

**MAKING AN *INKATHA*: DINUZULU'S WAR DOCTOR BEFORE THE NATIVE  
HIGH COURT**

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## The Nkanini ritual<sup>1</sup>

In the spring of 1905<sup>2</sup> acting chief Ntshingumuzi kaMkwetu<sup>3</sup> assembled his section of the Qwabe<sup>4</sup> people at his Nkanini homestead built on the middle reaches of the Nonoti river<sup>5</sup> on Crown lands in the Lower Tugela Division of the Colony of Natal. In the cattle kraal the men, about 450 strong,<sup>6</sup> carrying dancing shields and sticks, formed themselves into an *inkumbi*.<sup>7</sup> Once assembled, a doctor (*inyanga*) came out of a hut carrying a smoking brand and moved back and forth with it amongst the men. He then picked up a broom in each hand, dipped them into a basket (*iqoma*) containing medicine (*intelezi*),<sup>8</sup> and sprinkled (*ukuchela*)<sup>9</sup> the assembly with it. The basket was then carried to the river and the men drank water from it or from water which had flowed through it. This served as an emetic and they moved downstream to cleanse themselves internally by vomiting (*ukuphalaza*)<sup>10</sup> and externally by washing themselves in the stream. When the process of purification was complete they reassembled, and singing their clan song (*ihubo*)<sup>11</sup> invoking the shades of their ancestors, they returned to the cattle kraal where medicine to make them firm and strong (*ukumisa*)<sup>12</sup> had been placed on a fire and heated on pot sherds (*udengezi*). This they consumed by licking their fingers after placing them in the boiling mixture (*ukuncinda*)<sup>13</sup>. After a final invocation by the *inyanga* the ritual was brought to an end, there was a collection of cash, and the Qwabe were ordered by Ntshingumuzi to return to their homes.

<sup>1</sup> I follow I.M. Lewis, and through him Max Gluckman, in his discussion of the distinction between 'ritual' and 'ceremony', although in this paper, usually for stylistic reasons, not entirely consistently. See I.M.Lewis. *Social Anthropology in Perspective. The Relevance of Social Anthropology*. (Cambridge: Cambridge University Press, 1985), 130. Zulu names are used in modern orthography, except when this might cause difficulties in identifying sources.

<sup>2</sup> The date of the ritual under consideration was contested: at the moment I am inclined to an earlier date, rather than February 1906, or later, as suggested by the Crown.

<sup>3</sup> I have taken the name of Ntshingumuzi's father from his to the Privy Council, but it is more conventional to have kaGodide – on the grounds that Ntshingumuzi was Mamfongonyana's brother.

<sup>4</sup> Throughout this paper, when I refer to the Qwabe I mean this particular section – unless the context indicates otherwise. That is the one over which Ntshingumuzi was appointed as regent, headed by the Mamfongonyana-Zidumo-Mfomfo lineage, which was distinct, although closely related, to the dominant lineage of the Qwabe represented by Meseni.

<sup>5</sup> I have yet to identify exactly where the Nkanini homestead was built, but it was certainly on the Nonoti, probably its middle-upper reaches, not on the Izinsimba as some of the records have it.

<sup>6</sup> 9-10 companies - *amaviyo* – usually estimated at about 50 men a company.

<sup>7</sup> Translated in Mr Justice J. Chadwick's judgement as 'battle formation' (*Decisions of the Native High Court, March 1907, to December 1907*, 98) and in *Colenso's Zulu-English Dictionary* (Fourth Edition, 1905) as 'Number of men, collected in a circle or semi-circle, as for dancing.' In the following footnotes the first definition is from the court record, and the second from the Colenso dictionary. Context is of course everything – but it is the context here which is contested.

<sup>8</sup> 'war medicine'/'Medicine, made to be sprinkled on the troops before going out to war; around the homestead to keep off lightning, or when bad omens have been observed'.

<sup>9</sup> *Colenso's Zulu-English Dictionary*: Pour, as water on snuff or intelezi on an impi

<sup>10</sup> Thanks to Thokozani Xaba for drawing my attention to the specific connotations of this verb whose historical usage I was subsequently able to confirm in the deposition by Makendhlana ka Matuizela, 22 July 1907, the typed version in PAR (Pietermaritzburg Archival Repository), Colenso collection, Box 126, Rex vs Mbombo.

<sup>11</sup> 'war chant'/'Song of soldiers, when going to their chief, or going out on an expedition'.

<sup>12</sup> Compare Nkabi's deposition in PAR. AGO. 1/5/114, 19 July 1907 with A.T.Bryant, *The Zulu People.....* Pietermaritzburg: Shuter & Shooter, 1949, 469.

<sup>13</sup> *Colenso's Dictionary* 'eat with the hands, dipping in first the fingers of one hand, then those of the other; especially used of eating *izembe*, in order to get the better of an adversary.'

I have constructed this account from evidence given by people who participated in this ritual, but its form and general structure is confirmed in the ethnographic literature as typical of a number of such cleansing/fortifying ceremonies. The sprinkling of the medicine, purification by vomiting and washing, and then strengthening by licking from the fingers medicine heated on a fire, were common features of different rituals celebrated in Zulu society – although of course they differ in detail and scale depending on rank of the organisers and the objectives for which they are held.<sup>14</sup> The evidence on which this account is based was not however been drawn from ethnographic accounts or oral histories, but from the preparatory documents and reports of a case which came before the Natal Native High Court in Pietermaritzburg in 1907.<sup>15</sup> While the conclusions that were drawn from this evidence were very different, there was agreement by most of the witnesses, both for the Crown and the Defence, on the structure and much of the detail of the ritual.

The case began on the 3 December 1907 when three men were arraigned before the court to answer charges of Sedition in that, early in 1906, they had taken up arms in order to resist lawful authority, and incited others to do so, by assembling a section of the Qwabe people to be doctored for war. The first accused was a doctor, an *inyanga*, Mbombo kaSibindi Nxumalo, from the Usuthu district in Zululand: the second was Ntshingumuzi kaMakwetu, acting chief of the Qwabe: the third was his nephew, Mpobeyana kaMamfongonyana. The Crown and its witnesses argued that the *inyanga*, Mbombo, was a ‘war doctor’ called by Ntshingumuzi to prepare the Qwabe for rebellion against the colonial state. He appeared before the assembly in war paint, used war medicine (*mabope*)<sup>16</sup> to doctor the tribe and prepare them to resist the authorities. This could be seen from the questions with which he had ended the ritual: ‘Do you wish for war?’, ‘Will you not run away?’, to which the reply had been made ‘We do’, ‘We will not run away’.

The Defence argued that the Nkanini ritual was not held for war but in order to give the Qwabe, and Mfomfo, the young heir to the chieftainship, the strength

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<sup>14</sup> For some examples see Bryant *The Zulu People*, 468-477, 501-504. *The James Stuart Archive*. (eds. C. Webb and J. Wright), Pietermaritzburg and Durban: University of Natal Press and Killie Campbell Africana Library. III, 1982, evidence Of Mmemi, 244, evidence of Mpathshana kaSodondo 296-301, 304-306, 323-328. V, 2001, evidence Nsuze, 171-174.

<sup>15</sup> I have not yet been able to locate the official record of the case, but many of the preparatory documents are extant, although scattered, in the Pietermaritzburg Archives Repository, and the case was reported in *The Natal Witness* from 4 to 14 December 1907 and written up in *Decisions of the Native High Court from March 1907, to December 1907*. James Stuart in *A History of the Zulu Rebellion 1906* (London: Macmillan, 1913) summarised this evidence in a lengthy footnote on p.347 as an account of ‘doctoring for war’ and this was used, in turn, by E. J. Krige, *The Social System of the Zulus* and also L. H. Samuelson, *Zululand. Its traditions, legends, customs and folk-lore*, Natal: Mariannahill Mission Press n.d.

<sup>16</sup> According to the *Decisions of the Native High Court*, although this might have been an interpolations by its compiler, Harry Lugg.

they needed to lift the 'darkness' (*mnyama*) which had fallen over the tribe<sup>17</sup> and withstand the disease which had killed Mfomfo's father, their chief Zidumo in 1896, and his father Mamfongonyana in the 1880s. The essential features of 'doctoring for war' – the exclusion and subsequent avoidance of women, the killing of the black bull - had not been observed. The 'sprinkling' had been done, not with a whisk made from a wildebeest's tail, but with brooms, as befitted the cleansing aspects of the ritual. The central objective of the ritual had been to restore strength to the chiefly line, and through this to the tribe.<sup>18</sup> To achieve this the *inyanga* had made two *izinkatha* – the one for the heir Mfomfo, and the other for his late father Zidumo. They were woven with roots and fibres then bound tightly to make a circle which stood for the unity of the Qwabe. Incorporated in the *inkatha* were medicines to guard the health of the chief and his people, mixed with physical traces of those over whom the Qwabe wanted to assert themselves.<sup>19</sup> To stand over or sit on the *inkatha* was to proclaim and reinforce the power of the chief, the unity of his people, and their dominance over their enemies. The larger of these two new *izinkatha* stood for Zidumo who had wanted, but had been unable before he died, to have one made. The smaller stood for his son and heir, Mfomfo. At the Nkanini ritual, while the men were at the river, Mfomfo was secluded in one of his grandmothers' huts, and placed on the *izinkatha* while Mbombo made incisions on the boy's body into which he rubbed medicine. The rituals which took place outside the hut were not war ceremonies at all, but carried out to build up the strength of the chiefly lineage which had been so weakened that it was unable to counteract the sickness and deaths of its chiefs. The ancestors had been invoked by singing a tribal anthem. No questions about 'wanting war' had even been asked. Instead the ritual had terminated with formulaic order to 'close up' – against harmful influences emanating from the world outside.

Neither the Justices Bosman nor Chadwick accepted the Defence's argument. Judge President Campbell however did – but kept silent because he felt that 'it is not desirable in criminal trials especially with natives, that more than one judgment should be delivered.'<sup>20</sup> Consequently the three accused were found guilty of sedition in that they had 'doctored for war, preparatory to resisting the authority of His Majesty, the King.' This paper is an investigation into the circumstances surrounding the Nkanini ritual of 1905, the resultant trial for sedition at the end of 1907, and their consequences. For these events not only

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<sup>17</sup> The assertion that he had come to Nkanini to 'lift the darkness' which had befallen it was asserted on many occasion by Mbombo but see also Makendlana's deposition of 22 July 1907 referred to above.

