be recommended by the Board and then submitted to the government for approval. More than 40 applications had been approved in this way, 26% of which had been forwarded by the Board to the Emigration Agent in London. In November 1887 the first batch of immigrants arrived in the "Athenian". It must be remembered that under this scheme the colony bore no part of the cost of the immigrants' passages. Consequently if the contract rate were not available, there were many instances where the head of the family, already living in Natal, would thus be forced to leave the colony to take advantage of terms offered by other colonies as the cost of passage to Natal at ordinary rates would be beyond his means. However, the Board was of the opinion that if a second class rate had been inserted into the contract, the number of applications would have been doubled.<sup>37</sup> In 1888 a further batch of 212 arrived under the nomination system of whom 39 were masons for government railway service.<sup>38</sup>

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36. N.H. X, 28.7.1887, pp. 320-326.

37. N.B.B. 1887 Supplements: Dept. Reports. Report of the Land and Immigration Board, pp. A57-58.

38. N.B.B. 1888 Supplements: Dept. Reports. Report of the Land and Immigration Board, p. A36.

A further incentive was provided when a despatch was received from the Secretary of State<sup>39</sup> relative to a scheme proposed by Mr. Kimber, M.P., in the House of Commons for the purposes of promoting national colonization by means of a public marketable stock to be provided by the public in the United Kingdom on the security of the lands settled on, and guaranteed as to the interest by the co-operation of the Imperial and colonial governments. This meant that the colonial government would have to undertake to guarantee the administration of the capital as well as the collection of the interest from the settlers, with the Imperial government lending its guarantee by way of endorsement of the colonial security so that the money would be raised at the lowest possible cost. The following proposals were put forward by Kimber:

1. The duty of the Imperial government would be to select and despatch the settler with the colonial agent's approval.
2. The duties of the colonies would be to select the land and receive the settlers, as well as to prepare their homes and administer the money raised.
3. The money for the operation of the scheme was to be raised in the open money market in London by the co-operation of both the Imperial and colonial governments, at the lowest cost, with the maximum cost not to exceed 3%.
4. The money raised in this way was to be calculated at the rate of £300 per group or family of five settlers which would include the expense

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39. G.H. 390 Circular Despatches Received from the Secretary of State: Holland - Havelock, 1.9.1887, Enclosure: Colonisation (Reprinted from "The European Mail". August 19, 1887).

of their passage, the erection of their homestead, provision of seed and implements, domestic animals and enough food to supplement their production during the first twelve months.

5. A total of 50 acres, apart from his homestead and garden, should be allotted to each head of the family.
6. The repayment of the £300 would not be necessary as this would be invested in the land and home. The settler would have a freehold grant of his land and home subject to a rent charge, say, 4% on £300, or £12 a year, or more if necessary.
7. If the money was raised at 3%, and assuming the colony received 5% rent from the settlers, the colonial government paid the Imperial government 4% and retained 1% for itself. The Imperial government then paid 3% and retained 1% for itself. In this way both governments would be paid for their trouble and risk. The rent obtained from the land and house would thus constitute the required security for both governments.
8. Further the colonial government would reserve its right on all crops, stock and utensils for at least 5 years.
9. Finally, the basis of the settlements should be the planning of village communities as new centres in open country with at least 20 families or 100 persons in each village.

The Board approved the principles of the scheme proposed by Kimber. It was of the opinion that details should be worked out between the Imperial government and the colonies. The Board further stressed that it would gladly

see this scheme speedily brought into operation.<sup>40</sup>

Havelock himself doubted whether the Board had seriously considered the risk and responsibilities which the scheme would impose on the colonial government.<sup>41</sup>

F.S. Haden, the Colonial Secretary, was of the opinion that the scheme proposed by Lord Brabazon's Association did not contemplate the assumption by the colonial government of any financial risk or responsibility whereas Kimber's scheme placed the responsibility on the colonial government as well as undertaking and guaranteeing the administration of the funds and the collection of the interest from the settlers. Kimber's scheme meant that the capital outlay for the scheme was to be obtained by issuing stock bearing interest at 3%. The Colonial government would then receive the rent charged at 5% of which 4% was to be paid to the Imperial government and the balance of 1% would be retained by Natal. As long as the 5% rent-charge was collected to enable the colonial government to pay the 4% to the Imperial government, this would be satisfactory security for Natal. But if sufficient revenue was not forthcoming, it meant that the colonial government would have to make up the difference. Kimber's proposal that the settler should have a freehold grant of his land subject to the payment of the rent-charge was from a legal point of view inconsistent with freehold tenure. It was not even clear how, if a settler was to have a freehold grant of land subject to the payment of the rent-charge the land could serve as security for the stock issued. In Natal this would be considered insufficient security. The ordinary price for Crown Lands was 10s per acre, so that the value of 100 acres would be £50. Under the scheme capital to the amount of £300 would

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40. N.B.B. 1887 Supplements: Dept. Reports. Report of the Land and Immigration Board, p. A57.

41. G.H. 1225 Copies of Despatches to the Secretary of State: No. 15, Havelock - Holland, 21.1.1888.

have to be used up, out of the funds raised by the issue of stock. In other words, the security for £300 worth of stock would be land to the value of £50 in addition to any building or improvements on the land. This would be worsened by the fact that the purchasers of such small areas of land would not be easily found in the colony, and even when found, the price which would be obtained for the land would not be more than the market value of the land, that is, 10s per acre.<sup>42</sup> Havelock, too, was doubtful of the success of the scheme. He said that considerable modifications would be required in such a scheme and was even bold to say that the *"tendency of the scheme itself would be to cramp the enterprise and self-reliance of the intending Emigrant, and to control too much his freedom of action, when he has reached the Colony for which he is destined."*<sup>43</sup> It must also be remembered that the European settlers would have to compete with the native and the Indian<sup>44</sup> who were long before him in the field. Carefully selected agricultural labourers with much capital might prove to be successful in certain chosen localities.

Apart from making the above observations the Governor asked the Board for a reassessment of Kimber's scheme. The modifications as finally proposed by the Board went far towards removing the risks which the colony would

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42. For Colonial Secretary's Minute see C-5361: Correspondence respecting a scheme of colonization referred in 1887 for the consideration of Colonial Governments: No. 7, Havelock - Holland, 21.1.1888, Memorandum by the Colonial Secretary, 18.1.1888, p. 16.
43. G.H. 1225 Copies of Despatches to the Secretary of State: No. 15, Havelock - Holland, 21.1.1888.
44. For e.g. see L.M. Thompson: Indian immigration into Natal, 1860-1872; N. Hurwitz: Agriculture in Natal, 1860-1950.

have been exposed to had Kimber's scheme been approved.<sup>45</sup>

The Board's alternative scheme provided for capital of £200 was made up of the following:

|                                  | £     | s | d |
|----------------------------------|-------|---|---|
| Passages and expenses in England | 70    | 0 | 0 |
| Iron house                       | 20    | 0 | 0 |
| Oxen and cows                    | 50    | 0 | 0 |
| Seed                             | 5     | 0 | 0 |
| Maintenance for 9 months         | 45    | 0 | 0 |
| Sundries                         | 10    | 0 | 0 |
|                                  | <hr/> |   |   |
| Total.                           | 200   | 0 | 0 |
|                                  | <hr/> |   |   |

The Board further stipulated that the Emigration Agent should have absolute power of veto. The financial terms would be accepted, subject to Legislative approval, but only  $\frac{1}{2}$  was to be retained by the Colonial and Imperial governments respectively. The following lands were at the disposal of the Board:

1. On the Umzimkulwana, 72 lots of about 200 acres each.
2. North Shepstone, 3,400 acres suitable for tea, coffee, tobacco, etc.
3. Harding, 8,000 acres suitable for general farming.
4. Dronk Vlei, 23,000 acres suitable for general farming.
5. Mabehlana, 15,000 acres suitable for general farming.

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45. G.H. 1225 Copies of Despatches to the Secretary of State: No. 88, Havelock - Knutsford, 4.4.1888.

