

AGENTS

FOR THIS PAPER IN THE COUNTRY DISTRICTS:	
Beaufort,.....	Mr. A. P. Meiring,
Clan-William,.....	Mr. S. J. du Toit,
Caledon,.....	Mr. A. P. Keyter,
George,.....	Mr. D. Coohans,
Grants-Bethel,.....	Mr. J. J. Mettius, Jun.
Malmesbury,.....	Mr. J. D. A. Freiblich,
Paarl,.....	Mr. J. D. Haupt,
Somerset,.....	Mr. C. Moller,
Stellenbosch,.....	Mr. P. Korsten,
Swellendam,.....	Mr. John Barry,
Tulbagh,.....	Mr. W. Vee,
Tygerberg,.....	Mr. F. Uys,
Uitenhage,.....	Mr. J. Bavin,
Worcester,.....	Mr. F. Merling.

THE
ZUID-AFRIKAAN.

CAPE TOWN, AUGUST 10, 1842.

THE ILLUSTRIOS MINORITY.

"I insist upon my Resolutions being put to the vote, when I hope to find a majority in favor of them, or else a distinguished minority."—Mr. Ado. Cloete's answer to the question, whether he would agree to the amendment of the ATTORNEY-GENERAL.

On Saturday last, at 12 o'clock, the Legislative Council met on the adjournment, when Mr. ENDEN opened the business of the day, by proposing his Resolutions, of which he gave notice in the former meeting.

The principal argument in his speech was directed towards the impropriety of Judges giving extra-judicial opinions on matters which may come before them between party and party, citing certain passages from CHITTY, BLACKSTONE, and others, in support of the views set forth in his Resolutions.

Having been seconded by our venerable friend Mr. BAXTER; and the Secretary to Government having intimated that he had something to say, but would first hear, whether the Attorney General had any thing to propose; Her Majesty's legal adviser rose and premised with certain severe observations on the speech of Mr. ENDEN, ridiculing his citing legal authorities. He was called to order by Mr. ENDEN, but His Excellency being of opinion that the Attorney General was not out of order, he proceeded to offer his remarks with a degree of severity which we regret to say was uncalled for on the occasion, both because Mr. ENDEN's observations did not deserve it, and because of an indirect allusion to a third person present as an auditor, and not having the means of answering for himself. He then endeavoured to rebut the principle argued upon by Mr. ENDEN, by asserting that in England the Judges sat in the House of Lords to advise them on legislative and other matters before the House; that, according to BLACKSTONE, the Judges were considered by the British constitution, the advisers of the Crown, and that therefore it was not correct to say that Judges should not be called upon to advise the Crown or the Government. He also communicated to the Board that he had had a conference with one of the Judges on the subject of the "Opinion," since their last Meeting, which had not the effect of altering his opinion as expressed at the last sitting. It had been stated to him, that the meaning of the Judges, contained in the "Opinion," had been misunderstood; that they did not intend to deny, that the Council had the power and authority, to appoint Committees, to consist of a quorum of less than 7 members, but that their observations were particularly directed to the present Robben Island Committee. In support of this he read to the Council a document, which had been put in his hands, in which it was endeavoured to make out the alleged construction. According to his reading however of the "Opinion," such construction was not warranted, although, if correct, it would materially alter the question before the Council. The Attorney General concluded by moving as an amendment that the "Opinion" of the Judges, together with the Resolutions of Mr. Advocate CLOETE, be transmitted to Her Majesty's Government for decision.

The Secretary to Government seconded the amendment, and took the occasion of justifying the proceeding of the Judges, by asserting that the object of Committee in calling upon the Judges for their evidence, was to obtain from them their "Opinion" on the powers of the Council in that respect.

Mr. Advocate CLOETE then rose to reply, laying in the most positive terms the object of the Committee as given by the Secretary to Government. He repeated several observations made by him on the occasion, showing that he at least had no such intention. If the explanatory document, read by the Attorney General, conveyed the sentiments of the Judges, he was gratified to find that they had, in so far at least, given in. He however agreed with the Attorney General, that the present construction put upon the "Opinion" was not the natural one.

