

THE TRANSVAAL FROM WITHIN

Tracings 6-10-05.



EXPLANATORY NOTE.

This Map is designed to illustrate the Transvaal in regard to neighbouring territories.

The portions marked with heavy black lines (—) are those which the Transvaal Government have endeavoured to obtain the control of since the signing, and in conflict with the provisions of, the Conventions of Pretoria and London.

The portions marked with light red lines (---) show what they have acquired since the signing of the Pretoria Convention.

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J. P. FITZPATRICK

AUTHOR OF 'THE OUTSPAN'

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'If you wish to read a history of the internal economy of the Transvaal, I would simply suggest that you should procure a book called "The Transvaal from Within," by Mr. FitzPatrick, who was a denizen of the Transvaal, and much interested in its progress—a book which seems to me to bear on every page, and in every sentence, the mark of truth, and which gives you wholesale, and in detail, an extraordinary, and, I think I may say, an appalling record of the way in which the Government of the Transvaal was carried on, and the subjection to which it reduced our fellow-countrymen there.'

EXTRACT FROM LORD ROSEBERY'S GREAT
SPEECH AT BATH.

INTRODUCTION TO THE POPULAR EDITION

SINCE the publication of this volume war has broken out under circumstances which go far to justify the view so often expressed by British South Africans—that the policy and aspirations of the Transvaal were aggressive and not defensive, and which even seem to warrant the belief that the Imperial Government were deliberately manœuvred into a position which the governing clique at Pretoria, and their accomplice, President Steyn, were able to represent to the burghers of both republics as threatening their independence. It was essential to the Transvaal that the defensive alliance with the Orange Free State should become an offensive one as well, a change which Mr. Steyn had unceasingly urged, but which the people of the Free State had steadily resisted. It will be remembered that at a critical stage in the negotiations President Steyn publicly charged Mr. Conyngham Greene with bad faith in having drawn from the Transvaal Government a proposal which the Imperial Government had no intention of accepting. The memoranda and letters which passed between Mr. Conyngham Greene and Mr. Smuts (the Transvaal State Attorney) totally disprove the accusation. Mr. Steyn had, or could have had, access to these records. Nevertheless the charge was made, and the visible result was that the Orange Free State unreservedly threw in its lot with the Transvaal. Before any demands, requests or suggestions—such as might have been based upon treaty rights or fiduciary responsibilities—had been made by the Imperial Government, the amazing ultimatum was delivered by the Transvaal to Great Britain; war was declared within forty-eight hours; Natal, Cape Colony and Bechuanaland were invaded; and a condition of preparedness and extent of equipment were revealed which plainly indicated a long, secret, and determined preparation for a struggle with the paramount power. The Boers themselves, whilst protesting that their aim was defence only, do not deny that their preparations were directed against England; but even apart from this, after the revelations of the past four months, the suggestion that they had merely prepared against a repetition of the Jameson Raid is not worth discussing.

The publication of this volume has elicited many comments and

suggestions which show that the necessity for compression, and the assumption that matters which are of common knowledge in South Africa would also be known elsewhere, are responsible for the omission of much evidence which was available, and perhaps ought to have been produced. No one knows this better or feels it more keenly than the writer, but it is impossible, without exceeding reasonable limits, to deal with everything, and the present addition to the volume is therefore confined to a brief elucidation of one very important and much-debated question—Why did the Transvaal arm against England?

For a special reason that question had better be considered under two sub-heads in the following order :

1. When did the Transvaal determine upon the policy of arming?
2. What were the aspirations of the Transvaal?

The special reason for this subdivision is that friends and agents of the Transvaal Government, aspiring to instruct public opinion prefer to avoid detailed examination of the facts and the dates, their object being that the one answer to everything may be 'The Jameson Raid.' Had there been no raid, the question of when arming was determined upon would have been of no importance; obviously, therefore, if it can be shown that the arming was not caused by the Raid, that incident has no longer any bearing upon the main question. All that needs to be shown is that, prior to and apart from the Raid, the Transvaal Government *had the intention* to arm upon a scale not warranted by their necessities. The whole question might be disposed of by quoting one paragraph from the manifesto issued by the Chairman of the National Union as the justification of the Reform movement (see Appendix I). It was published on December 27, 1895, and Dr. Jameson started two days later. The paragraph is as follows :

THE POLICY OF FORCE.

'We now have openly the policy of force revealed to us £250,000 is to be spent upon the completing of a fort¹ at Pretoria, £100,000 is to be spent upon a fort to terrorize the inhabitants of Johannesburg, large orders are sent to Krupp's for big guns, Maxims have been ordered, and we are even told that German officers are coming out to drill the burghers. Are these things necessary, or are they calculated to irritate the feeling to breaking-point? What necessity is there for forts in peaceful inland towns? Why should the Government endeavour to keep us in subjection to unjust laws by the power of the sword instead of making themselves live in the heart of the people by a broad policy of justice?'

When the apologists for the Transvaal were confronted with this evidence they changed their ground; they adopted the very effective tactics of their protégés, and retreated to another defensive position. Now they no longer claim that arming commenced after the Raid, but

¹ This is not the barrack referred to on p. 98 in this volume as the Pretoria Fort, but a new one which was not completed or occupied at the time of the Raid.

that it commenced some months earlier, when it first became known that arms were being smuggled into Johannesburg and troops collected on the border in preparation for the Raid. Apart from the obvious answer that, had the fact of the smuggling in of arms been known, it would have been exposed and punished at once, this defence is a more daring, not to say dangerous, one than Mr. Kruger or his colleagues have ever ventured on. Their grievance is that they were unexpectedly attacked, and their defence that they began to arm afterwards. They do not admit that they connived at or nursed the Raid, having prepared for it beforehand.