6. Weenen, 5,000 acres, suitable for wheat and agriculture generally
7. Ingagane, 10,000 acres suitable for sheep, cattle and agriculture.
8. East and West Williamson, not recommended
9. Umzinto, 15 lots, 500 acres each, stock and agriculture.

Of the lands cited the Board recommended the lands already surveyed at Umzimkulwana - which did not fall under the operation of Law 50 of 1884.<sup>46</sup> Further, the Board was anxious to prevent the arrival of immigrants who were not agricultural labourers of the best class. The group should also include at least 5% artisans with their own capital who in the opinion of the Board would prove beneficial to the colony. The Board found it desirable to include in the scheme land owning companies, or private individuals.<sup>47</sup> A.H. Hime, the Colonial Engineer and Surveyor, felt that the modified scheme offered much scope and he did not think that the government would risk much as the amount of capital had been reduced from £300 to £200 and the proposed rent-charge had been reduced by 1%. In order to give the settler a better chance he suggested that the area to be allotted to each settler should be increased to at least 300 acres.<sup>48</sup>

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46. By Law 50 of 1884 Section 1, the Board was empowered to allocate half the number of lots of any special settlement set up to colonists of Natal, with the provision that granting such land to colonists was that they had to be residents in Natal for the preceding five years before the grant was made.
  47. N.B.B. 1888 Supplements. Dept. Reports. Report of the Land and Immigration Board, pp. A34-35.
  48. For A.H. Himes Report see C-5361, No. 12, Havelock - Knutsford, 4.4.1888, pp. 22-23, Enclosure 2, Report by the Colonial Engineer and Surveyor General, 28.3.1888, p. 24.



Kimber viewed the new proposals in a very liberal spirit. He regarded it as practical and reasonable. The proposal in short, would enable 72 families (5 persons each) to be started with a capital of £200 and 200 acres of land. The total advance thus involved would be £14,400 which at 3% would only be a risk of £432 a year. The security would be 14,400 acres of freehold property, 72 houses, and the working power of 360 well selected settlers. The only money that would be required from each of the 72 settlers would be a payment of £12 a year for 29 years in order to repay the government the whole of the principal sum advanced and interest at 1% profit ( $\frac{1}{2}$ % profit for each of the governments). With regard to the raising of the money, Kimber suggested that as £14,400 was too small an amount to be raised by creation of a Public Stock; either the Imperial government should advance the money out of its cash balance, the colonial government agreeing to share the responsibility equally for it, or alternatively to raise it by the issue of Colonial Exchequer Bills or bonds endorsed by the Imperial Government.

Kimber further suggested that each settler's home should not be located separately on his allotment of 200 acres, but that the homes should be close together so as to form a village. Greater value could be achieved in this way; education and public worship would be facilitated, co-operation, municipal life and local self-government could thus be created. In a community of 360 settlers there should be at least 3 carpenters, 2 shoemakers, 1 stonemason and mate, 1 or 2 bricklayers and mate, 1 tailor and mate, 1 fitter and mate, 3 or 4 gardeners, 1 baker, 1 butcher, 1 skin and leather dresser as tanner.

In order that the settler should not suppose that he obtained the 200 acres of land without cost, and perhaps make other people jealous, and to maintain his sense of

independence, it should be impressed upon him that the value of the 200 acres was about equal to the cost of his family's passage, which he had to pay from the £200 cash, and in consideration of this he was to get the land.<sup>49</sup>

In spite of this lengthy elaboration by Kimber the Executive Council were still dubious of the scheme and felt that its adoption even to the limited extent as proposed by the Board should be postponed until some definite decision was arrived at with respect to State-directed Colonization.<sup>50</sup>

Thus this elaborate scheme which entailed so much correspondence between the two governments failed to leave the drawing boards. Although the scheme itself was approved by the Board nothing came of it. Had this scheme been adopted many more immigrants would have arrived in Natal to take up the vacant Crown Lands, and other areas which the Board spoke of; and Natalians would not have had cause to complain about the fierce competition<sup>51</sup> from the Indians. Natal, too, by 1888 had recovered from her financially embarrassed state,<sup>52</sup> and could well afford immigration on her own strength.

On a comparative note it is interesting to observe that the replies elicited from other areas of the British Empire to Kimber's proposals displayed a decidedly negative

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49. G.H. 320 Despatches Received from the Secretary of State (Emigration): 24.7.1888, Annexure: Mr. Kimber M.P. - Lord Knutsford, 5.7.1886.

50. G.H. 1226 Copies of Despatches to the Secretary of State: No. 207, Havelock - Knutsford, 2.10.1888.

51. See Chapter 5.

52. See Chapter 1.

attitude. Natal was the only colony where much correspondence had taken place. The Cape Colony<sup>53</sup> had no crown lands available and the only land suitable was in the hands of private individuals or municipal bodies, and the government was not prepared to give the required guarantee. Land in Fiji<sup>54</sup> was not suitable for white immigrants, and in South Australia,<sup>55</sup> the Ministers found it undesirable that the colony should entertain the proposals mentioned in Kimber's scheme, in selecting the land, receiving the settlers, and preparing their homesteads, etc. The same feelings were expressed by the Canadian Government.<sup>56</sup>

In May 1888 the Secretary of State sent a Memorandum and Scheme of the Colonization Committee of Parliament for State-directed colonization. This scheme was not brought before the Imperial government since Knutsford wanted to assess the feelings of the colonial governments on it before making such a move. A Colonization Committee of both Houses of Parliament was formed on the 11th February 1887, comprising of members who favoured the principle of State-directed colonization. During the 1887 session, 32 members of the House of Lords and 135 members of the House of Commons considered various proposals based upon the experiences of some existing colonization experiments. Colonization and not emigration was the active principle

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53. C-5361 Correspondence Respecting a scheme of Colonization referred in 1887 ...: Robinson - Holland, 9.9.1887, pp. 8-9.
54. C15361 Correspondence Respecting a scheme of Colonization referred in 1887 ...: Mitchell - Holland, 22.11.1887, p. 9.
55. C-5361 Correspondence Respecting a scheme of Colonization referred in 1887 ...: Sir W.C.F. Robinson-Holland, 13.12.1887, pp. 9-10.
56. C-5361 Correspondence Respecting a scheme of Colonization referred in 1887 ...: Marquis of Lansdowne - Holland, 11.2.1888, pp. 16-17.

of the scheme. This scheme allowed the settlement of unoccupied colonial lands, and included not only the cost of passage but also expenditure on land, as well as equipment and temporary maintenance of the colonists. This system if properly carried out would enable the assisted colonist eventually to become a resident freeholder. In the opinion of the Committee this could be developed into a sound national scheme which would benefit both the mother country and the colonies by increasing the area of cultivation and expanding markets for home manufacturers, thereby increasing the prosperity of colonial cities and towns.

Further this scheme would be carried out with the assent and co-operation of the colonial governments, who would be represented on the Colonization Board. It was suggested that this co-operation should consist of selection and approval of the intending colonists and provision for placing at the disposal of the Colonization Board, the necessary land. It was not envisaged that the colonial government should assume any share of the responsibility in the Imperial guarantee of interest or incur any financial liability whatsoever. The important condition attached to the scheme was that the colonial government should give free grants of land, or on the most favourable terms, with power to create a rent-charge where necessary.<sup>57</sup>

The Governor referred this scheme to the Land and Immigration Board for their opinion.<sup>58</sup> The Board found this scheme in certain respects to be more attractive than

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57. G.H. 392 Circular Despatches Received from the Secretary of State: Knutsford - Havelock, 31.5.1888, Annexure: Sir W. Houldsworth - Lord Knutsford, 15.5.1888.
58. G.H. 1226 Copies of Despatches to the Secretary of State: No. 208, Havelock - Knutsford, 2.10.1888.

that put forward by Kimber, more especially in the absence of all financial responsibility of the colonial government. The Board stipulated that its Agent in London, Sir Walter Peace, should retain the power of absolute veto in the selection of emigrants, and as regards the land placed by the colonial government at the disposal of the Colonization Board for Immigrants, its beneficial occupation should be to the satisfaction of the colonial government.<sup>59</sup>

The Board also recommended that private owners of land be also given the opportunity to place at the disposal of the proposed Colonization Board free land, or on the most favourable terms. Havelock and the Executive Council concurred in the views expressed by the Board. In order to give practical effect to the scheme the Executive Council advised the Governor to devote a large proportion of the £10,000 placed on the estimates for 1889 for immigration purposes of purchasing suitable land. This had become necessary because the Crown Lands adapted to the purposes of the proposed scheme were not large.<sup>60</sup> The Council was informed that in the event of the adoption of this scheme the major part of the money, about £7,000 to £8,000, would be spent on land in the vicinity of the railway or close to markets and the balance would be used in assisted passages for artisans, etc. and partly on departmental charges. In the event the Council did not approve, the Government would alternatively spend the greater part of the money on the introduction, settling and partial maintenance of the immigrants, making use for this purpose of the best of the lands already reserved for

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59. N.B.B. 1888 Supplements: Dept. Reports. Report of the Land and Immigration, p. A35.