He admitted the principle that the Judges were in duty bound to advise the Crown or the Government on legal questions, but this only when called upon. In the present instance, however, they had not been called upon, and they had given an opinion when they were called upon to give their evidence, and consequently *in re sua*; and he considered nothing more unconstitutional or more dangerous, than Judges giving such opinions where they were themselves concerned. He would instance the present question between the Cape Town and Green Point Municipalities, relative to the proposed water rate; he would suppose each of the three Judges to have some domain in Greenpoint, with a private fountain arising upon it; and he would ask, how would it look, if the Governor calling upon the three Judges for their legal opinion, whether properties having fountains arising upon their own ground, should be liable to pay a water rate, they were to give, as in the present instance, an "Opinion" in the negative? With what semblance of confidence could the Cape Town Municipality afterwards lay the question before them? Judges were but human beings, and it was too much to expect that they would so easily come back from an opinion so solemnly and elaborately given.

His Excellency the Governor interrupted Mr. CLOETE in the course of his speech, and thought that he had no right to make any inference as to the Judges intending that the "Opinion" in question should be made public, for it was sent to him

(His Excellency), without any intimation whatever to communicate it to the Council. The interruption, however, as it was impertinent, as it was unfortunate, because Mr. CLOETE very adroitly pointed out, that giving to the Judges all the credit of intending the "Opinion" for His Excellency's information only, such proceeding and such object would have been still more reprehensible. But he maintained that His Excellency's version was incorrect, inasmuch as the Judges, in their letter to the Chairman of the Committee, dated 20th July, say, that they have conveyed their observations to His Excellency the Governor, thus undoubtedly showing that their "Opinion" was not for His Excellency only, but was intended to be communicated to the Council.

The discussion having been now closed, it was proposed first to put the Attorney General's amendment; but on Mr. CLOETE's observing, that he could hardly see, how Resolutions, which had not been put, and was consequently not before the Meeting, could be transmitted Home; a desultory conversation ensued upon the wording of the amendment, when the Attorney General,—after the debate had been closed,—draw out a new amendment, the import of which was,—that the Council, not considering it necessary or expedient to decide upon the Resolutions of Mr. CLOETE, resolved to transmit them to the Secretary of State, together with the opinion of the Judges, and that the Robben Island Committee was legal.

This procedure was to our mind a most extraordinary one. To draw out an amendment after the closing of the debate, different from that which had been proposed before the closing of the debate, and against which the opposition had not the advantage to argue, was most strange! However this was the case, and the votes were:—

For the amendment.
Mr. Hendrik Cloete,
The Collector of Customs,
The Attorney-General,
The Treasurer General,
The Sec. to Government,
The Governor,

And the amendment was consequently carried by a majority of one.

On the Resolutions of Mr. Advocate CLOETE being then put, separate from those of Mr. ENDEN, they were lost by a majority of three, there being:—

For the Resolutions.
Mr. Hendrik Cloete,
—Advocate Cloete,
—Hamilton Ross,
—M. van Breda,
—J. B. Ebden.

Finally the Resolutions of Mr. ENDEN were put, when they were lost by a majority of three, there being:—

For the Resolutions.
Mr. Advocate Cloete,
—Hamilton Ross,
—J. B. Ebden,
—M. van Breda.

We have endeavoured to lay before the public, as brief as possible, the proceedings of the Council on the present question, and its issue, and shall resume our observations in our next.

LIEUT. COLONEL CLOETE.

We copy with much pleasure the following official approbation of the Governor, of the proceedings of Lieut.-Col. CLOETE, at Port Natal.

Colonial Office, Cape Town, 13th August, 1842.

SIR.—I am directed by His Excellency the Governor to acknowledge the receipt of your several Letters hotted in the margin, and of the Inclosures which accompanied them, detailing the operations which, in conformity with His Excellency's instructions, dated the 13th of June last, were carried into effect by you for re-inforcing Captain Smith, for re-establishing the supremacy of the British Authority in the neighbourhood of Port Natal, and for bringing the rebellious Emigrant Farmers to subjection, by compelling them to acknowledge their allegiance to the Queen.