But there is the evidence of acknowledged facts. The first importation of arms by the Reform Committee took place in December, 1895; Dr. Jameson's first order in connection with the mobilization of his men was given in Bulawayo on October 20, 1895. It needs no expert to say whether all the work in connection with the erection of a fort—which now proves to be but one item in a large scheme—the employment of trusty experts, the survey and choice of site, the preparation and approval of plans, and the actual construction, could be accomplished in the space of ten weeks, or in five times ten weeks. The statements in the manifesto about the ordering of cannon, and the employment of German military instructors, are conclusive proof of this, at least, that the Uitlanders had heard of and believed these things before the Raid took place. Subsequent events have shown that their apprehensions were more than justified, and the suggestion that this was merely a coincidence will scarcely be accepted. It is clearly almost impossible to produce direct evidence as to when orders for armaments were placed, such evidence being in the hands of the Transvaal Government and their agents alone; and it is quite impossible to marshal in convincing form the scraps of evidence and the daily little experiences the impact of which formed that clear and positive conviction in the minds of the Uitlanders, expressed in the manifesto. The fact remains that there did exist the belief that for some sinister purpose the Transvaal Government had determined upon a very extensive scheme of arming. The description of the Transvaal armaments given in this volume (see p. 98) has repeatedly been quoted as proving that the intention to arm did not antedate the Raid. It proves nothing of the kind. If taken side by side with the manifesto, it merely shows that the Reformers believed that they knew what arms, etc., had already been received in Pretoria, and knew also that more were coming, and they were determined to move before the Transvaal Government could complete their plans. A mass of indirect evidence could be compiled from the Uitlander press, showing the puzzled speculations and half-formed suspicions and apprehensions of the community, founded upon the extraordinary secret expenditure of the Government, the vague hints and threats running through Volksraad proceedings, and the well-remembered public utterances of such prominent men as the

President, General Joubert, Railway Commissioner Smit, and Executive Member Kock; but more interesting than these will be found the returns of expenditure for the years before and after the Raid. The subjoined figures, taken from the *Staats Courant* (Government Gazette), show the amounts expended under the heads of 'Military,' 'Public Works,' 'Special Expenditure,' and 'Sundry Services.' As it is known that the entry 'Military' does not cover those military preparations which were designed to be kept secret, and as no information has been vouchsafed as to the meaning of the other entries, every reader must form his own judgment upon the subject:

	FULL YEAR.					
	1893.	1894.	1895.	1896.	1897.	1898.
	£	£	£	£	£	£
Military ...	19,940	28,153	87,308	495,618	396,384	357,225
Public works ...	200,106	260,962	353,724	701,022	1,012,866	535,502
Special payments	148,981	330,181	205,335	682,008	245,684	211,910
Sundry services ...	132,132	163,547	95,278	128,724	135,345	148,873
Totals ...	500,559	782,848	741,645	2,007,372	1,793,279	1,253,510

As instancing the need for explanation, it may be mentioned that the suicide of a prominent official was the cause of bringing to light the facts that one sum of £500,000 (five hundred thousand pounds) was secretly transferred to an agent in Europe for purposes unknown in 1894, and that this was by no means the only or even first payment.

Incomparably the greatest increase in expenditure took place in 1896, after the Raid. Some of this was known to have been contracted for months before the Raid, but how much it is impossible to say. The belief that the determination to arm dates back to some period prior even to 1895, and was not hastily arrived at during that year, is supported by the Estimates for the financial year January to December, 1895, which were passed by the Volksraad, and must have been approved in principle by the Government some considerable time before. The estimates and the actual expenditure are given side by side, and show the sums set aside and spent in that year already for undisclosed purposes.

	1895.	
	Estimated Expenditure.	Actual Expenditure.
	£	£
Military ...	175,248	87,308
Public works ...	458,975	353,724
Special payments ...	169,100	205,335
Sundry services ...	85,051	95,278
Totals ...	888,374	741,645

In the ordinary session of 1895 the report of the Commandant-General to the Volksraad threw some light on the operations of the previous year. The following extract is from the *Press*, Pretoria:

REPORT OF THE SITTING OF THE FIRST RAAD, MONDAY, AUGUST 26.

After several Second Raad resolutions had been passed, the report of the Commandant-General was placed on the order afresh.

Re the 13,000 Martini-Henry guns imported last year (1894) by the Government for distribution amongst the burghers, it appeared from the report that 5,398 of these guns had been sold for cash, 3,925 had been sold on credit, and 327 had been given gratis to poor burghers. At the end of 1894 there were still 653 guns available for distribution, and 1,812 guns in reserve in the central magazine in Pretoria.

It further appeared from the same section of the report that the Government had ordered 3,000 improved Austrian rifles of the Guedes pattern. These guns had been tried, and had given satisfaction.

From this it appears that by the end of 1894 all the burghers had been supplied with new rifles. The Uitlanders even then complained that every burgher had already owned one rifle, and could not possibly require two; notwithstanding this, however, it appears (*vide* p. 98) that at the end of 1895 there were again 10,000 rifles in the central magazine alone.