60. G.H. 1226 Copies of Despatches to the Secretary of State: No. 208, Havelock - Knutsford, 2.10.1888.

immigration. W. Hartley, M.L.C., thought it reasonable and necessary that the colony should assist in order to promote immigration. This would unquestionably lead to greater prosperity as well as an increase in the value of landed property.<sup>61</sup> The line of railway to Coldstream would automatically open up the country which was well adapted for small farms. These lands were still in the possession of the government, having escaped falling into the hands of companies and speculators. This was so because of the distance from the port and centres of population. The extent of the land was about 600,000 acres and it was an opportunity for the government to carve out small allotments of from 25 to 50 acres, well selected for agriculture.<sup>62</sup> The estimate of £10,000 was fiercely debated in the Legislative Council and Binn's amendment that £5000 be voted for assisted passages only, and that no portion of this was to be used for purposes of the colonization scheme was finally accepted.<sup>63</sup> A further £2,000 was granted for 1889. Of this sum of £7,000, a total of £6,166.16.10 was used up in providing assisted passages.<sup>64</sup> The rates for assisted passages were: Adults £5 each; Children under 12 years, £2.10. A total of 755 had arrived under this scheme by 1889.<sup>65</sup>

Various schemes for free and assisted passages were submitted to the Board for approval. In June, Knutsford proposed that pensioned soldiers of 50 years of age and over who wished to emigrate to British colonies be

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61. G.H. 1069 Received from Private Individuals: 4098/1888, W. Hartley - Colonial Secretary, 8.9.1888.
  62. Wm. Hartley, M.L.C.: Natal: Land and Immigration (1888), p. 2.
  63. N.H. XI, 9.10.1888, pp. 468-75; G.H. 1226 Copies of Despatches to the Secretary of State: No. 227, Havelock - Knutsford, 28.10.1888.
  64. N.B.B. 1889 Supplements: Dept. Reports. Report of the Land and Immigration Board, p. A3.
  65. N.B.B. 1889 Supplements: Dept. Reports. Report of Land and Immigration Board, pp. A7-8.

allowed to commute their pensions in the colony.<sup>66</sup>  
 This was approved by the Natal Government.<sup>67</sup>

The Board also approved of a scheme whereby those soldiers who were discharged from regiments serving in Natal, or who left their regiment on their return to England after doing garrison duty here for a certain period, should receive assisted passages back to Natal (and possibly land grants) if they appealed through their commanding officer within a specified time of their arrival in England (say 6 or 12 months) with the condition that they engage to take up service in the Natal Volunteers for a certain number of years. This scheme, modified in some respects, met with the approval of the military authorities which resulted in the issuing of a "military order".<sup>68</sup>

Another scheme was submitted in September by William Hartley, M.L.C., who was also a member of the Board. The Board discussed this scheme and referred the proposals to Walter Peace. Hartley argued that the existing system of assisted passages introduced into the colony generally fell into three categories:

1. Domestics under engagements.
2. Artisans and other to supply the pressing demand.
3. Friends and relatives of persons already in the colony.

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66. G.H. 393 Circular Despatches Received from the Secretary of State: Knutsford - Mitchell, 2.5.1889.

67. G.H. 1226 Copies of Despatches to the Secretary of State: No. 133, Mitchell - Knutsford, 17.6.1889.

68. N.B.B. 1889 Supplements: Dept. Reports. Report of the Land and Immigration Board, p. A3.

The limit to these special classes would soon be reached as nominations were confined to the colony. The many applications made to the London Agent was proof that there were many in England who desired to emigrate, and if facilities were provided a lot more would avail themselves of the opportunity. The impediment to a regular flow of settlers to Natal was the need to pay a large amount of passage money. Hartley suggested that, on application, a passage should be granted under the following conditions:

- (a) All applicants were to be approved by the London Agent, with certificates of good character, and freedom of disease.
- (b) Every adult had to pay £5 towards passage money on being approved, and enter into a bond to pay another £5 within two years of his arrival in the colony.

The immigrant should be encouraged to settle on small farms of about 50 acres on the most favourable terms - 10s to 20s per acre. On completion of the payment, titles should be issued free.<sup>69</sup>

But this scheme did not meet with the full approval of the London Agent. Hartley's fear in most cases was not, however, well founded. The nominee system would still continue to prevail and the colonists in general would still want their friends to settle in Natal. The government would have no effective means of collecting the second £5 or even preventing free immigrants from leaving

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69. N.B.B. 1889 Supplements: Dept. Reports. Report of the Land and Immigration Board, p. A4. (Minute by Hartley, dated September, 19th, 1889).



Natal, and no doubt it was bad policy to pass laws which cannot be enforced. Granting lands of 50 acres or less would involve changes in the law affecting Crown lands. However, Peace approved of Hartley's suggestion that free titles be issued after completion of payment.<sup>70</sup>

The total number of immigrants who arrived during 1889 under the nomination system was 650, in addition to this there were 75 artisans for the railways, and 30 recruits for the Natal Mounted Police, bringing in a total of 755 - of this total 175 arrived in July in the "Nubian" alone.<sup>71</sup> The 1889 figures were a great improvement on those of previous years. In 1886, for example, only 5 immigrants (one family only) arrived; in 1887, 26 and in 1888, 212.<sup>72</sup>

There were many reasons why Natal failed to attract as many immigrants as desired, one of the more important being the lack of suitable Crown lands. Some 8,000,000 acres out of a total of 12,000,000 were alienated by 1888 through land grants, producing a revenue of only £3,000 annually.<sup>73</sup>

The Immigration Board itself was not held in high esteem by the general public and its attempts to bring immigrants into Natal were "*straggling, partial and unsystematic*," and met with only a "*modicum of success*."<sup>74</sup> Assisted passages were available for agricultural emigrants but Natal farmers showed little disposition to use these facilities. Native labour, though unreliable, was so much cheaper.<sup>75</sup>

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70. N.B.B. 1889 Supplements: Dept. Reports. Report of the Land and Immigration Board: Emigration Agent's Report on Minute by Mr. William Hartley, dated September, 19th 1889, 12.12.1889, pp. A5-6.
71. N.B.B. 1889 Supplements: Dept. Reports. Report of the Land and Immigration Board, pp. A8-9.
72. N.B.B. 1889 Supplements: Dept. Reports. Report of the Land and Immigration Board, p. A7.
73. Wm. Hartley, M.L.C.: Natal; Land and Immigration (1888), p. 1.
74. D. Bagwandeem: European immigration into Natal, p. 184
75. A.F. Hattersley: Later annals of Natal, p. 8.