After a careful perusal of these Reports, and an anxious consideration of all the circumstances by which you were influenced, in adopting the line of policy pursued by you on this occasion, His Excellency is of opinion, that your proceedings were in strict accordance with the spirit of your Instructions, and that the main objects of the Expedition, viz.: the suppression of the Revolt, and the establishment of the Queen's authority, having been effected, it became expedient and necessary to prevent the further effusion of blood, by extending towards the Rebels a leniency to which their violent conduct and determined hostility gave them little title to expect.

His Excellency, therefore, desires me to convey to you his full approval of the measures thus submitted for his consideration; and to express his conviction that, under the peculiar circumstances of the case, no other line of conduct could have been pursued from which there could have been expected to result a settlement, so satisfactory as that which you have concluded, and which it was highly desirable to conclude within so short a time as practicable, in order that the 25th Regiment might be in readiness to proceed on the important service assigned to them.

I have the honor to be, Sir,
Your most obedient humble servant,

J. MOORE CRAIG.

Lieut.-Col. Cloete, K.H.,
Commander, Cape Castle.

• 28th June, 1842; 3d July, 4th do., 6th do., 9th do., 10th do., 18th do., 5th August.

THE 25TH REGIMENT.

Head Quarters, Cape Town, 10th Aug., 1842.

No. 1506.]

GENERAL ORDERS.

1. Lt.-Colonel Chambers being about to embark to-morrow for India, in the "Ocean Queen," with the Flane Company and the Head Quarters of the 25th Regiment, His Excellency the Commander-in-Chief takes this opportunity of expressing to Lt.-Colonel Chambers, the Officers, Non-commissioned Officers, and Soldiers of that distinguished Corps, his unqualified approbation of their good and orderly conduct, during the period of nearly two years and a half that the Regiment has been under his command, and at the same time to compliment Lt.-Colonel Chambers, on the admirable appearance and discipline of his Regiment.

2. The Commander-in-Chief has also the satisfaction to make known to the 25th Regiment, that Lt.-Colonel Cloete has reported to him the excellent behaviour of that portion of the Regiment under Major D'Urban, which the Lt.-Colonel had with him in the late expedition to Port Natal, and which has ended in the entire subjugation of the rebellious subjects of the Queen, and restoration of tranquility in that Territory, through the measures adopted by Lt.-Colonel Cloete, and approved of by the Commander-in-Chief.

Head Quarters, Cape Town, 11th Aug., 1842.

No. 1507.]

GENERAL ORDERS.

1. His Excellency the Commander-in-Chief is pleased to appoint Lt.-Colonel Cloete, K.H., Deputy Quarter Master General, Commandant of Cape Town, and Castle, and all reports are to be made to him accordingly.

* For which see Zuid-Afrikaan of 9th Aug. 1842.

RESOLUTIONS submitted to the Legislative Council, upon a letter dated "Chambers, 21 August 1842," signed "No. WYLDE, Wm. MENZIES, and G. KEKEWICH, having been laid before the Council by His Excellency the Governor, on the 8th August 1842."

RESOLVED:

1st.—That this Council was originally established and constituted under and by the provisions of a Royal Commission granted to His Excellency Sir Benjamin D'Urban, and in consequence of certain Royal Instructions bearing date at Westminister, the 23d October 1833.

2nd.—That this Council, thus constituted, became vested with all such powers, privileges and functions as were conferred on it by the said Royal Commissions and Instructions, and on a Circular Despatch of Viscount Gowerich, then Secretary of State for the Colonies, dated 9th December 1831, and addressed to the Governors of Colonies possessing Legislative Councils.