The point being, not when forts were built or munitions were delivered, but when the arming policy was determined on, it must be remembered that the returns of expenditure deal with sums actually paid out in the year named, and it is certain that a good deal of time must have been occupied in the investigations, experiments and negotiations between the time when the policy was determined upon and the date of placing the orders for cannons and rifles and the construction of forts, and many months must have passed before the orders were completed. The real and only question is, When did the Transvaal *determine* to arm? or, to meet the point of controversy, Was the policy of arming determined upon before and apart from the Raid, or not?

We come now to question number two. What were the aspirations of the Transvaal?

The South African Dutch are a people slow to change, and they have clung with characteristic pertinacity to their aspirations as to their habits. The aspiration of the race is well known—the United States of South Africa, dominated by the Dutch party under a South African flag, and with Dutch as the predominant language. There are many of the Dutch in the Cape Colony—or, at any rate, there were before feelings became embittered by the present war, who do not share this aim at all. There are others who, whilst entertaining the aspiration, would bitterly resent the charge that they participated in a conspiracy or a plot, or entertained disloyal aims. Their defence would be that it is a legitimate aspiration, and that they would only countenance its achievement by 'constitutional means,' as the Afrikaner Bond in its official declarations describes its procedure, and by consent of Great Britain, with whom they would hope to preserve always the most friendly relations. It is quite possible that some have been genuine in

this belief, but it follows, then, that, if so, they did not see how they were being made use of by others, who were not so particular as to the means by which their ambition should be gratified.

The pursuit of this one ambition by different men, at different periods, under different forms of government, means that in some cases an effort was being made which to the disinterested observer would appear to be a perfectly legitimate one; whilst in other cases it is clear that the circumstances of the individual or community were not consistent with the pursuit of this ambition. Thus it is well, when viewing the whole movement, to consider the matter as broadly as possible and in the least offensive aspect. Charges of treason and conspiracy are unnecessary. It is sufficient to show that the aim of the Transvaal has been to subvert the Imperial authority and expel the Imperial power, and that the sympathetic attitude of the Bond, however human it may be, has been used to draw British subjects into a dangerous course and has led them to coquet with an ambition which the British half of the population and the British Empire will resist at all costs.

When Lord Carnarvon's Federation scheme was first proposed, President Brand of the Orange Free State, a man actuated by friendship for England and devoted to the cause of peace, remarked: 'His great scheme is a United South Africa under the British flag. He dreams of it; so do I, but under the flag of South Africa.' When President Burgers was endeavouring to carry out his Delagoa Bay railway scheme, he, too, repeatedly pictured a United South Africa under the Dutch flag—an independent child of Holland extending her glory and her commerce. Addressing a gathering of his countrymen in Holland, he said:

In that far-off country the inhabitants still dream of a future in which the people of Holland will recover their former greatness. He was convinced that within half a century there would be in South Africa a population of eight millions, all speaking the Dutch language and all extending the glory of Holland—a second Holland, as energetic and liberty-loving as the first, but greater in extent and greater in power.

The very same idea was cherished by the Dutch settlers in Natal when in 1841 they sent an emissary to Holland to negotiate the terms of an alliance. At that time the Dutch settlers expressed in writing the idea which has been cherished ever since. In their *Volksraad*, on January 14, 1841, they adopted a proposed alliance with Her Majesty Queen Victoria, the chief points of which were: (1) That they should be independent—the Independent Republic of Port Natal and Adjacent Countries; (2) That Her Majesty's Government should treat with the Republic in the relation of an ally, and that the Republic would reciprocally declare itself in the closest alliance with the British Government; (3) That in case of the Republic being attacked by sea by any other power whatsoever, Her Majesty's Government should

be at liberty either to interpose itself in a friendly manner or repel the enemy by force; (4) That in case of war between the British Government and any other power, the Republic should remain *neutral*; (5) That the British Government should have the right to place in the Republic an Ambassador or representative Agent. From which it will be seen that there has been no material change in the aspirations or even in the phrases employed; nor is this wonderful when one remembers that the men who have nursed this ambition for so many years in the Transvaal are the immediate descendants of the very men who attempted to realize it in Natal.

These matters, although of considerable historical interest, are not of any greater importance in the present case. In considering the aspirations of the Transvaal, it is essential that the matters antecedent to the retrocession should not be received as evidence, because the intentions or designs of the Transvaal towards England may only be judged by its obligations towards England as defined first by the Pretoria Convention and subsequently by the London Convention, which two documents governed the relations of the two countries until the outbreak of war. In 1881, when the Pretoria Convention was signed, and in 1884, when the London Convention was signed, the representatives of the Transvaal endeavoured to secure the revival of the old Sand River Convention, under which treaty there were practically no restrictions as to boundaries.

The Transvaal State had been called the South African Republic for a particular reason, and the significance of the title should never be lost sight of. Whatever may have been thought by others, it is beyond all doubt that the design of its founders and rulers has been gradually to extend until it should dominate South Africa and if possible absorb other communities in one United South African Republic. Indeed, the aspiration to be free to extend their territories and to contract treaties as they might deem fit has never been concealed, although from time to time, to suit a special purpose, it has been found convenient to profess entire satisfaction with the terms of the London Convention.