The nominee system failed to attract large scale immigration since it was restricted to the friends and relatives of persons already resident in Natal. Coupled with this, there were few opportunities for clerks, shop assistants and professional men. Artisans like carpenters, blacksmiths, masons and shoemakers could not be absorbed in large numbers.<sup>76</sup> At the same time Natal lacked proper communication facilities. Railway and harbour facilities were as yet not fully developed, and the ox-wagon was "*slow, expensive and unreliable.*"<sup>77</sup>

In conclusion it is therefore necessary to follow the development of Natal's white population during the years 1886-1889 and to ascertain how far the discovery of gold in 1886 had a detrimental effect on its population growth. It was undoubtedly the gold boom which signalled the rapid decline of Natal's white population, particularly in the field of agriculture.<sup>78</sup> At this time many people with financial means left the colony to seek their fortunes on the gold fields. Numerous small companies and syndicates sprang up which sent representatives to the gold fields with promises of monetary support for a year or two.<sup>79</sup>

During 1886 Natal's white population numbered 37,437 and this dwindled by 1,571 to 35,866 in 1887. In 1888 there was a meagre increase of 67 bringing the total to 35,933. It was only in 1889 that there was a substantial increase in the total white population to 37,390.<sup>80</sup>

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76. D. Bagwandeem: European immigration into Natal, 1862-1884, p. 187.

77. A.F. Hattersley: Later annals of Natal, p. 8.

78. Commercial Advertiser, 30.9.1886; Natal Witness, 24.8.1887.

79. Natal Mercury, 5.1.1887.

80. See Natal Almanac for the years 1888-1891.

Finally the Report of the Select Committee on the Constitution (1888) viewed with concern that there was "*practically no chance of a wisely digested system of colonization*" under the existing form of government. And in order for the satisfactory working of responsible government, Hartley, one of the members of the Committee, urged that it was necessary to organise with the assistance of the British Government an extensive scheme of European immigration.<sup>81</sup>

While it is abundantly clear that Natal possessed a small white population, this small group was to play an active role in the economic, political and cultural development of the colony.

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81. Sessional Papers 1888, L.C. No. 24, 18.9.1888, p. 82, 89.

CONCLUSION.

The removal of Sir Arthur Havelock did not come unexpectedly to many colonists and the Natal press who regarded him as a failure, although during his period the country prospered. But this prosperity came from a source altogether independent of Havelock's influence, and from the beginning the government had doubts about the permanency of the revival.

One of the main criticisms that was levelled against Havelock was that neither in the Government of Zululand nor in that of Natal did he display the mark of the able administrator. From the first to the last the government of Zululand was grossly defective. The manner in which Havelock settled the Zululand problem earned him the contempt of the colonists, and this was intensified when he calmly and coolly acquiesced to the annexation of the New Republic to the Transvaal in 1888. The colonists did not forget the Zulu uprising of 1888, and many felt that had there been an able Governor in office at that time, the harrying of the unfortunate Usutus, and the favouritism shown by some Zululand officials to Zibhebu would never have happened. Had he given his personal attention to Zululand, in all probability the events of the last twelve months would never have been heard of.

Havelock's relationship with the Legislature was not smooth. The financial problems and the Free State correspondence brought him into open conflict with the Legislative Council. It was more particularly the latter which brought home to the colonists the need for self-rule.

In the case of Griqualand East and Pondoland the government was placed in a quandary, and to maintain its own credibility demanded the annexation of these areas to Natal.

In both these areas of conflict the Cape Ministry demanded non-interference in its internal affairs, and the weaker colony was on the losing end.

The colonists, too, felt that Havelock did not fully assume his role as Governor. His relationship with the South African Republic clearly showed that he was subservient to the High Commissioner at Cape Town. Newspapers and colonists felt that such a distinction in the relations between Natal and the South African Republic was not really necessary. If there was a distinction of any kind between the two states, it was owing to "*certain vague reservations in the London Convention that the South African Republic is by a faint shade more British than the Free State.*"<sup>1</sup> If such was the case, the Natal Witness remarked, it should bring the South African Republic into closer sympathy with the British government. The arrangement, however, by which communications between Natal and the government of the South African Republic were to be carried on through the offices of the High Commissioner placed the Transvaal at a great distance. If communications may be held direct with the President of the Free State, which was admittedly independent, then why not with the President of the South African Republic.<sup>2</sup>

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1. Natal Witness, 19.1.1887, Times of Natal, 22.9.1886.
  2. See G.H. 1225 Copies of Despatches to the Secretary of State: No. 163, Havelock - Stanhope, 5.10.1886; C.O. 179/167 No. 3016, Havelock - Stanhope, 15.1.1887; G.H. 1327 Copies of Despatches to High Commissioner and General: Havelock - Robinson, 10.10.1886; G.H. 140 Numbered Despatches Received from the Secretary of State: No. 42, Stanhope - Havelock, 6.11.1886; G.H. 610 Despatches Received from the High Commissioner: S.A. No. 5, Robinson - Havelock, 26.1.1887.

Against all this background, the tension in Havelock was mounting, and it was not surprising therefore that he applied for leave of absence for a few months:

*"I have had much hard and harassing work here, and I begin to feel a little rest will become desirable."*<sup>3</sup>

When Havelock applied for leave he recommended that Col. Stabb should administer the government during his absence, but the Colonial Office thought it fit to appoint Sir Charles Mitchell instead.<sup>4</sup> This was a slap in the face for the Governor, but the decision to appoint Mitchell was most appropriate since he had held previous appointments in Natal. Mitchell's appointment was welcomed in Natal.

Much of the adverse criticism of the English Press against Havelock was counter-balanced by a more favourable view by the Natal Afrikaner. The paper said that Havelock was the first governor in this colony to find it acceptable to nominate an Afrikaner, T. Nel, as a member of the Legislative Council, thereby giving some credit to the Afrikaners in the colony. Even in his handling of the Zululand issue, the Governor had acted with much more impartiality than his predecessor had done.<sup>5</sup>

To say that Havelock did not have the interest of Natal at heart would be completely unjustified. The Governor had not only realised the importance of railway and harbour

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3. C.O. 179/169 No. 1246 Extract of a letter from Sir A. Havelock - Sir R. Herbert, 13.12.1887.
  4. G.H. 151 Numbered Despatches Received from the Secretary of State: No. 35, Knutsford - Havelock, 13.3.1889; C.O. 179/169 No. 1246, Havelock - Sir R. Herbert, 13.12.1887.
  5. Natal Afrikaner, 22.3.1889 and 27.12.1889.

development, but went out of his way to ensure that the harbour work went on without any hindrance. A particular case in point was his authorisation of the survey of the alternative route to the Drakensberg from Frere to Olivier's Hoek Pass because the Legislature desired it, although he personally preferred the Van Reenen's Pass route. He appreciated the colony's desire for railway extension, and was instrumental in initiating the extension of railway from the Sunday's River towards Coldstream as well as from Ladysmith to Van Reenen's Pass. He even called together a special session of the Council in order to give effect to his proposals.

As far as the harbour development was concerned, Harry Escombe had promised Havelock that at the time of his departure from the shores of Natal, he would be able to embark on an ocean steamer at the wharf. To this Havelock replied in all sincerity:

*"I hope the day when you meet Lady Havelock and myself to speed our departure is a remote one. If, as you suggest, we shall be able on that occasion to step from a Durban wharf on the deck of an ocean going steamer, no one will thank you or congratulate you more sincerely."*<sup>6</sup>

As it turned out Escombe's promise was not fulfilled in 1889, but progress had nevertheless been made since the Governor's arrival in 1886.

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6. N.H.D. 1/1/7 Minutes. Chairman's Minute, 1886.  
Reply to Chairman: Havelock - Chairman, 17.2.1887.  
pp. 3-4.

The dual position he held, that of Governor and High Commissioner, brought him into open conflict with the Legislature, particularly in the case of Zululand. Havelock found it useful to use the offices of the High Commissioner whenever it suited him. As in the case of Zululand, the negotiations that took place with the leaders of the New Republic, Havelock acted in the capacity as High Commissioner and not as the Governor. In other words Natal had very little to do with the actual settlement as far as Havelock was concerned but the Legislature regarded the interests of Zululand as also the interests of Natal. What Havelock failed to realise was that the destiny of Zululand lay with Natal and not separately as an independent state. Had he taken the Legislature into his confidence much of the bitterness would have been avoided. One cannot really blame the Council for their action in reducing the Governor's salary. The fact that such a reduction was eventually approved by the Secretary of State showed that the Legislature was a powerful force in Natal.