3rd.—That under and by virtue of such powers, the Council framed and adopted on the 8th April, 1834, certain rules and orders "for maintaining order and method in the dispatch of business," which having been fully approved of and confirmed by His late Majesty, plainly shew the powers and privileges which were conferred by the Royal Commission and Instructions on the Council; and proved that nothing contained in the aforesaid rules and orders, can have been inconsistent with, or repugnant to the powers and privileges, which it was intended to confer on the Council.

4th.—That by the 16th of the said rules and orders, it is enacted that, "Immediately after every bill shall be read a first time, any member may move that it be read a second time; which motion having been seconded and carried, some future day shall be appointed for the second reading of the same, unless it should be decided that such bill shall be referred to a sub-committee."

5th.—That by the 18th of the said rules and orders it is further enacted, "If the Council should, on the motion of any member, resolve itself into a committee on a bill, on being read a first time, and it should be ordered, that the same be referred to a sub-committee, then the bill, after the report of such sub-committee shall be brought up, may, upon the motion of any member, if agreed to, be reprinted with the amendments proposed by such sub-committee."

6th.—That, by the 26th of the said rules and orders, and under a particular heading of "Sub-Committees," it is further enacted: "Every sub-committee shall be appointed by the Council, and the reports of such committee shall be signed by the chairman or in his absence, by the senior member thereof."

7th.—That by the 29th of the said rules, it is further enacted: "In any case, where individual rights or interests, may be peculiarly affected, all persons may be heard before Council, or a committee thereof, (as may be ordered) either in person, or by counsel."

8th.—That by the 33d of the said rules and orders, it is further enacted: "In case of the examination of witnesses, at the desire of the Governor and Council, the foregoing rules shall be in like manner observed."

9th.—And that by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

10th.—That the foregoing rules and orders clearly and indisputably prove, that the Council was thereby possessed of the power of appointing "committees" or "sub-committees," to inquire into any matters and examine any witnesses brought before them. Such committees or sub-committees being entirely distinct from "the Council resolving itself into committee to discuss the several provisions and amendments of every bill at its second reading," at which (in the terms of the Royal Instructions) it is enacted, that the Governor or presiding member shall preside; such sitting of the Council in committee being particularly referred to, and governed by the 19th of the aforesaid rules and orders of the Council; which was passed to carry into effect that particular provision of the Royal Instructions.

11th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

12th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

13th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

14th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

15th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

16th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

17th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

18th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

19th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

20th.—That by the 39th of the said rules and orders, it is further enacted: "Every (private) bill shall be read a first time, and if ordered to be read a second time, shall be printed and referred to a sub-committee, who shall require proof on the allegations contained in the preamble, and if the parties concerned, shall desire it, may hear counsel for and against the bill, and examine witnesses and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceeding to Council."

21st.—That neither the Council nor any Committee thereof ever claimed or asserted the right to require and insist upon any person either official or unofficial, to appear before them, to give evidence on any matter referred to them for inquiry, and that the Council nor any Committee thereof, claimed or asserted, "that it had the power in some manner or other of enforcing the exercise of that right."

VAN BREDA, of TWO HUNDRED AND FIFTY POUNDS for each of the said Persons who shall be apprehended and lodged in manner aforesaid.

GOD SAVE THE QUEEN!

Given under my Hand and the Public Seal of the Settlement, at Cape Town, this 11th Day of August 1842.

(Signed) **GEO. NAPIER,**

By Order of His Excellency the Governor.

(Signed) **J. MOORE CRAIG,**

Acting Secretary to Government.

GOVERNMENT ADVERTISEMENT.

PORT NATAL.

His Excellency the Governor has been pleased to direct the publication for general information of the following Documents, of which an abstract was given in the Government Notice of the 1st instant.

Colonial Office, Cape of Good Hope, Aug. 1, 1842.

By His Excellency's Command,

(Signed) **J. MOORE CRAIG,**

Acting Secretary to Government.

Pietermaritzburg, 15th July 1842.

We, the Undersigned, duly authorized by the Emigrant Farmers of Pietermaritzburg, Natal, and the adjacent country, do hereby tender for them and ourselves, our solemn Declaration of Submission to the authority of Her Majesty the Queen of England.