<sup>18</sup> I use 'tribe' consciously here, to emphasize the kinship links which tend to be obscured in chiefdom, to avoid the specificity of 'lineage', the misleading cultural associations of 'clan', and the archaism of 'sib'.

<sup>19</sup> The information in the latter part of this sentence is a supposition on my part, derived from the ethnographic record, not from the evidence led in court. For the *inkatha* see Bryant, *The Zulu People* 469 and 476-478 L.H. Samuelson *Zululand*, 138ff. R.C.A Samuelson, *Long, Long Ago*, Durban, Knox Printing, 1929, 399-402.

<sup>20</sup> PAR. Native High Court. V/7/3. Rex vs. Mbombo and two others.

form part of, but also bracket, what is conventionally known as the Bhambatha Rebellion, and, I will argue, enable one to understand the 1906 violence in KwaZulu-Natal in 1906 with greater clarity.

### **Colonial Justice – military and legal**

Between February and July in 1906 in Natal colonial militia, in the name of putting down and containing an armed uprising against the constituted authorities, killed some three and a half thousand Africans, wounded and imprisoned twice that number and brought misery and starvation to the tens of thousands whose homesteads they burnt and looted. Beyond historical precedent however there is little justification in naming these events after Bhambatha, although as one of the few African chiefs who personally organized and participated in an attack on the authorities, and sustained his resistance for two months, his particular part in a much wider series of violent events could be called 'Bhambatha's rebellion'. But to characterise the violence, as a whole, as a rebellion, and the Africans who participated as rebels, adopts the language and the terminology of the colonial authorities at the time and suggests that the bloodshed of 1906 was primarily the consequence of the determination of a significant number of Africans in Natal to violently resist colonial authority. Such an approach downplays the importance of colonial aggression, and follows contemporary commentators in ignoring the many occasions in which the violence was the consequence of African attempts to protect themselves, their followers and their families against colonial violence. That there were Africans in Natal who hoped to drive the white people over the sea and reclaim the land of 'Shaka the King'<sup>21</sup> is undoubted: but how many they were, and exactly when and under what circumstances they reached such rebellious conclusions, needs closer research than has been carried out to date. This paper is part of a project in which I intend to argue that the events of 1906 are best viewed as predominately an African defensive movement, first provoked, and then exacerbated, by colonial violence, and that this colonial violence was the final act in the long process of the conquest of the indigenous people of Natal.<sup>22</sup> Here however I want to give some idea not only of how it is possible to bring greater depth to our understanding of these events, by concentrating on a specific area, a small part of the violence, and its aftermath.

In order to reach an understanding of attitudes and actions in 1906 it is important to realise how ready the colonial authorities were to characterise dissent as defiance, and the alacrity and ferocity with which the colonial militia turned on

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<sup>21</sup> Evidence of John Boziana, reporting a statement allegedly made by Mashwili in the case 105/1906 Rex v. Makwishikwishi. Martial Law Cases 1/SGR 1/4/2/4 in the Durban Archives Repository (DAR)

<sup>22</sup> Shula Marks *Reluctant Rebellion. The 1906-8 disturbances in Natal* Oxford: Clarendon Press, 1970 remains the work upon which all studies of the violence of these years has to be based. It is, in the full sense of the over-used word, magisterial. Subsequent researchers have failed to add much to Marks' work because, in my opinion, they set being novel, over the mastery of the basics of historical research: a comprehensive knowledge and critical grasp of the source material.

those thus characterised as rebels, which in turn persuaded Africans to mobilise not only in anger, but for what they saw as their own protection – moves which the authorities, and their official historian,<sup>23</sup> chose to interpret as preparations for rebellion - and therefore had to be met with military force. The use of modern weaponry against combatants armed for the most part with spears and sticks, the effect on the non-combatants of the military ‘sweeps’ and ‘drives’, and the fact that key engagements were decided by shell fire on men trapped under cover, makes it difficult to accept the colonial determination to cast events of 1906 in conventional military terms of and ‘battles’ against ‘the enemy’. To this exaggerated, self-aggrandising militarism must be added the cruelty with which the ‘rebellion’ was ‘put down’. An obvious and overt feature of this was the complacent assumption of racial superiority, and the chauvinistic aggression of the age of imperialism.

Less easy to discern but undoubtedly significant were the racial tensions created by the wide range of demands made on colonial males aspiring to financial security and domestic dominance in a time of severe recession, and who resented what they saw as African social, economic independence, and male autonomy in particular. Lying deeper were the sexual fears of the colonisers: the threat posed by the barbaric other to the women and children of colonial Natal, and the demands this made on the men responsible for their protection. Such threats appeared to have been extended directly to colonial men as well when, during the 1906 resistance, corpses of a policeman, a trooper, and a civilian were discovered with strips of flesh, portions of limbs, and genitals removed as ingredients for ‘war medicine’. Although, in terms of the number of casualties, these deaths were proportionately minute, such treatment of the corpses confirmed settler prejudices and fears, and created a fury amongst the troops and was a factor in the uncompromising ferocity with which Africans were subsequently pursued. This was true at levels. The Governor himself had no hesitation in reporting to London, not only that ‘[m]uch feeling has been caused in the columns at the atrocious murder of a European civilian’ but he gave details in a public despatch of the mutilations and atrocities in which ‘so-called Christian natives are said to have taken part, showing how thin is the veneer which separates them from their primitive barbarism.’<sup>24</sup> Just as thin is the veneer of objectivity of the official historian of the ‘Zulu Rebellion’, James Stuart, who moved quickly from the view that ‘[t]he killing of this fine young fellow, loved by all who knew him, only shows what Natives were still capable of during the Rebellion.....’ to the warning that

In spite of all professions by the ringleaders that European non-combatants, including women and children, would not be molested, there was no guarantee whatever that indiscriminate massacres would not take place. Thus, the only way of checking these possible catastrophes was to do as [the Commandant of the Militia] McKenzie, did, viz. so punish the rebels as to show them that rebellion, even in incipient forms, would be stamped out with the utmost severity .... with instances as revolting as the one

<sup>23</sup> James Stuart, whose *A History of the Zulu Rebellion 1906* (London: Macmillan, 1913) is a source which has been widely used by scholars, but never sufficiently critically.

<sup>24</sup> BPP. C.3247.No. 13 McCallum to Elgin, 5 July 1906, 12.

described, no other course was left than to suppress the tendencies in the sternest manner.<sup>25</sup>

But the severe stamping out of the slightest hint of what was seen as rebellion was just the first step - the military one. The second was the legal one - to use of the courts to prove, especially to those at 'home', in the 'Mother country', that 'young Natal' was not only capable of protecting himself, but had done so in a heroic and judicious manner: that the whining of the 'negrophiles' could be ignored: that the authorities in Natal had only done their duty as Englishmen to defend civilized rule against a real and barbarous attempt to overthrow it. For years to come those in authority in Natal took enormous pains to use the law to record that, in 1906, Natal had indeed confronted an ingenuously plotted and potentially catastrophic rebellion in response to which the colony had acted in self-defence.

I am in the process of examining a number of these cases, not only because they haven't been treated in detail before, but also because of their intrinsic fascination for the historian. For they are not just 'sources' in the conventional sense: they are already histories – constructed, contested, and tested by the prosecution, the defence, their witnesses, the accused, and by those who passed judgement. They are also a record of African agency and the African voice, actions and voices for the most part ignored and silenced. They are also wickedly difficult sources to use: created in a situation where immense distances between the polarities of power are starkly exposed, presenting at every turn the possibility of manufactured evidence by intimidated witnesses vulnerable to state pressure, and the accused confronting the terror of the gallows. The court records are in English with key words – war-medicine, war-doctor, rebel, armed – untranslated. Nevertheless the simultaneous proximity and distance of the court record, and the opportunity the courts gave to demonstrate not just self-serving deviousness, but also on occasion courage, intellectual and verbal skill, allow us to glimpse the drama of orality in battle, and creates a methodological challenge which has to be taken up. The case of *Rex v. Mbombo, Ntshingumuzi and Mpobeyana* is an example of this.

### **The spatial dynamics of resistance: The Lower Tugela and Maphumulo Divisions –**

It is impossible to understand the events of the 1906 resistance without considering some of the most basic ecological and spatial factors of colonial life at the beginning of the twentieth century. The majority of Natal's Africans lived in discrete homesteads, with associated grazing and arable land, scattered throughout the countryside of Zululand and Natal. The homesteads constituted the living and working-place of the male homestead-head, his wives, and children, and often his aged relatives, their stock and the grain stores. These homesteads and the productive processes associated with them were not, as a recent commentator has it, 'carry-overs' from the pre-colonial past. No matter