The period after 1870 had been characterised by British imperialism in Africa. It was not therefore surprising that Havelock followed a similar trend of thought. In all his dealings with the Colonial Office, Havelock did not work in the interests of Natal alone, but also in a broader South African context. This had been borne out in many instances; for example, in the constitutional crisis, he spoke of removing the difficulties that stood in the way of a political union in South Africa. Again on the customs issue, he spoke of strengthening the bonds of friendship and common interests between Natal and her neighbours. Even on the Swaziland question, he told Sir Hercules Robinson, the High Commissioner, that if Britain had designs for a greater sphere of influence in Southern Africa; then Swaziland, Tongaland and the "Little Free State" should not be given to the Transvaal, but if Britain



had no such motives, then he saw no reason why these territories should not be given to the Republic.

When Havelock arrived in Natal in 1886 the economy of the Colony was in an exceedingly depressed state but when he left the colony in May 1889, the colony had recovered from the depression. There was now no real reason to complain. There was also at the same time a great deal more tolerance towards the Governor in his difficult tasks, especially in the two customs conferences, the Pondoland and Swaziland issues, in which the Governor tried to protect the economic interests of Natal. There was some nostalgia when he left which led the Mercury to remark:

*"When we consider the extremely difficult conditions that attended his advent in Natal, the absence today of any valid reasons for discontent with his administration is a fact which we, at any rate, deem it our duty to record."*<sup>7</sup>

The departure of Havelock marked an important date in the annals of Natal. It was a little more than three years since the arrival of Havelock, but in those three years the social, political and economic changes in South Africa were tremendous.

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7. Natal Mercury, 5.6.1889.

SOURCES1. LITERATURE.

- AKITT, H.: Government assisted immigration into Natal, 1857-1862 (Unpublished M.A. thesis, University of Natal, 1953)
- BAGWANDEEN, D.: European immigration into Natal, 1862-1884 (Unpublished M.A. thesis, University of Durban-Westville, 1974)
- BARLOW, T.B.: The Life and times of President Brand, Johannesburg, 1972
- BERMAN, E.M.: How far was the breakdown of the Republic of Natal due to inherent weaknesses in its native policy. (Unpublished M.A. thesis, University of Cape Town, 1933)
- BINNS, C.T.: The Last Zulu King. London, 1963.
- BROOKES, E.H. and WEBB, C. de B.: A History of Natal, Pietermaritzburg, 1965.
- BRYANT, A.T.: The Zulu people. Pietermaritzburg, 1949.
- BRYCE, J.: Impressions of South Africa. London, 1899.
- BULPIN, T.V.: To the shores of Natal. Cape Town, 1958.
- BUSSCHAU, W.J.: The History of the Natal Government Railways. (Unpublished M. Comm. thesis, University of South Africa, 1932)
- CALPIN, G.H.: Indians in South Africa. Pietermaritzburg, 1949.
- CAMBRIDGE HISTORY OF THE BRITISH EMPIRE. Vol. 8: South Africa, Rhodesia and the High Commission Territories. General Editor: Eric A. Walker. Cambridge, 1963.
- CAMPBELL, E.D.: The Birth and development of the Natal Railways. Pietermaritzburg, 1951.
- CHILD, Daphne: Charles Smythe: pioneer, premier and administrator of Natal. Cape Town, 1973.
- CHOONOO, A.G.: Indentured Indian immigration into Natal, 1860-1911, with particular reference to its role in the development of the Natal sugar industry. (Unpublished M.A. thesis, University of Natal, 1967.

- CHRISTOPHER, A.J.: Natal: a study in colonial land settlement. (Unpublished P.H.D. thesis, University of Natal, 1969.)
- COLENSO, F.E.: The Ruin of Zululand. 2 vols. London, 1884.
- THE COLONIAL OFFICE LIST. London, 1886-1889.
- COPE, R.L.: The British annexation of Zululand. (Unpublished B.A. Hons. seminar, University of Natal, 1959)
- CURRIE, Sir Donald: South Africa; an address delivered by Sir Donald Currie to the Fellows of the Royal Colonial Institute at their meeting in London on Tuesday, the 10th April, 1888. Pretoria, 1970. (State Library Reprint No. 50)
- DAVENPORT, T.R.H.: The Responsible government issue in Natal 1880-1882. (Unpublished M.A. thesis, University of South Africa, 1948)
- DENOON, D.J.N.: Sir John Robinson: his career from 1884 until the achievement of responsible government by Natal in 1893. (Unpublished B.A. Hons. Seminar, University of Natal. n.d.)
- DE KIEWIET, C.W.: British colonial policy and the South African Republics. London, 1929.
- DE KIEWIET, C.W.: The Imperial factor in South Africa; a study in politics and economics. Cambridge, 1937.
- DE KOCK, M.H.: Selected subjects in the economic history of South Africa. Cape Town, 1924.
- DILKE, C.W.: Problems of Greater Britain. 4th rev. ed. London, 1890.
- DOWER, W.: The Early annals of Kokstad and Griqualand East. Pietermaritzburg, 1978.
- EGERTON, H.E.: A short history of British Colonial policy, 1606-1909. London, 1897.
- FERGUSON-DAVIE, C.J.: The Early history of Indians in Natal. Johannesburg, (n.d.)
- FURNEAUX, R.: The Zulu War. London, 1963.
- GARSON, N.G.: The Swaziland question and a road to the sea, 1887-1895. (Archives Year Book for South African History, 1957, vol. II)

- GIBBS, E.J.: England and South Africa. London, 1889.
- GIBSON, J.Y.: The Story of the Zulus. Pietermaritzburg, 1903.
- GUY, J.J.: Mandhlakazi and Usutu: the civil war in Zululand from 1880-1884 and the reaction of British officials. (Unpublished B.A. Hons. seminar, University of Natal, 1966)
- HAMMOND, E.: The Settlement of the Byrne immigrants in Natal 1849-1926. (Unpublished M.A. thesis, Unisa, 1926)
- HARRISON, C.W.F. (ed.): Natal; an illustrated official Railway guide and handbook of general information. London, 1943.
- HARTLEY, C. and BARRY, J.W.: Proposals for the improvement of Durban Harbour. Report. London, 1902.
- HARTLEY, C.: and BARRY, J.W.: Report of the existing works with the proposals for further improvement of the Harbour. London, 1897.
- HARTLEY, W.: Natal; land and immigration. Durban, 1888.
- HATTERSLEY, A.F.: The British settlement of Natal; a study in imperial migration. Cambridge, 1970.
- HATTERSLEY, A.F. (ed.): Later annals of Natal. London, 1938.
- HATTERSLEY, A.F.: More annals of Natal. London, 1936.
- HEYDENRYCH, D.H.: Die Geskiedenis van die spoorweë in die Kaapkolonie tot 1885. (Unpublished M.A. thesis, University of Stellenbosch, 1965).
- HOBSON, E.G.: The Effect of Durban Harbour on Natal politics, 1874-1898. (Unpublished B.A. Hons. seminar, University of Natal, 1961).
- HOOKER, Le R.: The Afrianders; a century of Dutch-English feud in South Africa. Chicago, 1900.
- HURWITZ, N.: Agriculture in Natal, 1860-1950. Cape Town, 1957. (Natal Regional Survey, vol. 12).
- HUTTON, A.M.: Pondoland; her Cape and Natal neighbours, 1878-1894. (Unpublished M.A. thesis, University of the Witwatersrand, 1935).
- INGRAM, J.F.: The Colony of Natal: an official illustrated handbook and railway guide. London, 1895.