And we do further accept and subscribe to the following terms that have been required:

1st. The immediate release of all prisoners, whether Soldiers or Civilians.

2d. The giving up of all Cannon, in our possession, those taken as well as others, with the ammunition and stores belonging to them.

3d. The restitution of all public and private property in our possession, which had been confiscated.

Pietermaritzburg, July 15, 1842.

President and Members of the Council.

J. Boonstra, President,

P. A. R. Otto,

M. H. Marais,

F. P. Goerger,

J. Bogenkamp,

H. St. Lombard,

J. H. Botha,

P. Bester,

C. J. van Heerden,

J. du Plessis,

W. J. Pretorius,

L. S. Botha.

Pietermaritzburg, 15th July 1842.

The Emigrant Farmers of Pietermaritzburg, Natal, and the adjacent country, having by their duly authorized Commissioners this day complied with and fulfilled the several conditions required from them, viz:-

1. Entered a solemn declaration of submission to Her Majesty's authority.

2. The immediate release of all prisoners, whether soldiers or civilians.

3. The giving up of all Cannon in their possession.

4. The restitution of all public and private property.

I do hereby, acting under the authority of His Excellency the Governor and Commander in Chief of the Cape of Good Hope, grant and ratify to the said Emigrant Farmers the following articles as agreed upon this day at Pietermaritzburg.

1. A general Amnesty, or free pardon to all persons who may have been engaged in resistance to Her Majesty's Troops and Authority, with the exception of

JOACHIM PRENSLOO,

A. W. PANTORIUS,

J. J. BURGESS,

MICHAEL VAN BREDA,

SERVAAS VAN BREDA,

whose cases must be left for the special consideration of His Excellency the Governor.

2. All private property, whether of Houses, Goods, or Chattels shall be respected.

3. The Emigrant Farmers shall be permitted to return to their farms with their Guns and Horses, unmolested.

4. The Farmers shall be taken under protection against any attack of the Zoosha or other Native Tribes.

5. The tenure of their lands shall not be interfered with, but must be left for the final determination and settlement of Her Majesty's Government.

6. The existing administration and civil institutions, under acknowledgement of Her Majesty's Supremacy, shall not be interfered with till the pleasure of Her Majesty shall be made known. But these are not to extend any jurisdiction to Port Natal, which is placed for the present under the exclusive control of the Military Commandant of Her Majesty's Troops; the limits of Port Natal being defined by the Umzimvubu to the West, the Umgeni to the East, and a line along the ridge and crest of the Barren Hills, joining these two Rivers, to the North.

The Caffers shall for the present remain in the un molested occupation of the grounds on which they were upon the arrival of Her Majesty's Troops, subject to such future arrangements as the Government may find necessary to make for general security.

All Port and Custom Dues belong to the Crown; and must be left to the disposal of Her Majesty's Government.

A. J. CLOETE, Lt.-Col.

Dep. Quar. Master-Gen. Commanding.

Additional Article.

In consideration of Mr. A. W. PERTORIUS having cooperated in the final adjustment of these articles, and of his personal humane conduct to the prisoners, and his general moderation, the amnesty granted in the 1st Article is hereby fully extended to him.

A. J. CLOETE, Lt.-Col.

Dep. Quar. Master-Gen. Commanding.

W. J. D'URBAN, Major 25th Regt.

PORT NATAL.

We exceedingly regret the partial excitement, which has been roused, respecting the affairs of Natal. Anxious as we are to maintain the good feeling which ought to exist between the Colonists in general, and to avoid party feeling and party spirit, which can have no other effect than to endanger our dearest public interests, and place our best objects in jeopardy, we have refrained from observing upon that subject. We trust the public will approve of the reasons of our silence, particularly if we inform them, that in so doing, we are not acting upon our own authority. Coinciding, as we do in this instance, entirely with the views of the Graham's Town Journal, of the 4th of August, we copy the following:-

There is such an evident disposition abroad to injure us, that at present the public is but very partially informed. The un-English practice, too, of passing sweeping condemnation on ex parte evidence is equally conspicuous. It is only just, we think, that it should be borne in mind that the moment of excitement is the very worst at which to form decided opinions, and especially when we are only presented with objects through such a medium as may comport with the particular views of those who exhibit them.

