

4. Concession dated 11th August, 1909.

The following are the terms of the Agreement arrived at between Lewanika, Paramount Chief of the Barotse Nation, and L. A. Wallace, Acting Administrator of North-Western Rhodesia, on behalf of the British South Africa Company, at meetings held at Lealui on 6th and 9th August, 1909.

Present:

L. A. Wallace, Acting Administrator.
C. McKinnon, Resident Magistrate, Mongu.
Major F. A. Hodson, Barotse Native Police.
H. V. Francis, Private Secretary.
Lewanika, Paramount Chief of the Barotse Nation.
The Ngambela.
Letia, and other relations, and some of the principal Indunas.

Lewanika, with the advice and consent of his Council, in consideration of the area reserved from prospecting in the Concession of 1909 being extended to include that country on the west lying between the Zambesi River and the Anglo-Portuguese boundary, agrees to give to the

* Text in A.S 746, p. 537.

British South Africa Company for its use—or to dispose of as it may think fit—all the land within the territory over which he is Paramount Chief, that is to say, within the boundaries of Barotseland, North-Western Rhodesia, except that portion within the area reserved from prospecting as above extended, on the following conditions:—

1. The native rights to their present lands, villages, gardens, and fountains shall be observed, or the holders of such rights compensated.

2. That no native villages shall be removed from their present sites except by agreement with the owners or by consent of the High Commissioner, but when once such villages have been moved the sites will become vested in the Company.

3. Lewanika retains the right to graze cattle in the Batoka and Mashuku-Lumbwe countries on unoccupied lands, subject always to any law which may come into force regulating the movement of cattle.

4. This agreement shall be submitted to the British South Africa Company for its approval and shall take effect from the date of its approval being notified to the Chief Lewanika.

5. With regard to Section 3, Lewanika retains also the right to sufficient gardens for the people looking after the cattle.

6. Nothing in this agreement shall affect the concession whereby the elephants are made the exclusive property of the King, nor the arrangement whereby he receives one-half of the game licences.

LEWANIKA.
NGAMBELA.
LETIA.

Signed at Lealui,
11th August, 1909.

Witness to the signatures of Lewanika, Ngambela, and Letia:

L. A. Wallace.
H. V. Francis.
Chas. McKinnon, R.M.

The Ngambela says that he considers no village should be moved without first letting the Chief know, and I for my part promise that I would not move one without first consulting the Chief (Lewanika).

L. A. WALLACE.

Exhibited to me at Livingstone this 3rd day of September, 1909, and a true and correct copy hereof duly filed in this office.

K. B. FAIRBAIRN,
*Registrar of the High Court, North-Western
Rhodesia, 3rd September, 1909.*

The foregoing Concession is approved subject to the following conditions:—

1. This Concession shall not be deemed to confer upon the British South Africa Company any rights inconsistent with the provisions of the Barotseland-North-Western Rhodesia Order in Council of the 28th day of November, 1899, or with any Order in Council amending the same, or with any legislation which has been, or may hereafter be, enacted by virtue of the powers conferred upon the High Commissioner by such Order in Council or amending Order in Council, or with the Charter of the British South Africa Company, or with any supplemental Charter which has been or may hereafter be granted to the Company.

2. Nothing in this Concession shall be held to curtail the exercise by or on behalf of His Majesty's Government of any rights and powers for the administration of Barotseland for the time being in force.

CREWE,
Secretary of State for the Colonies.

Lionel Earle.
Colonial Office,
6th June, 1910