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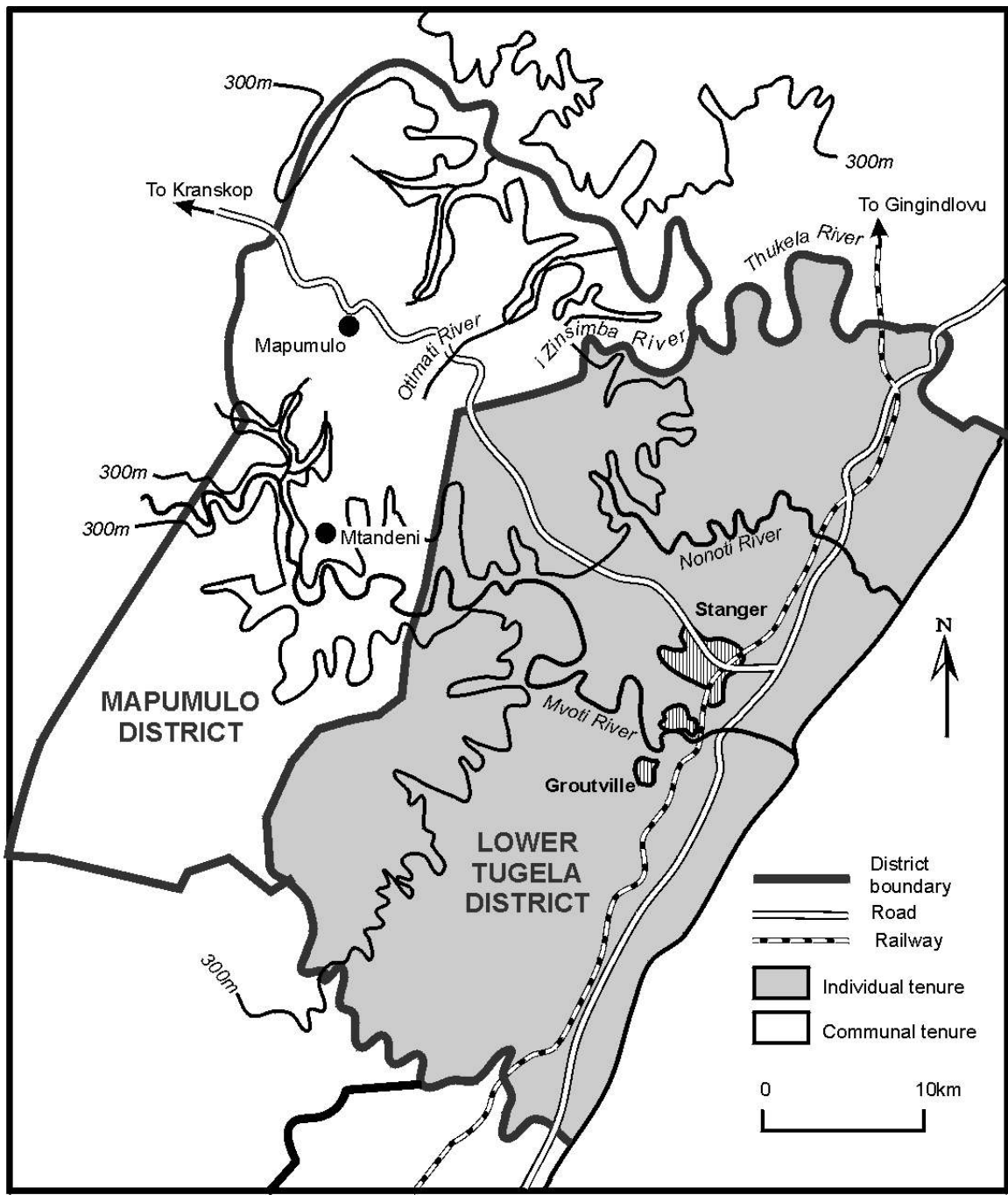
<sup>25</sup> Stuart, *Zulu Rebellion*, 379.

how considerable the changes which had been wrought by taxation, rent, labour migrancy and wage labour, population increase and land diminution, plague, drought and famine, aggregations of these homesteads, giving loyalty to a particular chief, formed the social and economic locus of African life. The reason I stress this point here is that this socially unified, but spatially decentralised structure was one unsuited to military defence: the people, their resources, were physically exposed to attack. Any attempt to reduce their vulnerability meant moving, possessions, foodstocks, cattle, the young and the old, into defensive positions - moves which not only awakened suspicion, but also seriously disrupted the continuity of the basic processes of social and productive existence. In times of tension and threat no one in authority could avoid the huge problem of what to do and how to protect the non-combatants, fixed property, cattle and foodstuffs for which they were responsible and upon which they and their people depended. Those without large social responsibilities, younger men for the most part, were able to literally mobilise. But the rest had to remain in, or close to, their homesteads, exposed to attack if the colonial forces decided to 'drive' the area in order to locate or punish 'rebels'. In most cases the answer of the men in authority was to stay put, and attempt to draw the sting of the colonial authorities' anger by persuading them of their loyalty, while giving their people confidence that they could protect them from official retribution. Too often this failed as the military moved in regardless of protestations to punish defiance and rebellion. But the point I want to make here is that a first step in understanding this process of violence, and the frequent movement from evasion, to defence, to armed defence, to defiance, to, on occasion, attack, is to understand the geography – the spatial dynamics - of where it took place, of how and in what geographical context the people under examination lived, particularly in relation to magistracies, police posts, lines of communication, places of refuge. Obvious enough, but not sufficiently obvious to impress itself upon most of the historians of these events.

Ntshingumuzi's Nkanini homestead, where the alleged 'doctoring for war', had taken place, lay north of the Stanger, seat of the magistrate of the Lower Tugela Division. The Lower Tugela Division consisted of a strip of territory between 20 and 30 kilometres wide running along the coast. The Thukela and the Tongaat rivers formed the north-eastern and south-western borders of the Division which was bisected by the very considerable valley of the Mvoti river. With major river valleys marking its extremes, and divided by another, the Lower Tugela Division was therefore typical of the Natal coastal districts: steeply undulating with deeply incised river valleys and their feeder streams.

The Mapumulo Division lay immediately inland and had been created out of the Lower Tugela Division in 1894. It was bisected by the main road which ran along the high ground into which, on either side, cut the sources of the tributaries of the Mvoti and Thukela, creating broken ground running steeply, and at times precipitously, down to the more open country in the valleys. The Mapumulo Division, most of its police posts, trading stores and mission stations were





established near the main road as it made its way inland. While it was possible to gain access to the valleys from the main road by scrambling down paths the Mapumulo Division was more rugged and less accessible than its eastern neighbour the Lower Tugela Division.

Linked to this fundamental difference in topography and location was the crucial distinction in land tenure and administration. Mapumulo was a Native Reserve, segregated, communally-owned under direct chiefly authority. Apart from mission reserves, some crown lands, the Lower Tugela Division had been had been settled since the early years of the colony as private or company property. By the turn of the century some of the colony's most best known families, - Addison, Hulett, Hindson, Colenbrander – had built their wealth on tea and sugar in the Lower Tugela Division. In amongst their plantations were extensive tracts of land belonging to the Natal Land and Colonization company and densely occupied by rent-paying African families, while small white farmers looked with resentment at the Indian families, newly-released from indenture, who used family labour to exploit the produce market in a way they had never been able to do.

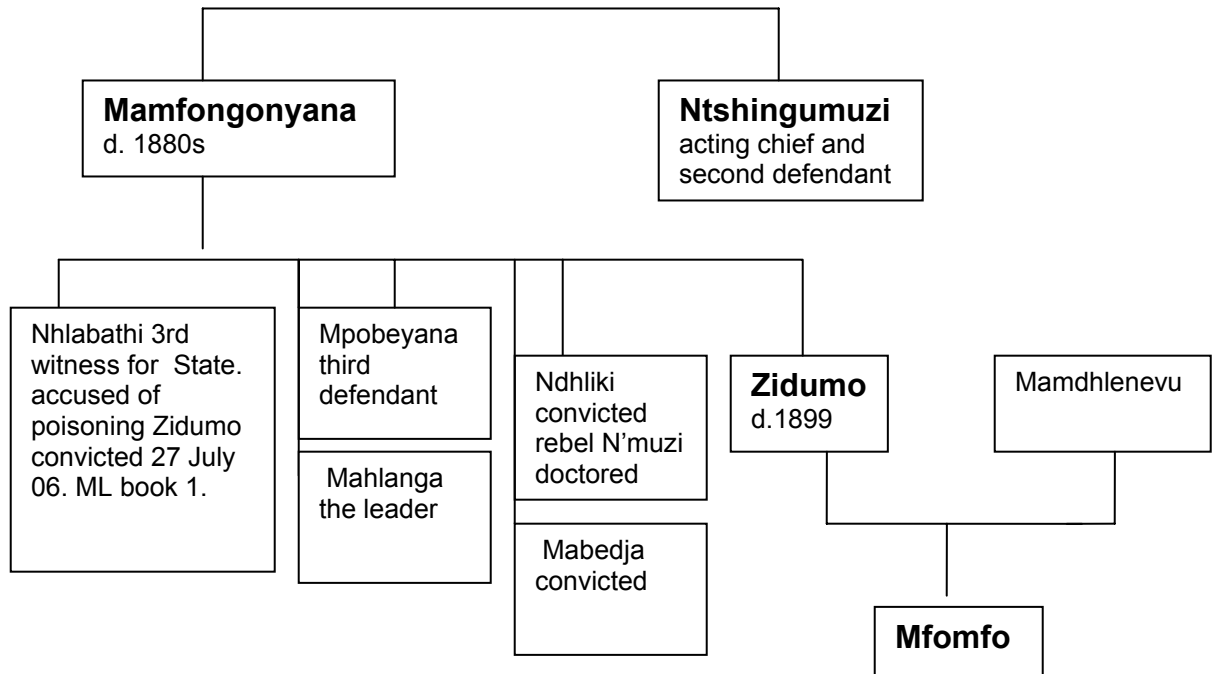
There were large African populations in both divisions, ruled by chiefs some of whom were men of considerable authority. It is essential to understand that while there were concentrations of people of the same lineage who gave loyalty to the chief of that lineage, such shared backgrounds and loyalties did not necessarily give rise to contiguous social groupings, and people owing their allegiance to individual chiefs were scattered throughout the divisions. The Qwabe, as a whole, were the largest group in these divisions, and had deep historical claims to land in this region, and during the early years of the existence of the colony of Natal their numbers had been increased as members of the chiefdom left the Zulu kingdom to settle under colonial rule in these divisions just south of the Thukela.<sup>26</sup>

While they were interspersed with people following other chiefs throughout the division, there were concentrations of Qwabe in the Mvoti river valley in the Mapumulo division where the dominant chiefly line, represented by Meseni lived in the Mthandeni homestead, and in the territory to the south of the Mvoti in the Lower Tugela division on location and private lands. Most of the people with whom we are concerned in this paper, Ntshingumuzi's section of the Qwabe, lived north of the Mvoti, directly to the north of Stanger, in the land around the middle reaches of the Nonoti river. They were settled on private farms, mission lands, company farms and crown lands in these rich, rolling lands between the main road to Mapumulo and the Thukela. They had originally been associated with Mamfongonyama, Ntshingumuzi's brother, in the direct line of the Qwabe chieftainship, who had come from the Zulu kingdom in the middle of the century,

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<sup>26</sup> The history of the Qwabe in colonial Natal is the subject of a doctoral thesis, Michael Mahoney, 'Between the Zulu King and the Great White Chief: Political Culture in a Natal Chiefdom, 1879-1906'. PhD, UCLA 1998.

and had died in the 1880s. Mamfongonyama's son and successor Zidumo died in 1894, and until his son, Mfomfo reached maturity his great-uncle Ntshingumuzi was recognised as acting chief of this section of the Qwabe, whose Nkanini homestead was built not far from the Nonoti river.