It is a duty to society to condone unequivocally everything which is calculated to excite exasperation of feeling, or to split the Dutch and English into rival factions, and thus make them embittered foes. The inhabitants of this Colony have a common interest, and if it is to prosper, Union must be the watch-word, while he who would take advantage of the recent melancholy occurrences, to excite dissension, or provoke hatred should be denounced as an enemy in the camp—a disturber of the public peace, and a traitor to the common weal. Every one, on sober reflection, must deplore the late aggression of Natal as one of the greatest calamities which has ever befallen this Colony, and that cannot be viewed other than as a civil war, fomented by a few desperate characters, and in which the deluded multitude is much to be pitied as concerned. If the account, as given below, be correct, then the Dutch are not exclusively criminal. Englishmen—we feel humbled while we write it—are said to have been conspicuous in the treasonable opposition, and to have incited and encouraged the Dutch in their overt acts of hostility to the Queen's government. Looking at the whole subject, at this distance, there is much to condemn as well as to call for the exercise of great discrimination and forbearance. At such a period, and under such circumstances, but little attention should be paid to floating rumours, still less to tongue conjecture.

ures and uncharitable reflections. The aim should be to arrive at truth, to dispense even-handed justice—and in the pursuit of which all little party feelings should merge in one general wish to promote the restoration of good order, and a determination to disconcern every thing tending to distract the peace and endanger the security of this Colony.

GOD SAVE THE QUEEN!

Given under my Hand and the Public Seal of the Settlement, at Cape Town, this 11th Day of August 1842.

(Signed) **GEO. NAPIER,**

By Order of His Excellency the Governor.

(Signed) **J. MOORE CRAIG,**

Acting Secretary to Government.

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3d. The restitution of all public and private property in our possession, which had been confiscated.

Pietermaritzburg, July 15, 1842.

President and Members of the Council.

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4. The Farmers shall be taken under protection against any attack of the Zoosha or other Native Tribes.

5. The tenure of their lands shall not be interfered with, but must be left for the final determination and settlement of Her Majesty's Government.

6. The existing administration and civil institutions, under acknowledgement of Her Majesty's Supremacy, shall not be interfered with till the pleasure of Her Majesty shall be made known. But these are not to extend any jurisdiction to Port Natal, which is placed for the present under the exclusive control of the Military Commandant of Her Majesty's Troops; the limits of Port Natal being defined by the Umzimvubu to the West, the Umgeni to the East, and a line along the ridge and crest of the Barren Hills, joining these two Rivers, to the North.

The Caffers shall for the present remain in the un molested occupation of the grounds on which they were upon the arrival of Her Majesty's Troops, subject to such future arrangements as the Government may find necessary to make for general security.

All Port and Custom Dues belong to the Crown; and must be left to the disposal of Her Majesty's Government.

A. J. CLOETE, Lt.-Col.

Dep. Quar. Master-Gen. Commanding.

By Command,

W. J. D'URBAN, Major 25th Regt.

Additional Article.

In consideration of Mr. A. W. PERTORIUS having cooperated in the final adjustment of these articles, and of his personal humane conduct to the prisoners, and his general moderation, the amnesty granted in the 1st Article is hereby fully extended to him.

A. J. CLOETE, Lt.-Col.

Dep. Quar. Master-Gen. Commanding.

W. J. D'URBAN, Major 25th Regt.

FOR ALGOA BAY.

THE Schooner "St. HELENA," W.

MANN, Master.—For Freight or Passage pay to JAMES SMITH, Castle-street.

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20 CASES of the above will be Sold at Mr. J.

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count of whom it may concern.

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WILL BE SOLD BY PUBLIC AUCTION,