In order to realize to some extent why the Transvaal should have been anxious to have the restrictions upon its complete liberty removed, it is necessary to examine the material aspirations of the Transvaal Government. For the purpose of illustrating this, a map has been prepared which is designed to show the extent of territory which the Transvaal Government have either claimed as their heritage and right, or endeavoured to secure from natives by treaty or concession, or else attempted to seize by force, and it is essential to bear in mind that all this has been done since the restoration of independence, and in conflict with the terms of the Conventions. Information bearing upon this matter will be found in other portions of this volume (see p. 41 *et seq.*). The attempt to seize Bechuanaland was only defeated by

the exertions of the tireless and patriotic enthusiast, the Rev. John Mackenzie, and the Warren Expedition; the full history is given in Mr. Mackenzie's book 'Austral Africa.'

General Joubert's letter to Lobengula sufficiently indicates the Boers' aspirations as regards Matabeleland and Mashonaland; but it was only a preliminary measure designed to pave the way for closer relations. Whether any steps were taken during the years immediately following is not known to the writer. During December, 1887, however, by a rather singular accident, the aspirations of the Transvaal towards the North became known, and the discovery led eventually to the formation of the Chartered Company. At that time the late Mr. A. H. Nellmapius was a valued friend and trusted adviser of President Kruger. He was also on friendly terms with Mr. Alfred Beit, then a resident in Kimberley. Hearing that the latter had purchased a share in the concession granted some years before by Lobengula—now known as the Tati Concession—Mr. Nellmapius wrote to Mr. Beit that President Kruger was then sending an emissary named Grobelaar to Lobengula to arrange for a protectorate over the whole of Lobengula's possessions, but that this fact need cause no uneasiness, as he (Nellmapius) had obtained an assurance from President Kruger that the Tati Concession would be respected. This letter Mr. Beit showed to Mr. Rhodes, whose plans and ideas about the North he had for some years shared and discussed. Mr. Rhodes posted off the same night to Grahamstown, where the High Commissioner (Sir Hercules Robinson) was then opening the Exhibition, and put him in possession of the facts. The outcome of this was the immediate dispatch of the Rev. Mr. Moffat to Lobengula's kraal to negotiate a treaty on behalf of the Imperial Government which would be, in effect, 'Hands off!' to every other Government. Mr. Moffat, as is known, arrived at Bulawayo first and succeeded in his mission. Grobelaar not only failed, but by reason of indulging (according to the statements of Chief Khama) in certain high-handed actions, became involved in a fight in the course of which he was killed. The aspiration and the disappointment were admitted by President Kruger himself in 1891, when he was persuaded to stop a trek organized by the Transvaal Boers to seize a portion of Rhodesia known as Banjailand. At that time the President openly stated that they had been cheated by Rhodes out of their heritage—the northern territories up to the Zambesi—their ancient hunting-grounds which they had looked upon as their right, and now they had been "shut up in a kraal."

Following the frontiers of the Transvaal, it will be observed that the Portuguese territory north of Delagoa Bay was not respected. Emissaries were sent to the chief Gungunhana to obtain from him a concession by which it was hoped to secure sovereign rights over a considerable tract of country covering the Limpopo River and Valley, and that outlet to the sea. South of Delagoa Bay attempts were made to secure Zaanbaan's and Umbigiza's countries, which attempts were frus-

trated by the annexation of these territories by Lord Rosebery in 1895—an act which the Transvaal Government to this day affect to regard as one of robbery. In Tongaland emissaries were for long engaged in endeavouring to persuade the Queen to make the necessary concessions there, but here again the British Government intervened. In Swaziland, unfortunately, the Boer method was quite successful, and the country became, to all intents and purposes, a portion of the Transvaal. Zululand was seized by raiders, and although the most valuable portion was allowed to remain in their hands, access to the sea was again barred by the British Government.

A single glance at the map will show what the position in South Africa would have been had the Boers succeeded in their aspirations. The Cape Colony dominated, as it was hoped it would be, by a Dutch majority, would, in all human probability, not have been found out of harmony with so powerful a neighbour as the South African Republic would then have been; and the action of the Free State is not open to doubt. Thus, the only real British possession south of the Zambesi would have been the Colony of Natal.

It will be urged by those who do not accept this view that nothing is easier than to colour a map and make statements unsupported by evidence, which impose upon the other party the obligation of proving a negative. It is not possible, perhaps, to prove aspirations or intentions; the best that can be done is to draw reasonable inferences from the known facts. Thus, the opinions of intelligent people who were in possession of all the facts and witnesses of events may be regarded as evidence of some value. Fortunately, there is some such evidence available; fortunately, also, it dates sufficiently far back to be quite uninfluenced by Uitlander questions or any of the later troubles which have disturbed the Transvaal, and it shows that the view as to the aspirations of the Transvaal, which people outside South Africa have only lately, and with much reluctance, accepted, was very strongly held in South Africa very many years ago. The Rev. John Mackenzie, in his very notable book, already referred to, which was published in 1887, dealing with Transvaal affairs between 1881 and 1884, and especially with the visit of the Transvaal delegates to England in 1883 and 1884, when the London Convention was negotiated, entitles the most important chapter 'The Transvaal Struggle for Supremacy in South Africa.' The opinion of an intelligent observer at that time is worth knowing. Dealing with the subject of the Transvaal rising in 1881, Mr. Mackenzie wrote:

The Transvaal rising was not dictated, as was believed, in England by a love of freedom and preference for a republic rather than a limited monarchy. It was inspired by men who were planning a policy which should banish the English language and English influence from South Africa. Their action was a blow directly dealt against freedom, progress, and union of Europeans in South Africa.

