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Administrator's Office,
Livingstone,
North Western Rhodesia,
23rd November, 1910.

S i r ,

With reference to the last paragraph Administrator's despatch No. 226 of the 5th instant, I am directed to forward, for the information of His Excellency the High Commissioner, a copy of a memorandum in Sesuto, regarding the new Order-in-Council for the Administration of North Western and North Eastern Rhodesia as one province, together with a copy of the English translation.

2. This memorandum has been read to Lewanika and he has been given a copy.

I have the honour to be,

S i r ,

Your obedient Servant,

Richard Goode

S E C R E T A R Y .

The Imperial Secretary,
High Commissioner's Office,
C A P E - T O W N.

His Majesty King George V has decided that the countries known as North Western Rhodesia and North-Eastern Rhodesia shall, in the future, be ruled by one Administrator and that the joint territories shall be known by the name of Northern Rhodesia.

With a very few exceptions, the laws under which North-Eastern Rhodesia and North-Western Rhodesia have been governed are similar, but some alterations are necessary in the laws of both countries to make them uniform.

A document has been drawn up by His Majesty in Council which is called an Order in Council. In the past, North-Western Rhodesia had its own Order in Council and there was an Order in Council for North-Eastern Rhodesia.

This new document will be named "The Order in Council for Northern Rhodesia".

The High Commissioner has asked me to explain to you carefully the manner in which this new Order will affect you and your people.

The document consists of 52 sections the first 39 of which in no way make any change affecting you or your people and there is nothing in them to which you will be called upon to agree.

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It may interest you, however, to learn that the entire country will be controlled by one Administrator, nominated by the British South Africa Company and approved by the Secretary of State for the Colonies: this Administrator may not be removed from his Office without the consent of the Secretary of State for the Colonies.

2. That the Secretary of State for the Colonies will appoint an Officer called the Resident Commissioner, who will live in Rhodesia, who will have chief command of any police force when that force is employed upon active service.

3. This Officer will not be in the employ of the Company, he will be employed and paid by the Secretary of State for the Colonies to whom he will report upon all matters relating to the government of the country. He will follow next after the Administrator.

4. That when the business of controlling this very large country becomes too great a matter for the Administrator alone to undertake, a council may be appointed to assist him. This council will consist of the Resident Commissioner, the Senior Judge and not less than three other people chosen by the Company and approved by the Secretary of State.

5. That the High Commissioner, in consultation with the Administrator, will make all laws, but such laws shall in no way

interfere

interfere with native custom and usage save where such custom and usage are repugnant to the law of England, that is to say such customs as permit slavery, the practice of witchcraft and the killing of people.

6. That the High Court and Magistrates' courts and Native Commissioners' courts will remain as at present and the business of these will be carried on in exactly the same way in which it is to-day.

7. That all change is guarded against by clause 39 which requires the permission of the Secretary of State and the recommendation of the High Commissioner before any alteration is permitted.

Section 40 specially guards against taking any land from the Chief and the Barotse people which is situated within the boundaries defined in the Concessions of the 17th October 1900 and the 11th August 1909, that is to say, from the headwaters of the Majili River along the Zambesi-Kafue divide northwards to the headwaters of the Dongwe River: thence down the Dongwe River to its junction with the Zambesi River: thence down the Zambesi River to that point where it receives the waters of the Majili River. Also all the country situated west of the Zambesi River between that river and the Anglo-Portuguese boundary. Elsewhere outside the Reserve described above, the Company shall

secure to other native peoples land suitable and sufficient for their agricultural and pastoral needs including, in all cases, a fair proportion of springs and other permanent waters.

Clause 41 provides that all questions relating to the settlement of natives on lands within Northern Rhodesia shall be dealt with and decided by the Administrator but such decisions shall be reported to, and be subject to review by the High Commissioner.

Clause 42 provides that in those portions of Northern Rhodesia, outside the limits of the Reserves already described, the natives may, if they wish, purchase unoccupied lands in exactly the same way as white people, but if a native desires to sell any land so acquired by him the matter shall be brought before a Magistrate who must satisfy himself that the native is receiving a fair and reasonable price for his property.

Clause 43. This Clause in no way alters the terms of the Concessions but provides that if the Company requires any land for mining purposes or for sites of townships or for railways or for roads the Administrator may, with the consent of the High Commissioner, remove any natives occupying that land and point out to them land elsewhere which must be conveniently situated and be sufficient and suitable for their agricultural and pastoral requirements and in every way be

as desirable as the land from which they were removed.

Clause 44 provides that no one but the Administrator with the consent of the High Commissioner, may remove any native from his kraal or from any land occupied by him and should any one do so he is liable to imprisonment for two years or to a fine of not more than £100 or both the imprisonment and fine.

Clauses 45 and 46 provide that if the High Commissioner wishes to obtain any special information relating to any native matter he shall, if he thinks it fit, refer the question for report to a Judge of the High Court who after enquiry, shall report to the High Commissioner.

Or the High Commissioner may request the Administrator to appoint a Court, to consist of a Magistrate and two Assessors chosen by a Judge who shall enquire into and report upon any native matter referred to them.

Clause 47 provides that in the case of a revolt against the Company or other misconduct by a native, chief or tribe the Administrator may impose a fine upon the offender and report the matter to the High Commissioner for his approval.

The remaining sections of this Order in Council refer only to the appointment of officers and other matters arising out of the publication of this Order in Council.