- INGRAM, J.F.: Natalia: a condensed history of the exploration and colonisation of Natal and Zululand from the earliest times to the present day. London, 1897.
- KEITH, A.B.: Responsible government in the Dominions. 3 vols. Oxford, 1912.
- KONCZACKA, J.: Economic factors leading to the granting of responsible government 1888-1893. (Unpublished B.A. Hons. seminar. Pietermaritzburg, 1963).
- KONCZACKI, Z.A.: Public finance and economic development of Natal, 1893-1910. New York, 1967.
- KUPER, H.: The Indian people in Natal. Pietermaritzburg, 1960.
- LAMBERT, J.: Sir John Robinson and responsible government, 1863-1897; the making of the first Prime Minister of Natal (Unpublished M.A. thesis, University of Natal, 1975.)
- LE CORDEUR, B.A.: Relations between the Cape and Natal 1846-1876. (Archives Year Book for South African History, 1965, Part 1.)
- LEVERTON, B.J.T.: Government finance and political development in Natal, 1843 to 1893. (Archives Year Book for South African History, 1970, Part 1).
- LEONARD, C.: Papers on the political situation in South Africa, 1885-1895. London, 1899.
- LEYDS, W.J.: The Transvaal surrounded. London, 1919.
- LINDSAY, J.M.: The Development of the Port of Durban to 1963. (Typescript Notes. Housed at Don Africana).
- LONG, E.P.M.: The Constitutional settlement of Natal, 1843-1856. (Unpublished M.A. thesis, Unisa, 1928).
- LOUDON, J.G.: The Responsible government issue in Natal, 1880-1882. (Unpublished M.A. thesis, Unisa, 1940).
- LOVELL, R.I.: The Struggle for South Africa, 1875-1899. New York, 1934.
- LUCAS, C.P.: The History of South Africa to the Jameson Raid. Oxford, 1900.
- LUGG, H.C.: Historical Natal and Zululand; Pietermaritzburg, 1949.
- MARKS, S.: Reluctant rebellion, the 1906-1908 disturbances in Natal. Oxford, 1970.

- MARQUARD, L.: The Story of South Africa. London, 1964.
- MCCORD, J.J.: South African struggle. Pretoria, 1952.
- MATHERS, E.P.: Golden South Africa. London, 1887.
- MORRIS, D.R.: The Washing of the Spears. Cape Town, 1966.
- NATAL ALMANAC DIRECTORY AND YEARLY REGISTER. Pietermaritzburg, 1886-1889.
- NATAL FREE STATE RAILWAY: Reports on the reception in Natal of the Orange Free Guests invited by the Government of Natal, on the occasion of cutting the first sod, at Ladysmith, of the Ladysmith-Harrismith Railway, 7th to 13th November, 1889. (Reprinted from the Natal Mercury).
- NATAL HANDBOOK: Issued by the Emigrants' Information Office London, 1887.
- NUTTING, A.: Scramble for Africa. London, 1970.
- O'BYRNE, S.P.M.: Natal during the administration of Sir Arthur E. Havelock. Unpublished B.A. Hons. seminar, University of Natal, 1961)
- OMER-COOPER, J.D.: The Zulu aftermath. London, 1966.
- OSBORN, R.F.: Valiant harvest. Durban, 1964.
- OVENDALE, R.: The Relations between Natal and the Transvaal during the 1890's. (Unpublished B.A. Hons. Seminar, University of Natal, 1966).
- PACHAI, B.: The International aspects of the South African Indian question, 1860-1971. Cape Town, 1971.
- PACHAI, B. (ed.): South Africa's Indians: the evolution of a minority. Washington, 1979.
- PALMER, M.: The History of Indians in Natal. Cape Town. 1957. (Natal Regional Survey, vol. 10.)
- PECHEY, S.W.: Natal harbour. Cause of failure of the outer works and suggestions for improvement. Durban, (n.d.)
- PORT OF DURBAN. Pietermaritzburg, 1969. (Natal Regional Survey, vol. 15).
- PRATT, E.A.: Leading points in South African history 1846 to March 1900. London 1900.
- QUINN, G.D.: The Governorship and High Commissionership of Sir Hercules Robinson, 1881-1889. (Unpublished M.A. thesis, University of Cape Town, 1955.)

- RALLS, R.E.: Early immigration schemes in Natal, 1846-1853, excepting the Byrne Scheme. (Unpublished M.A. thesis, Unisa, 1934).
- REES, Wyn. (ed.): Colenso letters from Natal. Pietermaritzburg, 1958.
- ROBERTS, B.: The Zulu Kings. London, 1974.
- ROSS, R.: Adam Kok's Griquas; a study in the development of stratification in South Africa. Cambridge 1976.
- ROWELL, T.: Natal and the Boers; the birth of a colony. London, 1900.
- RUSSEL, R.: Natal; the land and its story. Pietermaritzburg, 1891.
- SACKS, B.: South Africa; an Imperial dilemma: Non-Europeans and the British nation. Albuquerque, 1967.
- SAUNDERS, C. and DERRICOURT, R.: Beyond the Cape Frontier: studies in the history of the Transkei and Ciskei. London, 1974.
- SAUNDERS, J.R.: Natal and its relation to South Africa. A Paper read before the Royal Institute. London, 1882.
- SCULLY, W.C.: A History of South Africa from the earliest days to Union. London 1915.
- SELBY, J.: Shaka's heirs. London, 1971.
- SHIELDS, C.S.: The Life of John Dunn with special reference to Zululand. (Unpublished M.A. thesis, Unisa, 1939).
- SOUTH AFRICAN RAILWAYS. History, scope and organisation. Johannesburg, 1947.
- STEIN, Z.A.: A History of Indian settlement in Natal from 1870-1893. (Unpublished M.A. thesis, University of Cape Town, 1942).
- STUART, J.A.: A History of the Zulu Rebellion, 1906. London, 1913.
- STEYN, H.B.: Die Britse Beleid ten opsigte van Zululand, 1879-1887. (Unpublished M.A. thesis, University of Pretoria, 1960).
- SUMNER, J.: Natal, 1881-1911. Bibliography University of Cape Town School of Librarianship, 1959.

- TATHAM, F.A.: The Harbour controversy. Pietermaritzburg, 1905.
- THOMPSON, L.M.: Indian immigration into Natal, 1360-1872 (Archives Year Book for South African History, 1952, Part II).
- TINKER, H.: A New system of slavery; the export of Indian labour overseas, 1830-1920. London, 1974.
- UYS, C.J.: In the era of Sir Theophilus Shepstone, K.C.M.G.-35 years of British expansion in South Africa, 1842-1877. (Unpublished D. Litt. thesis, University of Pretoria; 1932).
- VAN DER POEL, J.: Railway and customs policies in South Africa, 1885-1910. London, 1933.
- VAN DER WALT, H.R.: Die Suid Afrikaanse Republiek in die Britse Buitelandse en Koloniale Beleid. 1881-1899. (Archives Year Book for South African History, 1963, Part 1).
- VAN WYK, A.J.: Dinizulu en die Usutu-opstand van 1888. (Unpublished M.A. thesis. University of the Free State, 1971).
- VAN ZYL, M.C.: Die Koms van die Boere na Zoeloeland in 1884, Pretoria 1962. (Communications of the University of South Africa, C-37).
- VAN ZYL, M.C.: Die Uitbreiding van Britse gesag oor die Natalse Noordgrensgebied, 1879-1897. (Archives Year Book for South African History, 1966, Part 1).
- WALKER, E.A.: A History of Southern Africa. London, 1962.
- WETHERELL, V.: The Indian question in South Africa. Cape Town, 1946.
- WILKS, T.: For the love of Natal; the life and times of the Natal Mercury, 1852-1977. Durban, 1977.
- WILMOT, A.: The Story of the expansion of Southern Africa. 2nd ed. London, 1895.
- WILSON, M. and L. THOMPSON (eds.): The Oxford History of South Africa. vol. 2: South Africa, 1870-1966. Oxford, 1971.
- WORSFOLD, W.B.: The Problem of South African unity. London, 1900.



WORSFOLD, W.B.: Sir Bartle Frere. London, 1923.

WORSFOLD, W.B.: South Africa; a study in colonial administration and development. New York, 1895.

11 LITERARY SOURCES.

AUBERTIN, J.J.: Six months in the Cape Colony and Natal. London, 1886.

BUCHANAN, B.: Natal memories. Pietermaritzburg, 1941.