The High Commissioner. Sir Hercules Robinson (Lord Rosmead),

who certainly cannot be charged with prejudice against the Dutch in South Africa, gave his opinion, in 1882, when the Transvaal Government, within a year of the signing of the Pretoria Convention, were supporting their subjects and agents in the attempt to seize Bechuanaland. He wrote (Blue Book 3486, Nos. 25 and 43) :

I am unable to hold out any hope of inducing the Transvaal Government to restrain those of its subjects who are engaged in the acts of brigandage referred to. The resources of argument and protest have already been exhausted by Mr. Hudson.

* * * * *

I confess I am unable to conceive what more effective treaty arrangements against extension proclivities can be devised than those which already exist.

* * * * *

If Montsioa and Mankoroane were now absorbed, Bonoquani, Mokobi, and Bareki would soon share the same fate. Gassisibi and Sechele would come next. So long as there were native cattle to be stolen and native lands worth appropriating, the absorbing process would be repeated. Tribe after tribe would be pushed back and back upon other tribes, or would perish in the process, until an uninhabitable desert, or the sea, were reached as the ultimate boundary of the State.

The Blue Books of this period contain a mass of evidence showing that the encroachments of the Boers on the Bechuanaland and Zulu side were already in active progress in 1882, and the subject of remonstrances from the High Commissioner in Cape Town, the British Resident in Pretoria, the Special Commissioner for Zulu affairs, and the Governor of Natal. They contain even such evidence as copies of letters to native chiefs outside their territory accepting the cession of these territories to the *South African Republic*. (Observe the use of this title, notwithstanding that its use had been forbidden by the British Government, and the country was known in the Pretoria Convention as the Transvaal State.) As early as November 30, 1882, the British Resident pointed out that these Acts of the Transvaal Government 'contravened the very first article of the Convention,' and proposed to violate also Article 2, Section C. In January, 1883, Lord Derby instructed Sir Hercules Robinson to 'call upon the Government of the Transvaal to carry out the 19th section of the Convention and to restrain its subjects from continuing the acts of trespass' in Zululand,

The ceaseless unwearying pursuit of the Boer aspiration, however, cannot be properly appreciated without study of the Blue Books and newspapers of the period, and such books as Mr. Mackenzie's 'Austral Africa.' The time of the High Commissioner and the British Resident seems to have been fairly well occupied in endeavouring to head off the encroaching Transvaal Government, and the evidence of the persistency of the Boers arouses feelings of exasperation, wonder, and even amusement. When informed that they may not 'accept cession' of territories, they commence again on the plea that they are interested because 'old friends and burghers of the State' beyond the limits of

the Republic have been left 'without protection and thus exposed to death and destruction.' When headed off here, they state that 'in consequence of fresh reports of violations of our borders . . . we have determined to send a commission to investigate this and other matters on our borders.' That Sir Hercules Robinson realized their intention becomes evident from the reply that 'if they desire to extend their investigations *beyond* their frontier, it will not be competent for them to undertake such inquiry alone.'

'Treaties of peace' and 'letters of friendship' also play their part, and the complaint made by Sir Alfred Milner, that the persistent attempts to strain or break the Convention keep up a condition of friction between the two Governments which gives absolutely no chance to the policy of conciliation, would have been as reasonable in 1882 as it was in 1899. However peacefully inclined Sir Hercules Robinson might have been, it is difficult to see how he could have ignored attempts so flagrant as those made and such reminders so pointed as the one from Montsioa in December 1882, in which the native chief said: 'I want to know if the English Government allows these freebooters to seize my country in this way, and whether the Convention they made at Pretoria with the Boers is really destroyed?'

The Afrikaner Bond was founded in the Orange Free State immediately after the War of Independence. It was started by Mr. F. W. Reitz (then a judge in the Orange Free State and now State Secretary of the Transvaal) and the late Mr. Carl Borckenhagen, whose newspaper, the *Express*, has consistently and openly advocated the formation of a Dutch United States of South Africa and the expulsion of the Imperial power. The Bond grew out of the war, and its first programme was quite free from ambiguity. The later declarations of the Bond in the Cape Colony are entirely different. The official one, which is issued annually to members of the Bond, is a reprint of a lecture delivered by Mr. T. Theron in 1887. The spirit pervading that document, so far as it concerns the language, history, customs, and all that go to mark a race of the Dutch, and displays toleration towards others, is one which would assuredly command sympathy and admiration and encouragement, were it not for the ambiguities, the hints, and the omissions which arrest attention.

Under the flag of England there are many peoples with their traditions, their languages, and their pride of race; and there is room for all. It is a matter for regret, therefore, that it should be open to doubt whether, in the view of half the inhabitants of one part of the British Empire, a citizen should not be a true patriot unless he belongs to one particular race and speaks one particular language, and shares the aims peculiar to that party. It is also unfortunate that the opening paragraph of the official statement referred to should contain such an explanation as this: 'But before I go further, I must make this remark: If you perhaps miss in my statement what you would have

liked to find in it, do not let it annoy you, for I have purposely avoided what might be prejudicial and give offence.' If the Bondsman dwells with emphasis upon the cordial invitation to 'Africander, Englishman, Scotchman, Frenchman, German, American, or whatever countryman' to join, the non-Bondsman feels that there is in the circumstances of South Africa a little something wanting in the same paragraph describing the aim of the Bond to become 'an organization whose heart will be wide enough to embrace not only this colony, but the Orange Free State, Transvaal, Natal, and as many as may be around, and in that by constitutional means press them all together into an "United South Africa."' And the uneasy feeling finds expression in the query, 'Under what flag?' No flag is mentioned now; but the first programme was guiltless of this omission, and it is not repudiated.

