

E3.7

- C O P Y -

27th November, 1935.

The Resident Magistrate,

S e r o w e.

My Friend,

Proclamations Nos: 74 and 75 of 1934.

With reference to our further meeting held on the 8th instant, I desire to make it clear that it is in ~~no~~ way my wish to refuse to carry out any instructions from His Excellency the High Commissioner. As I have been directed by His Excellency to seek your assistance in giving effect to these Proclamations, I again ask you if you can suggest any practical way in which I can bring the Proclamations into operation, in which case I shall immediately do so, though my doing so must not be taken in any way to prejudice my legal rights. If it is His Excellency's desire that I should make out a list of persons who may be styled Councillors by the Administration I shall immediately do so, but I would have to explain that such persons are not in accordance with Native Customs entitled to advise a Chief and that therefore such persons cannot accurately be called Councillors.

I make this suggestion as it is my earnest desire ~~ix~~ that nothing I have done or left undone should be construed as in any way a disobedience to the High Commissioner's orders.

Further, I hand you herewith the papers in an action which I am now instituting for a declaration that the above Proclamations are of no legal force and effect.

Would you please let me have a copy of any plea that may be filed in the matter and inform me of the time and place of the sitting of the Special Court, which will hear the matter, in sufficient time to enable me to get my witnesses and to arrange for Counsel to come from Cape Town?

I wish to make it clear that my reason for seeking a declaration of rights from the Special Court is that I can discover no way of carrying out the Proclamations as at present framed.

With greetings;

I am,

Your Friend,

(SGND.)