In 1905 Ntshingumuzi was responsible for the tax on 1200 huts. 100 of these were situated on mission reserve land and thus recently had become subject to a £3 tax per house, 200 on Crown land and 900 on private farms and thus subject to rentals for land and grazing. The steady increase in African rural poverty over the thirty years before 1905 has been well documented. Growing agricultural investment on the part of white and Indian farmers, large and small-scale, the development of tea and sugar production in the Lower Tugela Division especially, had created pressure on land and forced up rents. African economic well-being had been badly affected by drought and cattle disease and social well-being by the massive increase in the number of young men going out to work for wages as migrant labourers. The South African war, and the recession which followed, had added to social and economic tensions. Amongst whites there was a call for greater African productivity as wage labourers. African perceptions of the demand for greater control and exploitation, and the aggression that this manifested at a time of severe social and economic stress, were reflected in the rumours amongst Africans in Natal of a coming conflict with the whites: rumours which created amongst colonists not just insecurity and fear, but also the conviction that the only adequate response was the public demonstration and unequivocal assertion of colonial authority.

### **Terminating resistance: the colonial militia**

The announcement at the end of 1905 by the Natal government of a new tax on all adult males not paying the hut tax was met by Africans with incredulity and

protest - and in turn with increased intransigence on the part of the colonial authorities. The anger of their people on the one side, and the authorities' insistence that they deliver up the tax without protest on the other, meant that the demands the chiefs' authority was simultaneously increased and undermined. A clash with police in February 1906 in the Richmond area led to massive retribution on the part of the colonial militia in southern Natal. Then to the north Bhambatha, just deposed as a chief, ambushed a police patrol before moving into the Nkandla forest, where in June after a number of clashes his followers were trapped and massacred in the Mome gorge. The authorities believed the rebellion had been crushed, but almost immediately, on 19 June, a convoy of wagons carrying supplies from Stanger to the military post at Mapumulo was attacked, stores looted, and a trooper killed and his body mutilated. The men who made the attack (conventionally known as the attack at Thring's Post) were led by Ndlovu kaTimuni, the well-known chief living near the main road, and member of the Zulu lineage.

Colonial militia were moved into the area to put down this latest manifestation of rebellion. The troops, which had hitherto concentrated on the middle reaches of the Thukela river and the Nkandla forest, now moved in the direction of people living in the African areas north of Durban. This provoked a reciprocal movement of African workers in Durban whose homesteads were in the Lower Tugela and Mapumulo divisions, just a day or two's journey from their place of work. *The Natal Mercury* estimated that in the ten days following the 19th June some 2000 men had left town, leaving their jobs in the harbour and Durban's business establishments, and the middle-class houses on the Berea in crisis as they lost their domestic servants.<sup>27</sup>

From their headquarters on the road which ran across the high ground at Mapumulo the troops received reports of arming throughout the area. Looking south, into the Mvoti valley a thousand feet below them, they saw at the end of June thousands of men gathered at Mthandeni, homestead of Meseni, chief of the major lineage of the Qwabe. They assumed, as have historians, that they had gathered for aggressive rather than defensive purposes – that they were in fact rebels.

To the east in the Lower Tugela Division it was not possible for men to concentrate around their chiefs in this manner. There was no question of Ntshingumuzi's men gathering around him as they had done in 1905 for the ritual at Nkanini. The Mapumulo division was 'Native Reserve': the Lower Tugela district was made up of demarcated private property: there could be no assembling of men in military dress, wearing the *shokobezi*, carrying shields and assegais in amongst the mission stations, farm houses, tea and sugar plantations and the mills of the Lower Tugela District. The whites barricaded the larger houses on the plantations, moved women and children out of the division, or to Stanger where a laager was formed on 20 June. Some Qwabe stayed at

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<sup>27</sup> *The Natal Mercury*, 29 June 1906, 'The Native Exodus'.

their homesteads, doing what they could to organise the movement of non-combatants and stock nearer to areas like Stanger where militia was concentrated: others armed and mobilised and began to search for a place to gather in safety away from the eyes of the scouts and spies of the militia: some, at different times, did both. By the end of the week the militia from Durban (and Sergeant-Major Gandhi's stretcher-bearers) were marching from Stanger along the main road, past the Hulett tea estates at Kearsney, to Mapumulo to join the troops gathering there. From the road or the barricaded houses armed Africans were seen on the farms and crown lands around Nonoti Peak to the north-east of the main road, threatening the homesteads of the men who had not joined them. Ntshingumuzi's Qwabe were on the move and reported to be in rebellion.

They were making for the the Izinsimba river, which separated the north eastern portion of Lower Tugela from the Mapamulo divisions. The particular point on the Izinsimba for which they were making is about half way along its length, where it leaves the higher grasslands, and enters the dry riverine bushveld, and has cut a deep gorge with extensive patches of bush covering its steep rocky sides. Near the sources of the Ndaka, one of the short streams running into the Izinsimba gorge from the south, was the homestead of Mashwili, grandson of Shaka's patron and benefactor, Dingiswayo of the Mthethwa. A few kilometres away a road ran along the south-western rim of the Izinsimba valley, that is in the Lower Tugela division, running next to the Bulwer farms belonging to the Hulett, a few stores and police post. Across the valley on the north-western side was the communal land of the Mapumulo division.

The Izinsimba was a border position in every way, on the one side the white estates and sugar plantations, stores and mission lands on which the Qwabe lived, on the other the open fields and communal grazing chiefly land of the Mthethwa, and beyond them the people of Ndlovu kaTimuni who had precipitated this episode with their attack on Thring's post on 19 June. In between them lay a deep, forested, gorge where the Qwabe and Mthethwa could share their reactions to increased taxes and rents, the experience of wage labour in docks, settler homes and mines, dress in military dress, sing their songs of defiance, celebrate the rituals, out of sight of the spies, the informers, the scouts and patrols of the colonial police, African levies, and the settler militia. When newcomers arrived at Izinsimba they were kept apart until they had been purified, after which they could participate in the rituals essential for their strength and protection, when violence broke out. The commonplace amongst their enemy was that they believed that such rituals would destroy the effectiveness of the bullets used against them: too many of the men at Izinsimba had experience of colonial fire-power to believe this; but it was generally accepted that the strengthening of the soldiers, and its reciprocal effect, the weakening of the enemy, was essential.

We can get some idea of what it is was like in the Izinsimba gorge from the evidence of Mahagau, a Durban worker whose homestead was situated in the

northern parts of the Lower Tugela Division.<sup>28</sup> Messengers from his chief Mashwili had contacted him at work some months previously and told him he was required at home because of the trouble there caused by the white people. He refused to go. Then in June 1906 when the hut tax was being collected they came again.<sup>29</sup> Mahagau was threatened and told he must attend to his chief's orders. His employer was N. Chiazzari, leader of the Durban Reserves, which was mobilised on the news of the Thring's Post attack of 19 June. Mahagau travelled with the militia, and when it reached Stanger he continued his journey, walking northwards in the direction of his home.

The homesteads he passed were deserted. The people he met asked him anxiously where the whites were. He came across an armed man who responded angrily to his questions: 'I spoke and asked what was the matter? He replied 'We are being done to death by the white people.' I asked him how? He said "Do you ask, they are oppressing us that we must die."

When Mahagau reached his homestead his people were gone. He broke down a door and spent a night disturbed by the sound of people running by in the dark. The next day he followed the tracks in the grass made by the movement of large numbers of people, until he came across women carrying provisions for the men who he heard had gathered around his chief, Mashwili, in the Izinsimba gorge.

Mashwili was an old man and early in 1906 he had sent his son Langalibalele to make his formal response to the announcement that a poll tax was to be imposed. It was a protest based on the premise that in imposing the poll tax without consultation the government had broken the rules which determined the proper relations between ruler and subject.

We say that the poll tax will overcome us. It is a burden upon us and is worse than if illness was upon us. We say do we not belong to the Government, if not to whom do we belong[?] Why has this thing been done[?] Is there anything which has been hidden by us from the Government[?] We contribute to the support of the Government. That which we were called upon to pay we have paid. The payment of Hut Tax is a burden as also is the payment of the Dog tax. We say there is not Government, but that there is a person who has no consideration for us who does not hear us. The Poll Tax has even stirred up the stupid person.<sup>30</sup>

Six months later, as the militia began to gather in their district and move towards them, Mashwili and Langalibalele gathered their men in the cliffs and the bush of the Izinsimba valley adjacent to their homesteads. Here they were joined by others in the area searching for a place of safety, and if circumstances allowed it, as base from which to organise resistance.

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<sup>28</sup> Mahagau became a regular witness before the Stanger Martial Law court. These paragraphs are a compilation of his evidence. While it is possible that he casts himself in a particularly favourable light with the authorities in his loyalty, his evidence is consistent and convincing. DAR. 1/SGR. Stanger Martial Law book 1. 44/06. 30 July 1906 and more important 56/06

<sup>29</sup> The consequences of this collection of the hut tax, at a time when the poll tax was still being opposed and its collection unresolved, has still to be examined.

<sup>30</sup> PAR. SNA 1/4/15. 21/1906. Shuter to under Secretary for Affairs, 3 January 1906. Statement by Langalibalele son of Mashwili and 9 others. 30 December 1906

Amongst the men who made their way to the Izinsimba gorge were large numbers of Qwabe, but not their chief Ntshingumuzi. He had also protested at the poll tax: 'We have come to say the poll tax is oppressive. We find it a burden to pay the rents to our Landlords. We ask why has the Government imposed the Tax upon us.'<sup>31</sup> But even if he had wanted to, it would have been difficult for Ntshingumuzi, with his homesteads concentrated so much nearer to the magistracy at Stanger, to follow his men to the hideout on the Izinsimba river. The Qwabe under arms were led by Mahlangu, son of Mamfongonyana, another of Ntshingumuzi's nephews.