Bondsman whose aspirations are legitimate may feel injured and hurt by such an attitude, yet they cannot upon reflection consider it unreasonable, bearing in mind the circumstances under which the Bond was formed. It was started in non-British territory as an outcome of a war which President Brand informed Mr. Gladstone the Free State and Cape Colony Dutch threatened to make a race war. It was started avowedly with the object of creating a Dutch Republic, to embrace all South Africa, and was emphatically hostile to Great Britain. An authority whose testimony is unimpeachable bears witness to this. The Bond was started by Messrs. Reitz and Borckenhagen in Bloemfontein, while President Brand was absent on his peace mission which resulted in the Pretoria Convention. Mr. Brand's aspiration for the United States of South Africa under the South African flag has already been quoted. His acts show that his 'dream' was a legitimate aspiration, for he refused to countenance either violence or intrigue. On his return to Bloemfontein he threw all his weight in the scale against the Bond, and on October 22, at Smithfield (Orange Free State), in reply to an address of welcome in which pointed allusions to the Afrikaner Bond occurred, he spoke out very strongly, condemning the Bond for not 'doing as it would be done by,' since it sought to raise the Republican standard in a country whose Government was at peace with their State—a course of action which the Orange Free State would itself rightly and strongly resent. Following this up, he sent a written reply on the same day, in which he said: 'I would like to repeat in writing what I said verbally . . . and make known my objections to the propriety of the Afrikaner Bond. . . . It was not gratifying to me that in your salutation of welcome you placed the Afrikaner Bond so prominently in the foreground. However, since that has occurred, I may not now pass it over in silence, and I exercise my duty in warning you of the dangers which I see beforehand, in order that the seeds of dissension may not be sown where unity should exist.' The letter continues at length to urge 'the giving offence to no one and the respecting of the feelings of each one

as we would that others should do unto us,' so as to 'strengthen and confirm the most amicable relations with the Governments and inhabitants of the neighbouring colonies.'

The cry of 'Africa for the Afrikanders' is familiar, and the definition of the true Afrikander, viz., the South African Dutchman, will be admitted by all who know South Africa as being indisputably the meaning attached to the term by the Afrikander Bond. The writer is well aware that in the present state of feeling it will be difficult to secure a patient, dispassionate consideration of the Bond's policy because of recent events. But the object in view is not to consider what the attitude, sympathies or aspirations of men are now under exceptional circumstances, but what they were under normal conditions at a time when the British Government and the British people gave every chance in the world to the growth of kindly feelings—as witness the reluctance and even disgust with which they felt themselves compelled to send out the Warren Expedition. The question would naturally be asked then: 'Upon which side were the sympathies of the Afrikander Bond?' There is no doubt about the answer, for the Blue Books contain the evidence that when at last in desperation the British Government agreed to the annexation of Bechuanaland, the Afrikander Bond opposed this course, and even displayed openly their sympathies with the raiders who had attempted to seize the native territories. Sir Hercules Robinson proposed that the territory to be annexed should be incorporated in the Cape Colony, but the Colonial Government, held in office by the Bond, refused to accept the suggestion, or to 'entertain any proposal involving an extension of the northern boundary of that portion of the Colony which formed the late province of Griqualand West' (Blue Book C. 3486, No. 43, Enc. 3). The position is simple therefore, and the inference plain: the Afrikander Bond operating in a British colony objected to annexing this territory for themselves, and objected also to the annexation of it by the Imperial Government, but preferred that the territory should be occupied by its countrymen in the Transvaal who were displaying inveterate hostility to the British Government and persistent determination to evade their treaty obligations towards the Suzerain Power. That there was little concealment of the co-operation of the Afrikander Bond and the Transvaal is shown by the publications in Blue Book 3841. Among them will be found an account showing that when the Transvaal deputies were proceeding to England to negotiate the London Convention they proposed a meeting *en route* with the Cape Government for the purpose of discussing Bechuanaland affairs. The proposal was accepted and arrangements made, but after the deputies had arrived in Cape Town and discussed matters with the Afrikander Bond leaders, they declined to proceed with the interview which they had officially arranged, giving the astounding reason that the Cape Ministers 'were not authorized by the Colonial Parliament' to hold such an interview.

But the Bond went further, and in support of the Transvaal deputation they addressed the following petition to Her Majesty's Government in October, 1883:

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The petition of the undersigned Office Bearers of the Afrikander Bond of the Colony of the Cape of Good Hope. Humbly sheweth—

That Your Majesty's petitioners represent many thousands of Your Majesty's faithful subjects, mostly of Dutch extraction, residing in the Colony of the Cape of Good Hope, who deeply sympathise with their compatriots of the Transvaal State.

That Your Majesty's petitioners, while grateful for the concessions already made by Your Majesty's Government to the Transvaal Boers, as fully set forth in the Pretoria Convention of 1881, feel in duty bound to express their conviction that many of the provisions of the said convention are not calculated to promote either the good government of the Transvaal Boers and of the native tribes within and immediately *beyond the boundaries of the Transvaal State*, or to lead to that enduring harmony and good understanding between Your Majesty's Government and the *South African States generally* which Your Majesty's petitioners deem an indispensable condition for the future prosperity of South Africa.