CAMPBELL, E.D.: The Birth and development of the Natal Railways. Pietermaritzburg, 1951.

ESCOMBE, H.: Sir John Coode and the half-million, an address to the taxpayer. Pietermaritzburg, 1878.

ESCOMBE, H.: Speeches of the late Right Honourable Harry Escombe. Ed. by J.T. Henderson. Pietermaritzburg, 1903.

THE HARBOUR QUESTION: Past and present and some remarks upon it, and some collateral matters, addressed by the man in the street to the man in the field. (No publishing details. Housed at Don Africana).

HARTLEY, W.: Natal, land and immigration, Durban, 1888.

HENDERSON, J.T.: Natal Asiatic problem; the origin of Indian immigration: traditional belief refuted. Durban (n.d.)

HOLLIDAY, J.D.: Dottings on Natal. Pietermaritzburg, 1890.

METHVEN, C.W.: Durban and its harbour in 1891. Durban, 1891.

NATAL HARBOUR BOARD: The Harbour question, past and present. Pietermaritzburg, 1894.

PEACE, Walter: Notes on Natal. Presented to the Guests at the Natal Jubilee Banquet held at the Whitehall Rooms, Hotel Metropole London, on the 12th day of May 1893; the Most Honourable the Marquess of Ripon, K.G., Secretary of State for the Colonies, in the Chair. London, 1893.

REES, W. (ed.): Colenso letters from Natal, Pietermaritzburg, 1958.

ROBINSON, Sir John: A Life time in South Africa. Pretoria 1968. (State Library Reprints No. 32).

111 NEWSPAPERS.

- De Natal Afrikaner, 1886-1889.
- De Natal Boeren Vriend, 1885-1887.
- The Natal Advertiser, 1886-1889.
- The Natalian, 1886-1889.
- Times of Natal, 1886-1889.
- Newcastle Herald, 1886-1889.
- The Natal Mercury, 1886-1889.
- The Natal Witness, 1886-1889.
- Weekly News, 1886-1889.
- The Commercial Advertiser, 1886-1889.

IV ARTICLES IN PERIODICALS AND NEWSPAPERS.

- BENYON, J.: The Cape High Commission another neglected factor in British imperial expansion in Southern Africa. (South African Historical Journal Nov. 1973. No. 5, 1973, pp. 28-40).
- BRADLOW, E.: Indentured Indians in Natal and the £3 Tax. (South African Historical Journal, Nov. 1970 No. 2, pp. 38-53).
- CHRISTOPHER, A.J.: Land speculation in colonial Natal, 1843-1910. (Historia, June 1971. Vol. 16. No. 2, pp. 102-111).
- COLBORNE-SMITH: The History of the Durban Harbour. (Daily News, 1st Feb. 1936).
- DURBAN HARBOUR WAS HIS LEGACY. (Natal Mercury, 11th May, 1970).
- FRERE, H.B.E.: On the future of Zululand. (Fortnightly Review, No. 1882. Vol. 32, pp. 581-595)
- HAASBROEK, D.J.P.: The Struggle for political supremacy in Natal, 1856-1896. (Historia, Dec. 1971 Vol. 16, No. 4, pp. 271-281).

- The Struggle for political supremacy in Natal, 1856-1896. (Historia, 1972, part 11. Vol. 17, No. 1, pp. 47-56).
- The Struggle for political supremacy in Natal, 1856-1896. (Historia, Jun. 1972, part III. Vol. 17, No. 2, pp. 109-113).
- HAGGARD, H.R.: The Fate of Swaziland. (New Review, Jan/Jun. 1890. Vol. 2, pp. 64-75).
- HART, G.H.T.: The Bar problem of Durban Harbour. (South African Geographical Journal, Dec. 1967, Vol. XLIX, pp. 95-103).
- LAMBERT, J.: The Responsible government question in Natal, 1856-1893. (Kleio, May 1975, Vol. 7, No. 1, pp. 22-39).
- LEVERTON, B.J.T.: Natal and East Griqualand. (Lantern, July, 1978, pp. 80-86).
- MACKARNESS, F.: The Future of South Africa. (Fortnightly Review. (New Series) July 1885. Vol. 38, pp. 108-119).
- MILLER, A.M.: Swaziland. (Royal Colonial Institute Proceedings, 1899-1900, Vol. 31, pp. 274-304).
- NATAL: 150 years: 1824-1974 (Lantern Special Commemorative Issue, March 1974, Vol. 23, No. 3).
- NATAL MERCURY: Centenary Number, 31st May 1924.
- PORT OF DURBAN: Supplement to the Natal Mercury, 15th February 1975.
- ROBINSON, H.: The Swaziland question. (Fortnightly Review (New Series) Jan/June, 1890. Vol. XLVII, pp. 283-291).
- SAUNDERS, C.C.: The Transkeian Rebellion of 1880-81; a case study of Transkeian resistance to white control. (South African Historical Journal Nov. 1976. No. 8, pp. 32-39).
- SLATER, H.: Land, labour and capital in Natal: the Natal Land and Colonisation Company, 1860-1948. (Journal of African History, 1975. Vol. XVI, No. 2, pp. 257-283).

V. GOVERNMENT PUBLICATIONS,

A. BRITISH PARLIAMENTARY PAPERS (B.P.P.)

- C-2998-'81 Convention for the Settlement of the Transvaal Territory.
- C+3947-'84 Correspondence Respecting the Convention concluded with the South African Republic on the 27th February 1884.
- C-4274-'84 Further Correspondence Respecting the Affairs of Zululand and Adjacent Territories.  
 C-4587-'85  
 C-4645-'86  
 C-4913-'87  
 C-4980-'87  
 C-5143-'87  
 C-5331-'88  
 C-5522-'88  
 C-5892-'90
- C-4590-'85 Correspondence Respecting the Affairs of Pondoland.  
 C-5022-'87  
 C-5410-'88
- C-5089-'87 Correspondence Respecting the Affairs of Swaziland.
- C-5361-'87 Correspondence Respecting a scheme of colonization referred in 1887 for the consideration of the Colonial Governments.
- C-5390-'88 Correspondence Respecting the Conference of Delegates from the Orange Free State and the Colonies of the Cape of Good Hope and Natal Recently held at Cape Town on the question of Customs Union and Railway Extension.
- C-5893-'90 Further Correspondence Relative to the Affairs of Zululand.
- C-6070-'90 Further Correspondence Respecting the Affairs of Zululand and Adjacent Territories.
- C-6200-'90 Further Correspondence Respecting the Affairs of Swaziland and Tongaland.  
 C-7212-'93  
 C-7611-'95  
 C-9206-'99
- C-6201-'90 Report on Swaziland by Col. Sir F. de Winton, with appendices and correspondence.
- C-6217-'90 A Convention between Her Majesty and the South African Republic for the Settlement of the Affairs of Swaziland.

C-279-'91 Swaziland Convention (Mr. Hofmeyer's Report)  
C-6487-'91 Correspondence Relating to the Proposal to  
C- 216-'93 Establish Responsible Government in Natal.

B. VARIA

Government Notices and Proclamations, 1886-1889.

Legislative Council Hansard Debates (N.H.) 1886-1889.

Legislative Council Votes and Proceedings (V.P.) 1886-1889.

Natal Blue Books (N.B.B.) 1886-1889.

Natal Government Gazette (N.G.G.) 1886-1889.

Legialative Council Sessional Papers. 1886-1889.

SOURCESARCHIVAL SOURCES.A PUBLISHED

- BIRD, J.: Annals of Natal, 1495-1885, 2 vols. Pietermaritzburg, 1888.
- BOTHA, C.G.: Die Openbare argiewe van Suid Afrika, 1652-1910. Kaapstad, 1928.
- CADIZ, C.F. and LYON, R. (eds.): Ordinances, Laws and Proclamations of Natal, 1846-1889, 4 vols. Pietermaritzburg, 1880-1889.
- EYBERS, G.W.: Select Constitutional Documents illustrating South African History, 1897-1910, London, 1918.
- MATTHEWS, N. and WAINWRIGHT, M.D.: A Guide to manuscripts and documents in the British Isles relating to Africa. London, 1971.