Mahagau arrived at the Izinsimba on Monday 26th June. He found most of the men camped on the Ndaka stream which ran its short length into the Izinsimba gorge. He was first kept separate from them because he had not been ritually purified and strengthened as they had been. Again he was asked where the whites were, but he was also congratulated on changing his mind and coming to Izinsimba: 'You are with us today – you deserted us in Durban – and he called the doctor to doctor me.' While waiting for this to happen, apart from the rest of the men, there was a stir and Ndlovu kaTimuni, the neighbouring chief in the Mapumulo division arrived in the Izinsimba. He was armed with a rifle with its bayonet fixed.<sup>32</sup> It was his people who just a week earlier had attacked the wagons, and killed a trooper, parts of whose body, it was generally believed, had been used in the medicines which were so important in the rituals used to strengthen those who opposed the colonial militia.

.... Sibuzi a rebel came up. He is the doctor for the rebels. Before his arrival up to me there was the command given 'Fall in' the command was repeated – the people said 'Who is that?' Others said 'Do you not know it is the voice of Benetu [probably from Bayonet] who is Ndhlovu'<sup>33</sup> – They then formed into line and they sang these words 'I am thus what has made me go wrong, It is the Poll Tax that has made me go wrong' – they fell in, and make a noise 'qo, qo qo' –  
I then saw Sibuzi the doctor take the dish of Medicine and place it before the circle which had been formed – then I saw my chance to escape, and I got away and I came to the Magistrate at Stanger and made a report.<sup>34</sup>

He was lucky to do so because on the same evening a party of Mthethwa, and Qwabe under Mahlangu, arrived at the house John Boziana, an African Christian landowner in the Nonoti district. He had been one of the original grantees of a plot of mission land at Groutville south of the Mvoti, and had later purchased three contiguous tracts of land, totalling about a thousand acres of land, in the

<sup>31</sup> PAR. SNA 1/4/15. 21/1906. Shuter to under Secretary for Affairs, 3 January 1906. Statement by Ntshingumuzi and 43 others, 28 December 1906

<sup>32</sup> The evidence that Ndlovu was present on this occasion is contested and forms part of my overall treatment of these events.

<sup>33</sup> The presence of Ndlovu at Nsimba is greatly significant – but the linking of these different parts of the narrative is the objective of the larger study.

<sup>34</sup> DAR 1/SGR. Martial Law Book 1. 44/06 30 July 1906. Mahagau gave evidence on a number of occasions when the prosecution needed to prove the presence of certain accused at Inzinsimba.

Nonoti area. In the eyes of one of his white neighbours he could hardly be called a farmer: his major source of income was derived from the rents of the Africans living on his land.<sup>35</sup> He was warming himself by the fire when the party of men attempted to force the door of his house. Hindered by a terrified child, Boziana was stabbed in the head and hand, tied up, and carried away. His house was looted, windows smashed and holes hacked in the corrugated iron walls and his cattle driven off by the raiding party.

Once at a safe distance Boziana's legs were untied and he was force-marched the 10 kilometres to the Izinsimba. During the night one of the men assembled there gave him a piece of burning wood to warm him – to the derision of the others. The next day he was brought by the assembled soldiers before the Mthethwa chief Mashwili. While Ndlovu kaTimuni had assumed the role of military chief, and used elements of the enemy's ritual with its shouts of 'Fall In!' and perhaps 'Fix Bayonets', it was Mashwili who initiated the court martial which charged John Boziana with being a traitor. He was addressed as 'Scout' – that is spy and informer:

'Scout, you are here today. Where is Mr Shuter? How can you go now to make secret reports, you take letters from Jackson and find out the people Where is Jackson today? – you are alone – you buy the land which belonged to Tshaka, now you worry the Natives. You worry the Natives by chasing them from the land and you put on Indians. You also say the people must pay the Poll Tax.' Then Mashwili said 'Make reply scout'. 'I replied 'My only sin is that I have buried Chiefs who died' – I said 'I had buried Sotondose and Manepu of Nxumalo tribe, and Zidumo of the Qwabe tribe.' Then Mashwili called the men to bring up the cattle belonging to the scout – and four of my cattle were there and then killed. He said the others would be slaughtered the next day – then the order was given that I was to be kept under an armed guard.'<sup>36</sup>

As June drew to an end more and more men arrived at Izinsimba. Kidnapping turned to personal violence. It was reported that one of Ntshingumuzi's leading men, Macetshana, had been killed when refused to join the men at Izinsimba. Some of those there objected to action of this kind and at the subsequent colonial trial it was alleged that the killing was in fact the result of someone settling an old score by using the mobilization as a 'shield'. Whatever the case more and more people began to fear the repercussions of attempted neutrality and took up their shields and assegais and made their way to Izinsimba. A few others moved in the opposite direction. On 29 June<sup>37</sup> Ntshingumuzi left Nkanini, moved his property to the Mvoti, and reported to the magistrate and placed his ward, Mfomfo, in the Stanger gaol for safety.

<sup>35</sup> Colony of Natal. Evidence given before the Lands Commission Pietermaritzburg 1904 Herbert Albert Smith 11 July 1901

<sup>36</sup> DAR. 1/SGR. Martial Law Book 1. 43/06. 28 July Rex versus Dosi and 31 others men of Chief Tshingumuzi. Boziana gave evidence for the Crown in a number of cases and this statement is a representative one. Later in the trials he emphasizes a desire to drive the whites over the sea. In my opinion the most significant common feature in his evidence is the declaration that the land which belonged to Shaka is now being sold to strangers.

<sup>37</sup> It was reported in *The Natal Mercury* of 30 June 1906.



By this time a force of some 2000 troopers had been gathered at Mapumulo under the commandant of the militia, Duncan McKenzie. His attention was concentrated, not to the north east where the men at Izinsimba had gathered, but south into the Mvoti valley where thousands of men could be seen in the vicinity of Meseni's Mthandeni homestead. McKenzie planned a four-prong attack on Mthandeni and, after meeting some spirited resistance which was put down heavily especially in the south, his forces reached the Qwabe homestead on 2 July. The Qwabe however had dispersed.<sup>38</sup> Left behind however, at the gates of Mthandeni, was the body of a white civilian, eviscerated, a hand, a foot, the sole of the other, rectum and genitals cut away, and without a head. At the Izinsimba, Ndlovu kaTimuni had carried a rifle and used the military commands of the white troops: Mashwili had set up his court-martial for those who betrayed the Zulu heritage: the corpse at Mthandeni had its head removed, as Bhambatha's had been by the colonial forces a fortnight before. The violence of the militia had to be met with greater strength by their opponents: if it was impossible to match their fire-power, it might still be possible to match their medicinal prowess and use it against them.

Thus the increase in violence increased the need for medicine of greater strength, which exacerbated the ferocity of the conflict. The colonial militia, cheated of a final crushing victory 'came back', after seeing the mutilated remains, an American missionary believed, 'as wild as Vandals' and drove the Mvoti valley burning homesteads and shooting those who tried to escape. But they needed a more substantial victory - one which could be compared with the unequivocal defeat of Bhambatha's men in the Mome gorge. McKenzie and his troops regrouped at Mapumulo magistracy where they received the news that on 2 July, while the bulk of the militia was concentrated at the Mthandeni, an attack had been made on a convoy of wagons with supplies as it passed McRae's store, on the road near the Izinsimba gorge. The ambush had been sprung in the early evening, but the troops escorting the wagons had managed to draw themselves into defensive position and use rifle and machine gun fire, together with a 15-pounder to drive the attackers off. The officer in charge, Major S. G Campbell, laagered the convoy for the night, and it made its way with few losses with first light in the morning. The attackers retired to Izinsimba, moving now deeper into the gorge, leaving forty bodies behind.<sup>39</sup> For the men at Izinsimba it was not only a defeat in itself, but one which had catastrophic consequences for it attracted the attention of the militia at Mapumulo, and gave them their opportunity to end the campaign with a decisive, punitive, action.

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<sup>38</sup> Conventionally, this resistance to the forward movement of colonial militia on the Qwabe homesteads is depicted as the crushing of rebellion. An understanding of these events can only be reached if the military and colonial interpretation of these events, and their historiographical progeny, are studied in greater depth and more critically than they have been.

<sup>39</sup> BPP. C3247. No. 27. McCallum to Elgin. 12 July 1906, Enc. 2 *The Natal Mercury*, 7 July 1906.

Before dawn on the morning of 8 May, McKenzie moved troops towards the Izinsimba.<sup>40</sup> They were divided into three sections. One skirted the gorge, placing itself downstream from where the Qwabe and Mthethwa were hiding, cutting off any attempt that might be made to escape downstream towards the Thukela. The others began to occupy and mount their guns on the high ground overlooking both sides of the gorge. McKenzie reached Mashwili's homestead, near the Ndaka stream but found it deserted. As dawn broke some of the men inside the valley broke cover and tried to escape up the sides of the gorge but were driven back by rifle fire. Then the artillery began to 'search' the bush at a distance with shells loaded with shrapnel. When it was clear that all exits were covered the militia, moving up and down stream, began to search the gorge, in close formation.

Stuart gives the number killed as 547. They included Mashwili, grandson of Dingiswayo, his son Langalibalele who had appeared before the magistrate and spoken of the requirements of good government, and Mahlanga, brother of Mpobeyana who had led the Qwabe men into the Izinsimba valley. The militia suffered no losses. One colonial historian wrote with smug satisfaction of the 'ricksha pullers and domestic servants from Durban, who left town for a days' outing to fight the white man. It was not to be wondered at that the surprise in the morning had the effect of demoralising such an undisciplined rabble'.<sup>41</sup> There was a newspaper report of a man dressed in a frock coat, white shirt and bowler, and carrying a bible, who appealed to the men who killed him not to shoot as he was Christian.<sup>42</sup> Later before the courts the number of men who referred to fathers and brothers who died at Izinsimba suggests there could hardly have been a homestead in the northern parts of the Lower Tugela Division which was not affected. But it is hard to find any details of just what happened.

For the Governor everything suggested the incapacity of the rebels to learn the lessons of basic strategy. But reading between the lines we get hints that something was being covered up.