That Your Majesty's petitioners have learned with exceeding gladness that Your Majesty's Government have graciously consented to give audience to a deputation from the Transvaal State, who have been delegated with the view of obtaining a revision of the Convention of Pretoria.

That Your Majesty's petitioners beg humbly to express the hope that it may please Your Majesty's Government to favourably entertain the proposals which will be laid before them by the deputation with reference to certain of the provisions of the Convention in question, more particularly in connexion with the boundaries prescribed to, and the pecuniary obligations, *and the restrictions as to its liberty of action*, imposed on the Transvaal State.

And Your Majesty's petitioners, as in duty bound, will ever pray.

(Signed) J. J. JANSEN RENSBURG, Chairman Afrikander Bond.
D. F. DU TOIT, D. PZM., Vice-Chairman Afrikander Bond.
J. H. HOFMEYER, Junr., Treasurer Afrikander Bond.
THOS. P. THERON, Secretary Afrikander Bond.

This in plain English means that the Afrikander Bond endorsed all the demands which the Transvaal deputation might make. In order to understand what this means, the letter of the Transvaal deputation embodying these demands, addressed to Lord Derby from the Albemarle Hotel, London, on November 14, 1883, should be read (Blue Book C 8841, No. 74). The spirit and purport of it, however, can be indicated by a few extracts.

Her Majesty's Government would entirely mistake the feelings of our people should they suppose that either the present or the coming generation can ever rest in satisfaction unless the Sand River Convention be again recognised as the historical basis of the new arrangement.

* * * * *

It may be that the people of the South African Republic will even now thankfully accept from Her Majesty's Government some alleviation of the burden imposed upon them; but whatever concessions Her Majesty's Government may be prepared to make, the reciprocal confidence between the British

and Dutch colonists will then only revive, when Her Majesty's Government also will accept the Sand River Convention as the historical basis of all further arrangements. Any settlement not founded upon this basis cannot but be of a merely temporary character; only upon this basis can a permanent settlement be secured.

In other words, the Transvaal Government desired the right of unlimited expansion; and the Afrikander Bond, refusing to accept for the Cape Colony the northern territories, and opposing their annexation by the Imperial Government, supported the claim of the Transvaal.

It may be as well to show how Lord Derby in his reply disposed of the claim regarding the Sand River Convention. On November 20, 1883, he wrote:

It is not possible to entertain the suggestion that that Convention has now any vitality, or that, if it could be revived, it would meet the requirements of the present case. That Convention, like the Convention of Pretoria, was not a treaty between two contracting Powers, but was a declaration made by the Queen, and accepted by certain persons, at that time her subjects, of the conditions under which, and the extent to which, Her Majesty could permit them to manage their own affairs without interference. It did not create a South African Republic, with a political organization and defined boundaries, and the conditions with which it dealt had to a great extent disappeared before the annexation in 1877 terminated the independence of the Republic, and, as was declared by your Volksraad in confirming the Convention of Pretoria, brought the Sand River Convention to an end.

Commenting upon the letter of the deputation, the High Commissioner, Sir Hercules Robinson, wrote to the Colonial Office on November 23, 1883:

I do not think that such a proposition (restoration of the Sand River Convention) should be entertained. One of the effects of it would be to sweep away all defined boundaries, and to allow the unlimited expansion of the Transvaal upon the east, as well as upon the west.

The deputation asked 'that all restrictions by which the South African Republic is prevented from taking action on behalf of humanity and peace, according to the demands of the moment, in its intercourse with the native tribes on its borders, may be removed'; and, as a substitute for such restrictions, they 'offer for the rights and interests of the natives all such guarantees as are prescribed by Divine law and human feeling.' I regret to state that experience has led me to doubt the practical efficacy of such 'guarantees,' so long as there are native cattle to be stolen or native lands that are worth appropriating; and I do not think that the removal of the existing restrictions upon the 'trekking' proclivities of the Boers would, as assumed by the deputation, advance the interests of 'humanity and peace.' I believe, on the contrary, that the result would be that native tribe after native tribe would be absorbed into the Transvaal, or would perish in the process. *The ultimate boundaries of the State would be the Atlantic and Indian Oceans*, and thus the independent native tribes to the east and west of the existing boundaries would be extinguished, whilst at the same time an effectual barrier would be interposed to the trade of the British Colonies in the south with the interior of Africa.

Doubtless they would prefer to be free, without any defined boundaries, so that they might go where they please, and do what seems to them good. Even if they agree, the Transvaal Government will perhaps evince no more

earnest desire in the future than they have done in the past to prevent their burghers making encroachments on lands beyond the State, as promised by the 19th Article of the Convention. But the enforcement of the Article by the plan which I propose will then be in the hands of the Imperial Government.

* * * * *

The Transvaal burghers obviously do not intend to observe any condition in it (Convention) distasteful to themselves, which Her Majesty's Government are not prepared to insist upon, if necessary, by the employment of force.