B UNPUBLISHED(a) Executive Council (E.C.)

- E.C. 18-20            Copies of Minutes of meeting, 1886-1890.
- E.C. 40-45            Register of Papers laid before the Executive Council, 1879-1889.

(b) Government House (G.H.)

- G.H. 6                General Despatches Received from the Secretary of State, 1883-1 889.
- G.H. 136-157        Numbered Despatches Received from the Secretary of State, 1885-1890.
- G.H. 274             Separate Despatches Received from the Secretary of State, 1881-1 901.
- G.H. 275             Secret Despatches Received from the Secretary of State, 1877-1895.

- G.H. 288-290 Confidential Despatches Received from the Secretary of State, 1884-1892.
- G.H. 318-320 Emigration Despatches Received from the Secretary of State, 1883-1890.
- G.H. 387-395 Circular Despatches Received from the Secretary of State, 1885-1890.
- G.H. 427-428 Secret Circulars Received from the Secretary of State, 1878-1895.
- G.H. 431 Confidential Circular Received from the Secretary of State, 1857-1890.
- G.H. 609-616 Despatches Received from the High Commissioner for Southern Africa, 1886-1889.
- G.H. 684 Secret Despatches Received from the High Commissioner for Southern Africa, 1878-1900.
- G.H. 688 Confidential Despatches Received from the High Commissioner for Southern Africa, 1886-1890.
- G.H. 734 Despatches Received from Private Secretary to the High Commissioner for Southern Africa, 1858-1901.
- G.H. 750 Despatches Received from the Governor of the Cape Colony, 1881-1901.
- G.H. 784 Confidential Despatches Received from the Colonial Secretary, Cape Town, 1846-1903.
- G.H. 829-839 Despatches Received from British Consuls, 1875-1896.
- G.H. 849-855 Despatches Received from Foreign Governments, 1884-1891.

#### Telegrams Received

- G.H. 455-456 Telegrams Received from the Secretary of State, 1885-1893.
- G.H. 477 Confidential Telegrams Received from the Secretary of State, 1883-1893.
- G.H. 702 Telegrams Received from the High Commissioner for Southern Africa, 1878-1893.



- G.H. 763            Telegrams Received from the Governor of the Cape Colony, 1882-1900.
- G.H. 765            Confidential Telegrams Received from the Governor of the Cape Colony, 1885-1893.
- G.H. 1317           Secret Telegrams Despatches to the Secretary of State, 1889-1897.

Letters and Petitions Received

- G.H. 1065-1070    Letters Received from Private Individuals 1886-1890.
- G.H. 1141-1142    Letters Received from Private Organisations, 1885-1890.
- G.H. 1167-1169    Petitions Received 1884-1890.

Addresses Received

- G.H. 927-958        Addresses Received from the Natal Legislative Council, 1860-1891.

Copies of Despatches Sent

- G.H. 1222-1226    Copies of Despatches sent to the Secretary of State, 1881-1891.
- G.H. 1300            Copies of Confidential Despatches sent to the Secretary of State, 1867-1895.
- G.H. 1326            Copies of Despatches sent to the High Commissioner for Southern Africa, 1883-1892.
- G.H. 1352            Copies of Confidential Despatches sent to the High Commissioner for Southern Africa, 1883-1900.

Telegrams Despatches

- G.H. 1311-1312    Copies of Telegrams sent to the Secretary of State, 1886-1893.

Copies of Bills

- G.H. 1026-1029    Copies of Bills and Laws in Various Stages, 1885-1890.

Memoranda

- G.H. 1523-1590 General Memoranda, 1880-1897.  
 G.H. 1680 Swazi Boundary Commission, Letters,  
 1888.

(c) Colonial Secretary's Office (C.S.O.)

- C.S.O. 1060-1244 Letters Received, 1886-1890.  
 C.S.O. 1938 Papers re Pondoland, 1886-1894.  
 C.S.O. 2346-2360 Letter Books (Miscellaneous) 1885-1890.  
 C.S.O. 2561-2567 Confidential Minute Papers, 1886-1890.  
 C.S.O. 2622 Confidential Minute Papers, 1884-1893.  
 C.S.O. 2669-2672 Proclamations, 1886-1889.  
 C.S.O. 2737-2738 Customs and Trade Conference between the  
 Orange Free State and Natal, 1884-1886.  
 C.S.O. 2739 Bloemfontein Customs Conference, 1889.  
 C.S.O. 2764 Charlestown Railway Extension, 1892-  
 1894.  
 C.S.O. 2773 Crown Lands Commission, 1885.  
 C.S.O. 2774-2775 Immigration and Crown Lands Commission,  
 1885.  
 C.S.O. 2777-2779 Indian Immigration Commission, 1885-1887.

(d) Secretary for Native Affairs (S.N.A.)

- S.N.A. 1/1/89- General Letters Received, 1886-1890  
 1/1/122  
 S.N.A. 1/4/3 Confidential Correspondence, 1880-1890.

(e) Surveyor-General's Office (S.G.O.)

- S.G.O. 111/1/56- Minute Papers, 1886-1889  
 111/1/72  
 S.G.O. 111/2/4- Register of Letters Received and Sent,  
 111/2/8 1885-1890.

(f) Natal Parliamentary Papers (N.P.P.)

- N.P.P. 145-156 Documents Presented, 1886-1890.  
 N.P.P. 298-312 Select Committees (Reports and Proceedings) 1885-1889.

(g) Natal Harbour Department (N.H.D.)

- N.H.D. 1/2/4- Correspondence and Accounts, 1885-1889.  
 1/2/5  
 N.H.D. 1/3/4- Letters Despatches, 1886-1889.  
 1/3/9  
 N.H.D. 11/2/2/- Unregistered Correspondence (Miscellaneous) 1886-1889.  
 N.H.D. 11/5/- Engineer's Office; Reports, 1873-1896.  
 N.H.D. 11/5/2 Engineer's Office, Progress Reports, 1883-1890.  
 N.H.D. 11/6/1 Engineer's Office, Estimates, 1882-1893.

(h) Natal Government Railways (N.G.R.)

- N.G.R. 1 Agreements, 1876-1893.  
 N.G.R. 5 Charlestown-Johannesburg line, 1891-1893.  
 N.G.R. 8 Colonial Office Circulars, 1876-1893.  
 N.G.R. 9-11 Resident Engineer, Circular, 1876-1893.  
 N.G.R. 24 Main Line Improvements, 1879-1893.

(i) Natal Treasury (N.T.)

- N.T. 35-37 Letters Received, 1886-1889.  
 N.T. 165 Miscellaneous Papers, 1846-1893.

(j) Attorney General's Office (A.G.O.)

- A.G.O. 1/4/43- Miscellaneous Depositions, 1886-1890.  
 1/4/65  
 A.G.O. 1/8/32- Correspondence, 1886-1890.  
 1/8/39

(k) European Immigration Department (E.I.)

- E.I. 15-18 Correspondence, 1886-1889.  
 E.I. 51 Natal Immigration Agent Papers, 1886-1893.

(l) Indian Immigration Department (I.I.)

- I.I./1/32- Correspondence, 1886-1890.  
 I.I./1/52

(m) Government House Zululand (G.H.Z.)

- G.H.Z. 820-822 Zululand Despatch Books, 1886-1889.

(n) Colonial Office Records (C.O.)

- C.O. 179/163 Despatches etc. Received from the  
 Governor, Natal, 1886-1889.

These are microfilm copies of documents in the Public Record Office, London.

(o) Private Papers

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|------------------------------|--|
| Bird Papers                  | 1886-1889  |
| Colenso Papers               | 1886-1889  |
| Harry Escombe Collection     | 1886-1889  |
| Sir John Robinson Collection | 1886-1889  |
| T. Shepstone Papers          | (vol. 53-57) 1886-1889   |
| Sir Walter Peace Collection  | (contains various newspaper cuttings housed at Killie Campbell Africana Library) |