Without guns or rifles, the natives, with their assegais and shields, could not approach our lines sufficiently closely to inflict any substantial damage on our men. The Kafirs have entirely failed to appreciate the retaining power of the modern rifle, and after one or two unsuccessful efforts to break our line have invariably fled. They have, however, stuck to their weapons until the last, and often when they have made a pretence of surrendering have endeavoured to turn upon our men and stab them.<sup>43</sup>

When, immediately after Izinsimba, the militia tried to find Ndlovu's people in their hideouts in neighbouring valleys these were deserted. The detailed story of what happened in the Izinsimba valley on the morning of 8 July 1906 has not yet been

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<sup>40</sup> Thanks to Muzi Hadebe, Vukile Khumalo, Steve Kotze for undertaking the trip with me to Izinsimba which raised so many of these questions of just what happened on 8 July 1906. They will be answered.

<sup>41</sup> W. Bosman, *The Natal Rebellion of 1906* (London, 1907) 150ff.

<sup>42</sup> *The Natal Mercury* 17 July 1906.

<sup>43</sup> BPP. C3247. No.27 McCallum to Elgin. 12 July 1906, 22

told by historians, but there can be no doubt that it was known to the people who lived between the Stanger-Mapumulo road and the Thukela river.

### **Punishing resistance – the colonial courts**

This final victory at Izinsimba gave the colonial narrative of 1906 the military shape it needed. Plans could now be made for those rebels who preferred legal to military retribution, and it was announced that, for a few days, those who wished to surrender to the magistrates would be allowed to do so. Hundreds of men made their way or were brought to the magistracies, where they were detained in makeshift barb-wire wire compounds, and brought in batches before courts set up under martial law.

The Stanger martial law court was presided over by either the magistrate, Frank Shuter, or the Commandant of the Stanger Militia, Friend Addison. It heard 148 cases from February to September 1906 most of them dealing with minor infractions. But from 27 July, with the Lower Tugela Division still reeling from the Izinsimba massacre and the sweeping and driving of the militia in the Mapumulo division, cases were heard where scores of men accused of High Treason and Public Violence passed through the court. Members of the rank and file who pleaded guilty, and admitted having armed, or had been present at one of the conflicts were sentenced to two years hard labour.<sup>44</sup> Men of position or authority were kept back and tried separately and sentenced to five years, with many of those who had just been found guilty and sentenced appearing as Crown witnesses. Numbers of those before the court had surrendered, not because they believed themselves to be guilty, but because they sought safety from the troops - only to find themselves brought before the court as rebels. Pleading not guilty, hiring a lawyer or getting a employer or acquaintance to provide an alibi sometimes worked, but also ran the risk of a higher sentence with a flogging if it failed.

While to those in authority it was clearly satisfactory to have rebel prisoners learning the dangers of resistance through labour at the Durban harbour or the coal mines of northern Natal, it was felt that there was more to be done. Too many men who had not committed themselves unequivocally to the authorities were still free. And there was the acting chief Ntshingumuzi himself: despite the fact that he had placed himself and his ward under the protection of the authorities, magistrate Shuter's suspicions regarding the chief's commitment were confirmed when evidence emerged during the courts martial that

... Chief Tshingumuzi personally instigated his people to go into rebellion and was present when they were doctored and further told them to fight. He was acting in

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<sup>44</sup> Most of the cases against the men of Mashwili and Ntshingumuzi were for arming and being at Izinsimba or the McKrae store ambush, and against men from the Mvoti valley and southwards for mobilising for Meseni at Mthandeni. There were also many cases against individuals for minor misdemeanours, seen as seditious.

conjunction with other chiefs who went into rebellion I regard him as a traitor and recommend his arrest and that he be put on trial on charge of High Treason.<sup>45</sup>

Before he was able to act however another important task was given to the Stanger magistrate: to bring to court those who had killed white men in the Mapumulo division, and especially those 'war doctors' responsible for mutilating the bodies. After extensive investigations led by Shuter a number of accused appeared before white juries in May and June 1907 in the Supreme Court in Pietermaritzburg. Although there were some convictions and executions the cases were not the high profile vindications of colonial policy which had been hoped for.<sup>46</sup> A consistent feature of these cases was the desire to find substantial evidence which could implicate the son of the last Zulu king, Dinuzulu kaCethshwayo with the violence. Thus, in 1907, when Shuter discovered that the man who had been responsible for the doctoring of Ntshingumuzi's Qwabe at Nkanini lived in Dinuzulu's division, and was one of Dinuzulu's personal doctors, the Attorney-General jumped at the chance, not only to punish a clear-cut case of war doctoring, but to link it to Dinuzulu himself.<sup>47</sup>

Mbombo Nxumalo was traced to Mahashini and detained in the Stanger gaol while a new set of depositions were taken from those who had been at the Nkanini ritual. Detention in the Stanger gaol while preliminary investigations were going on was an arduous and terrifying experience. Mbombo became seriously ill but, when, in August, he had to respond formally to his committal he took the opportunity to ask that Harriette Colenso be informed. He knew her from the time he had lived at Bishopstowe in the 1870s. She was only told of this at the end of October but instructed the attorney R. C. A. Samuelson to visit Mbombo, who was released on bail of £100 and placed on a train to Pietermaritzburg where he arrived 8 November.

Harriette Colenso was shocked at his appearance and arranged for the physical consequences of 10 months detention in the Stanger gaol to be recorded in a photographer's studio. The result, an Edwardian pastoral in a colonial setting, the desperately ill Mbombo Nxumalo, seated on a crumbling, plaster balustrade with a background of fake greenery, is one of the most tragic images of the resistance.<sup>48</sup>

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<sup>45</sup> PAR. SNA/1/1/351 3222/1906. Magistrate Stanger to Militia PMB, 19 Sept 1906. The initial evidence for this was collected in the third week of September, and was led in the final case before the martial law courts (148/1906) at the end of the month, in which many of the crown witnesses were men who later appeared in the case before the Native High Court in December 1907.

<sup>46</sup> In one trial the accused succeeded in convincing the jury that he was the victim of conspiracy hatched amongst the prosecution witnesses, in others the evidence strongly suggested that the wrong men were in the box. I am in the process of researching these highly dramatic, and tragic, attempts to use the court to vindicate the manner in which colonial Natal had acted in 1906.

<sup>47</sup> PAR. SNA/1/1/351 3222/1906. Magistrate Stanger to uSecretary for Native Affairs, 10 June 1907. NA AGO 1/5/114 Attorney-General to Shuter, 29 July 1907.

<sup>48</sup> I have been aware of a copy of this photograph in the Natal Archives in Pietermaritzburg for many years, but it was only in 2001 that I discovered that the print in Rhodes House Oxford was

Mbombo was taken out of town to Bishopstowe to be cared for by Agnes Colenso. He had contracted consumption and Agnes watched over him<sup>49</sup> anxiously and did what she could to ease the pain in his lungs and gain strength to withstand the court case. Their views of the proper medical treatment differed. His diarrhoea worried her, but not Mbombo who 'says it is clearing out the poison & that all his izito [lower limbs] are getting so comfortable.' The people at Bishopstowe welcomed him with gifts of beer and 'He wants crushed izimkobe [boiled grain] *with* his amas [sour milk] *now*. He says it was nice *alone* at first because his stomach having stuck to his backbone the amas slipped in easily between & ncibililika'd [melted, made comfortable] his heart!<sup>50</sup> It might have been the effect of the chlorodyne, cough lozenges, and bronchial tablets, or perhaps just tact, that Mbombo, the famous *inyanga* from Mahashini, eventually told Agnes that 'He *does* believe in Umuti wabelungu now.'<sup>51</sup>

### **Explaining resistance: the Native High Court**

Mbombo Nxumalo, defended by attorney R. C. A. Samuelson, Ntshingumuzi and Mpobeyana Qwabe, defended by the Stanger advocate A. E. Foss, appeared before the Native High Court from 3 – 13 December 1907. The Crown called 16 witnesses, most of whom were men (11)<sup>52</sup> and women (5) who had attended the ceremony at Nkanini and who now asserted that it had been celebrated by Mbombo and organised by Ntshingumuzi with the assistance of Mpobeyana with the object of doctoring the Qwabe for war.

Nearly all the male witnesses had been convicted of High Treason in the Stanger martial law court eighteen months previously. Some of them had been released in recognition of the evidence they had given for the Crown in other treason cases<sup>53</sup> and we must assume that some at least of those still in prison were soon to receive a similar reward. The desire to escape from years of hard labour on the Durban docks or the mines of northern Natal by giving evidence that the ceremony at Nkanini was to doctor the Qwabe for war must have been tempting for those to whom it was offered. There are suggestions of other factors at work as well, in particular that there was a split in the ruling lineage over the appointment of Ntshingumuzi as acting chief and regent. The Crown was certainly able to marshal antagonistic witnesses from the ruling lineage: four widows and two sons of Mamfongonyana, as well as a widow of Zidumo, gave

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identified as 'Mbombo, a Zulu Doctor, as bailed out (see back) by Miss Colenso..... 'uMbombo as bailed out, 9 11 1907'

<sup>49</sup> and secretly the CID

<sup>50</sup> PAR. Colenso collection. Box 44. Agnes Colenso to H. E. Colenso, 18 November 1907.

<sup>51</sup> PAR. Colenso collection. Box 44. Agnes Colenso to H. E. Colenso, 24 November 1907.

<sup>52</sup> Including Colonel Friend Addison, Commandant of the Stanger Militia and on occasion Acting Magistrate of the Lower Tugela District in 1906 gave evidence for the Crown and Defence.

<sup>53</sup> Belebana, who had given evidence as a Crown witness in a number of cases before being released in July 1907, and Mapakete, admitted that he had been released because he agreed to give evidence against Ntshingumuzi. In a previous case had been accused by a (white) defence witness of using his position as crown witness to settle a personal dispute.

evidence against Ntshingumuzi. This does suggest that an element in the trial was an attempt from within the Qwabe to remove Ntshingumuzi from his official position.

There were also indications that convicted witnesses felt betrayed by those of their leaders who had not been charged and were still free. The line between those who resisted, and those who did not, was not merely difficult to define, but non-existent in the case where men attempted to obey the authorities at one time, and their people at another. Nkabi, who later made a statement incriminating Ntshingumuzi, said at his trial that he felt 'stabbed to the heart finding myself in the position I am now in': he

had to suffer for supporting the Government in telling our tribesmen to pay' and then 'overcome with fear thinking they would kill me, I armed myself and went into the bush at the Headquarters of the rebel camp at Nsimba. I was not present at any fight with Troops.<sup>54</sup>

Another Crown witness shared the feeling recorded frequently on other occasions that while in 1906 chiefs had not been unsympathetic to the arming, they now distanced themselves from those suffering directly for their actions. Moreover it was part of a chief's duty to what they could to protect his subjects: 'Ntshingumuzi ought to have said something in his favour, and he felt hurt that he did not do so.'<sup>55</sup>

The prosecutor spent some time in rejecting the idea that there was a conspiracy amongst the Crown witnesses against the accused, pointing out that they had not had the opportunity to meet while in detention. But the pre-trial evidence shows there had been nearly eighteen months for the prosecution to select good witnesses, that some were well practised in other trials, and there were many opportunities for the police and officials at the Stanger court to work on witnesses and to identify members of the Qwabe lineage who were antagonistic to Ntshingumuzi. There are also clear indications of coaching. And there is a discernable shift in emphasis in the various statements made to the officials about the Nkanini ritual as the time of the trial drew nearer: in 1906 the tendency was to testify that Ntshingumuzi and Mpobeyana had used medicine in a ritual to strengthen their people; in 1907 that they had used medicines to strengthen themselves against the enemy: in court it was doctoring for war, with Mbombo introduced as Dinuzulu's war doctor, and the Nkanini ritual being used for a public declaration of the Qwabe intention to go to war with the whites.<sup>56</sup>

The Defence called 16 witnesses and the judges soon became impatient with the accounts of sprinkling and vomiting and let this be known in their asides from the bench. The journalists in court tired as well and failed to record in detail what would now be important historical and anthropological evidence. Mbombo's

<sup>54</sup> DAR. 1/SGR. Martial Law Book. 1/4/2/4, Rex vs. Nkabi, 29 August 1906, 100/06.

<sup>55</sup> *The Natal Witness*, 6 December 1907, evidence of 'Uidebele' (?Zidebele)

<sup>56</sup> I am of the opinion that further research will show that rituals which took place subsequent to the Nkanini ritual were incorporated into the evidence of Crown witnesses. This is perhaps the reason why it is so difficult to establish the date of the Nkanini ritual.

attorney, R.C.A. Samuelson, although well meaning with an incomparable knowledge of colloquial Zulu, was also plodding and rather naïve. But his case was a good one and he had worked hard on it. The Defence witnesses related how Mbombo had been employed as a doctor for individual patients at Nkanini, before being approached by Ntshingumuzi to treat the sickness in the chiefly line. Elderly men described the ceremonies in which they as active soldiers in the Zulu kingdom been doctored for war, making clear the considerable differences between them and the one which had been held at Nkanini. One woman under cross-examination by the Crown rejected the very concept of a war doctor: 'If they were only war doctors they would be out of work most of the time.'<sup>57</sup> Senior women and men testified to their participation in a ritual undertaken to strengthen the tribe and its chiefs against the sickness exhibiting at times a refreshing functionalism: 'the reason why brooms were used for sprinkling for fevers is that the dirt can be taken from the floors of a house and that way the broom is used to sweep away fevers.'<sup>58</sup>

The three accused all gave evidence. Ntshingumuzi's dealt with the political history of the Qwabe but the journalist in court found it so tedious that he did not take it down. Mpobeyana spoke of the significance of the *inkhata* which was 'a sign of the tribe, and if any of the tribe went away to brought them back to the fold.'<sup>59</sup> Mbombo spoke in his own defence on 12 December and admitted that he had a considerable reputation as a doctor. Having been a soldier himself in the Zulu army he knew very well the difference between the ritual he organised and a ritual for war, but

He did not know how to doctor for war. They could hang him if he was telling a lie saying so. .... He doctored at the Nkanini at the request of Ntshingumuzi, who said he wanted witness 'to turn out this blackness'... in order to benefit the family of the late chief.....

The witnesses for the Crown had been giving evidence for the Government because they wanted to ingratiate themselves after stabbing the Government in the back.<sup>60</sup>

He also pointed out that he had become ill in the Stanger and his medicines and his possessions had been taken away from him, including his handkerchief 'which he wishes to get back, as he could not wipe the perspiration from his head.'

But the central argument of the Defence's case was that the Nkanini ritual had been held after Mbombo had proposed to Ntshingumuzi that the root of the weakness that had overtaken the Qwabe chiefly line was the fact that when Mamfongonyana had died his *inkatha* had been buried with him and a new *inkatha* had not been made thus leaving his successors vulnerable. Mbombo had sought to remedy by organising a ritual which would inaugurate these new and powerful artefacts into the ritual life of the tribe.

<sup>57</sup> *The Natal Witness*, 12 December 1907, evidence of Nozimbaga, a patient of Mbombo

<sup>58</sup> *The Natal Witness*, 10 December 1907, evidence of a doctor.

<sup>59</sup> *The Natal Witness*, 13 December 1907

<sup>60</sup> *The Natal Witness*, 12 December 1907

To substantiate this argument, arrangements had been made to produce the *izinkatha* before the court. For some of those present this was a fearful experience for they were articles that were 'reverenced very much' and 'not to be played with'. For others they were objects of derision and the newspaper report (under the headlines "'Crown" Jewels / Amusing Evidence /Native Customs') suggests some confusion in the court.

At this stage the new regalia, called 'Nkata' was produced

It compromised two rings of plaited rope, being a very poor representation of Crown jewels.

By the Judge President: Mr Foss, we ought to have arranged for some regal ceremony in the production of these 'jewels.'

Mr. Samuelson: Ginger beer would satisfy the occasion.

Mr. Foss: I suggest that the prisoners should be discharged.

The Judge President: Won't the 'jewels' be contaminated by being brought into a common Court?

Mr. Samuelson: It may seem funny, but the evidence is very important.<sup>61</sup>

As indeed it was. But the Court did not think so. Mbombo, Ntshingumuzi, and Mpobeyana were found guilty of Sedition on the third count, doctoring war in preparation to resist the authority of the King.

But, again, it was not the great victory that the Natal authorities had hoped for. Although he kept silent the Judge President disagreed with his two colleagues and did not think the accused had been doctoring for war. The prosecution was unable to demonstrate convincingly that the ill, frail, old men in the dock were a nefarious war doctor and his clients instigating their people to rebellion. And the links with war-doctoring and Dinuzulu, for which the Attorney-General had hoped so much, were never established. In fact the political aspects of the trial were eclipsed from the day it opened because on 3 December the Natal government declared martial law in the Province of Zululand in preparation for the arrest of Dinuzulu a week later.<sup>62</sup> The three old men were sentenced to a fine of £100 or 18 months hard labour, and released on £100 bail pending an appeal to the Privy Council.

### **Political subordination: 'the breakup of his tribe'**

The military subordination of the people of the Lower Tugela Division had been completed at the Izinsimba on 8 July 1906. Martial law was used to subordinate the survivors between July and September 1906. The conviction of Ntshingumuzi, the most important chief in the division still unpunished, had to wait till December 1907,<sup>63</sup> the same month that the bid to insert Dinuzulu in the colonial narrative of rebellion began.

<sup>61</sup> *The Natal Witness*, 10 December 1907.

<sup>62</sup> One consequence of this was that Harriette Colenso was unable to give the Zulu doctor her assistance during his trial, and us the benefit of her close comments on the case.

<sup>63</sup> The connected 'rebellion murder cases' in the neighbouring Mapumulo division took place in May and June 1907, with the resultant executions in July.



But there was one more aspect which had to be considered: the future of those people in the Lower Tugela Division who had resisted, especially Ntshingumuzi's Qwabe, who had demonstrated their recalcitrance so clearly from the time they had gathered for the Nkanini ritual to their move to the Izinsimba gorge and their attack on the troops at McRae's store in June and July 1906. By October 1906 the magistrate Shuter had reached the conclusion that

the case against Tshingumuzi is so serious as to warrant the breakup of his tribe and placing the members under Chiefs who will be given wards in the Division. .... The ready response by the men of the tribe to join the Chief Tshingumuzi, and subsequently to have gone into rebellion compels me to refrain from recommending a continuance of these people as a tribe, and the best safeguard is to give the control over to the Chiefs already having jurisdiction in the district.<sup>64</sup>

Shuter's recommendations were too disruptive for immediate acceptance by his superiors in 1906, but by the end of 1907, when verdicts had been given in the important court cases, and the Natal Native Commission which had been appointed in the wake of the events of 1906 had made its report, and a new Governor, Matthew Nathan, had taken office, the under-Secretary for Native Affairs, S. O Samuelson, was prepared to advise the Natal government to act on Shuter's recommendation.

In January 1908 Samuelson wrote a lengthy minute to the Minister of Native Affairs pointing out that the Native Affairs Commission had said in its report that, in the appointment of chiefs, 'fitness' as well as descent had to be taken into account:

'Tribes or portions of tribes are of all dimensions- some are too large and others are too small, and their areas are scattered and ill defined. Concentration is recommended, with some manageable standards of size.

If their (Chiefs') jurisdiction were territory, rather than personal, a means would thereby be created of weakening allegiance to the hereditary head of the clan.'

Here is an opportunity which should not be lost of reducing to some order and definiteness tribal relations and control in the Lower Tugela Division, where it is almost a by-word of confusion and unwieldiness owing to circumstances which prevail in most cases where Natives occupy private lands as they do here.

The greater part of the Natives in this [Lower Tugela] Division were rebels, and this in itself affords a pretext and gives good ground for an all round re-adjustment.<sup>65</sup>

The 'all-round adjustment' began with an examination of the recent histories of the different chiefs followed by recommendations on who should be recognised and who should be deposed. This in itself was extremely difficult: there were chiefs whose behaviour in 1906 had, in the opinion of the authorities, been highly suspicious, but whose authority and ability could not be ignored: but there were also weak and inefficient chiefs whose loyalty had been such that they could not simply be deposed. But such debates were not new: the ordering, ranking recognition, and deposition of chiefs had always been part of the business of the office of native affairs in Natal. The radical aspect of the recommendation lay not

<sup>64</sup> PAR. SNA 1/1/351 3222/06 Shuter to SOS uSNA 12 October 1906

<sup>65</sup> S.O.Samuelson to the Minister of Native Affairs 7 January 1908 (dated 1907). The documentation can be found in PAR. SNA 1/1/374, 2229/1907

in the appointment and deposition of individual chiefs, but in the establishment of what was called the 'ward system'<sup>66</sup> by which the Natal administrative system sought to move away from a fundamental tenet of African government – from what the Native Affairs Commission called personal, to territorial rule.

Hitherto a chief's authority, and therefore his power, was measured by the number of people under his control, regardless of where they lived. This placed practical limitations on a chief's effective rule and jurisdiction, and was particularly difficult when there were two different, but contiguous systems of authority and law as was the case in the Lower Tugela Division where chiefs administered their people who were living on private property. Nonetheless it did not affect the principle of chiefly rule by which his power was directly related to the number of people over whom he ruled, and considered him to be their chief, regardless of where they lived. With the introduction of the ward system, however, a chief's authority would be restricted to those living on a tract of defined, bounded territory, and their occupancy of this territory would define who was their chief.

Of course, the ward system was not introduced effectively, at a stroke, even in the Lower Tugela division, let alone in the whole colony.<sup>67</sup> Ntshingumuzi was formally deposed on 28 January 1908 and his people divided amongst six of the nine new wards into which the Division was divided. In a little over a year another ward had been created – together with a new chief and regent for the young Mfomfo. The chief of this new ward was the African farmer who had been dragged to Izinsimba to be accused of betraying his African heritage – John Boziana. Whatever the specific reasons for his appointment, the creation of a tenth ward for the Qwabe does suggest that Ntshingumuzi's people were still a political force - as Qwabe and not as occupiers of discrete pieces of land.

Nonetheless, although the precise historical trajectory of the development of chiefs as administrators of land in the first instance, and not of people, has still to be traced, there can be no doubt that the establishment of the ward system in the Lower Tugela Division was a action of crucial significance and a major consequence of the events which occurred in that region in the winter of 1906.

As the under-Secretary of Native Affairs wrote to the Governor:

In view of the utter disorganisation of the tribal system in the Lower Tugela Division by the incidents of the Rebellion of 1906, an opportunity has been presented of bringing the tribal government of the Natives in that Division within defined limits, so that each ward shall be under its own Chief having jurisdiction over any person outside of that ward. After approval of the Wards by Your Excellency, the appointment of Chiefs in each Ward will then be taken in hand.<sup>68</sup>

<sup>66</sup> The term 'ward' is used rather loosely in the sources: here it is used more precisely to mean a demarcated area whose African occupants come under the administrative authority of a chief placed over the area – or ward.

<sup>67</sup> Further research is needed to map the manner and the depth in which the ward system undermined earlier principles of native administration, was successfully instituted, and where it failed.

<sup>68</sup> PAR. SNA 1/1/374, 2229/1907. Secretary for Native Affairs to the Governor, 9 January 1908.

### 1905 – 1908: Catharsis and re-solution

To conclude then I want to take these two events, the Nkanini ritual in 1905, and the decision to redefine 'tribal government' in 1908, and consider them as markers; not absolutely distinct and always permeable, but nonetheless bracketing the intervening years and enabling us to see the events they contained with greater clarity as a cohesive narrative.

By 1905 the Qwabe of the northern part of the Lower Tugela Division had been suffering the direct consequences of capitalist economic development in a colonial situation and thus in an racial form for over a generation. The decreasing access and increasing cost of land for Africans and the social disruption and exploitation of wage labour undertaken to meet these increases created frustration and dissatisfaction amongst the chiefs and their people.

A less obvious consequence of the participation of the Qwabe in a set of wider social networks was the spread of malaria in the valleys of the Lower Tugela Division. For those who accepted western medical tradition it was malarial infection which led to the deaths in the Qwabe chiefly lineage and the chronic weakness of the regent.<sup>69</sup> However, for the Qwabe, these deaths were not to be explained merely by the demographic and environmental changes which affected the distribution of the malarial mosquito: they were indicative of the disruption in the proper relations between the living and the dead, and the failure of the living to carry out their responsibilities towards the ancestral world. Moreover, it was also the work of those living to protect the Qwabe from those who wished them harm. In the opinion of Mbombo, the Qwabe had been left exposed to evil by their failure to consolidate the power of the tribe by binding it together in an *inkatha* which incorporated the medicine needed to give them the strength against those who wished them ill. To integrate the *inkatha* into the spiritual life of the Qwabe people it was necessary to undertake a ritual of purification and strengthening which would, to use Mbombo's phrase, lift the darkness which had overcome them.

This is not to argue that the Nkanini ritual, was 'backwards-looking' - to use the phrase prevalent in a historiography which contrasted atavistic tribal resistance with forward-looking nationalist resistance. After all, Ntshingumuzi had first heard of the existence of Mbombo and prepared for his visit by means of written correspondence: he had collected cash at the end of the ceremony in his woollen cap: and, when he appeared before the 1906 Natal Native Affairs Commission he had stated that 'the Government should appoint a man to whom they could go and report their affairs..... a person who would represent them in

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<sup>69</sup> Harriette Colenso believed that it was malaria that was causing the fever amongst the Qwabe in the Lower Thukela at this time. The spread of malaria at this time in the division is confirmed by independent sources. See PAR.SNA 1/1/370, 5392/07, Ed. Fitzgerald to uSNA. 14 July 1907.

Parliament.<sup>70</sup> Looking forward does not preclude looking back. The Nkanini ritual, which Ntshingumuzi also organised, was a meeting held against those forces of change which had so damaged these connections with the Qwabe's African past. It was a ritual deeply rooted in the African past and in African beliefs. It asserted the cohesion of a particular lineage within the Qwabe: 'The Inkatha was a sign of the tribe, and if any of the tribe want away it brought them back to the fold.'<sup>71</sup> It finished with the injunction that they 'close-up' against the destructive forces of a pervasive, penetrating, pernicious world of others. It was a ceremonial meeting of men and their ancestors, brought together through song, dance, ritual cleansing, to make whole, to make complete, and above all to make strong – in world of division, disintegration, disease, and death.

The events of the months that followed proved devastated these dreams of consolidation, community and cohesion. The tax on their heads was insisted upon and attacks were made on those who protested and colonial troops were moved into the Lower Tugela Division. The men who had assembled at Nkanini moved to a hiding place at Izinsimba. Here the cleansing/strengthening ceremonies were carried out again – but now with medicines suited to protection from the consequences of direct, physical violence, and whose effectiveness depended on substances obtained through violence, in a manner which exacerbated the violence further.

Military punishment in the field was followed by legal punishment in the courts. Looking back at events, and in particular at the rituals in which it was believed human remains played a part, the authorities decided that the men who had organised the Nkanini ceremony had escaped too lightly and they were duly punished by the Native High Court. Once this was done plans were made to ensure that there would be no repetition of the mobilisation they had just seen. The Lower Tugela Division would be divided up into wards, and most important, wards which were ruled over by chiefs whose subjects were defined by where they lived and not by kinship and descent: by relations not of blood but of space.

Maps were produced marking the borders of these wards. Lists of homesteads, their owners, their tribal affiliation, the nature of the property on which they lived, were drawn up. Correspondence travelled back and forth on who should rule over whom, and who could stay within the ward, who could move, and who were to be deposed from or appointed to the chieftainship. However there is nothing to indicate that in practical terms the ward system was successfully implemented, in the near future at least. The evidence suggests that large numbers of people retained old loyalties at all sorts of levels. Despite the disruption caused by the implementation of the new system it was not possible to break the links between people by bureaucratic fiat. The ward system remained a bureaucratic bottom line to be invoked where necessary and when possible. Identity could not be

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<sup>70</sup> Colony of Natal. Native Affairs Commission 1906-7. Evidence. Pietermaritzburg: P. Davis and Sons, 1907. Evidence of Ntshingumuzi, 840.

<sup>71</sup> *The Natal Witness*, 13 December 1907, evidence of Mpobeyana

redefined by proclamation, or new authority by injunction, or political loyalties by marking a map with a thick blue crayon.

Nonetheless the ward system was significant, at least as an indicator of the direction in which native administration was moving in the opening decades of the twentieth century: that is towards a system in which the links between individuals were defined bureaucratically, in terms of the occupation of land, not the predetermined physical/social links between human beings. This process had been taking place ever since the establishment of colonial Natal: but it was a slow process of social drift which by the beginning of the twentieth century had created extreme levels of tension and frustration – which sought and found their catharsis, and their resolution, in the violence of 1906. This movement was of course to continue, reaching, I would suggest, its apogee in the Bantu Authorities Act and forced removals.

The Nkanini ritual marks not this future but the past and the passing of another system, an African system, where the individual is embedded in nexus of personal relationships, the closed descent group, its power based on resisting the impositions and the dangers posed by the outsider. This change, from the rule over people who lived on the land, to the rule over land on which people lived, marks a revolution in the history of KwaZulu-Natal: the beginnings of the change from an African system in a colonial context, to a colonial system in an African context.<sup>72</sup>

### Conclusion

Early in 1908 attorney Samuelson decided not to pursue the appeal to the Privy Council. Unable to pay the £100 fine Ntshingumuzi and Mpobeyana Qwabe began their eighteen months in gaol with hard labour. They were released in December 1909 and made their way to the Governor for an interview. He refused to see them and sent them on to the office of the Secretary for Native Affairs who told them 'to return to their homes, but that they must pay respect and give allegiance to the Chief appointed over them, and if they give any further trouble they will be removed from the Division.'<sup>73</sup> Two years earlier Mbombo Nxumalo, the man who had made the new *inkatha* for Ntshingumuzi and Mpobeyana, had been saved such a humiliation. A fortnight after his trial was over Harriette Colenso had received a brief note from Samuelson: 'Bearer has come to report the death of poor old Mbombo. This is an instance of murder at the door of the Government. Goodbye.'<sup>74</sup>

<sup>72</sup> For the theoretical underpinning of the idea of the change from a system where 'man is the aim of production' to one where 'production is the aim of man' see my "Analysing Pre-Capitalist Societies", *Journal of Southern African Studies*. XV, 3(1988), and "Gender oppression in southern Africa's precapitalist societies", *Women and Gender in Southern Africa to 1945*, ed. Cherryl Walker (Cape Town, 1990), 33-47.

<sup>73</sup> PAR. SNA. 1/1/351. 3222/06. Note. 9 December 1909.

<sup>74</sup> PAR. Colenso Collection. Box 44. R.C.A. Samuelson to H. E. Colenso, 29 December 1907.