* * * * *

Many evidences could be cited of the continued pursuit of the Boer aspiration occurring at intervals throughout the last ten years, and many will be found in different parts of this volume; but the policy of aggression and annexation revealed since the commencement of the war is perhaps sufficient evidence of what the aspiration has been of late years. It is more important to show the steady pursuit of the same policy throughout the years before goldfields and Uitlanders brought wealth and power or the excuse of provocation, and when the depth of purpose was best proved by the fact that the Republic was then small and poor and struggling, but nevertheless adhered to its aim. The evidence in this connection will conclude with two extracts from speeches of well-known South African public men in 1884 and 1886. The troubles in Bechuanaland culminated in the despatch of the Warren Expedition. At one of the meetings—that held in Cape Town—references were made to the policy of the Transvaal which are sufficiently striking to merit reproduction. The developments of fifteen years have justified in a remarkable manner the statements made. The object of the meeting was to support the British Government in its action against the Transvaal; the Mayor of Cape Town was in the chair, and next to him sat Sir John Molteno, the first Premier of the Colony under responsible Government. The following extract from the speech of Mr. J. W. Leonard, Q.C., previously Attorney-General of Cape Colony, will suffice to show that no misapprehension existed in South Africa as to the aims of the Transvaal:

The crisis, gentlemen, is upon us—a crisis the gravity of which I wish I could impress upon the mind of everyone here. It should be impressed upon the minds of you all, and upon the English Government, that upon the outcome of this crisis depends the question whether the British flag is to fly in South Africa as the flag of South Africa or not (hear, hear). I challenge contradiction to that statement. I know that treason is rampant in the land; I know that disloyalty is promulgated in public meetings, in the press of this country, in the press of Cape Town.

* * * * *

I will not go further back into the history of this country than the conclusion of the Pretoria Convention. We know that was concluded when Britain had suffered defeat; you know what the main provisions of the Convention were, and that Her Gracious Majesty the Queen was to be the Suzerain of the Transvaal; you are aware the boundaries were all delineated in that document. Well, gentlemen, when the Convention was concluded

it was manifested that the people, whom its deputies were supposed to represent, did not exactly like it. But, gentlemen, there were 13,000 British troops then massed on the south-east slopes of the Drakensberg, eager to avenge the defeat inflicted upon them. I will say no more. The Convention was accepted, and the troops were sent, some to India, some to England, and some to other divisions of our Empire. As soon as they were withdrawn it became manifest that the era of intrigue had commenced. Certain individuals in this Colony and certain individuals in the interior States had made up their minds to trade upon the ignorance of the poor people in the Transvaal, who thought the people of Great Britain had been defeated at Laing's Nek and Majuba, and the object of their intrigues was to destroy the British supremacy in South Africa. I well know there are some who will dispute what I am saying, and that remarks will be made that I am speaking the thing that is not. But I ask the men who have lived in the country, who have followed the current of events, Is not what I put before you what has been written and what has been said? I say their object was to degrade the British flag and to bring about a state of things when it would no longer fly in this country with honour to itself or for the protection of people living under it. This has been the object of some of the people of the Transvaal, and *per fas et nefas* to make this colony a hide-bound dependency of the British Crown. Their object—that of the mass of the people; I do not say all of them—has been to aggrandize the Transvaal State. *The object of these intrigues was to cross our northern boundary, to take the land down to the Indian Ocean on the East, and down to the Kalahari on the West, in order that this portion of the British Empire might for ever be shut in, and destroy British sentiment, the object being that the Transvaal, by its powers of unlimited expansion, should become the paramount State in South Africa, and with them was to rest whether we should be graciously allowed to guard our coasts or whether that simple privilege should be denied us.* That, I say, must have been the object apparent to every man who knew how to read public events as they occurred before him. That is the doctrine which has been promulgated by those colonists in the country, which has been promulgated in a portion of the press of Cape Town and elsewhere.

Mr. J. K. Merriman, a distinguished member of several South African Governments, including the present one, in a speech delivered at Grahamstown in 1885, exposed at great length the attitude and actions of the Afrikaner Bond and the Transvaal Government in connection with Bechuanaland affairs. Among other things he said :

Now the situation is a grave one. It is not a question of localism; it is not a question of party politics, but it is a question whether the Cape Colony is to continue to be an integral part of the British Empire. The question is whether we intend to progress along the lines of freedom, of civilization, and respect for law and order, or whether we are ready to take the Transvaal for a model, and have our policy shaped by the Afrikaner Bond (hear, hear). There is no begging the question.

* * * * *

Each one of you will have to make up his mind whether he is prepared to see this Colony remain a part of the British Empire, which carries with it obligations as well as privileges, or whether he is prepared to obey the dictates of the Bond. From the very first time, some years ago, when the poison began to be distilled into the country, I felt that it must come to this—Was England or the Transvaal to be the paramount force in South Africa!

* * * * *

From the time the Convention was signed the policy of the Transvaal was to push out bands of freebooters, and to get them involved in quarrels with the natives (hear, hear). They wished to push their border over the land westwards, and realize the dream of President Pretorius, which was that the Transvaal should stretch from the Indian Ocean to the Atlantic.

* * * * *

I could not agree with the Bond. It would make people have different sides and places, one colonist who was a Dutchman in opposition to another colonist who was an Englishman. Nothing could be more disastrous (hear, hear). Since then that institution has made a show of loyalty, while it stirred up disloyalty. Some people who should have known better were dragged into the toils under the idea that they could influence it for good; but the whole teaching of history went to show that when the conflict was between men of extreme views and moderate men, the violent section triumphed (hear, hear).

* * * * *

What could they think of the objects of that Bond, when they found Judge Reitz advocating a Republic of South Africa under one flag?

* * * * *

My quarrel with the Bond is that it stirs up race differences. (Hear, hear.) Its main object is to make the South African Republic the paramount Power in South Africa. That is the reason of its hostility to John Brand—John Brand, the Afrikander of Afrikanders. (Cheers.)

The questions as to when arming was determined upon and what were the aspirations of the Transvaal have been discussed in a manner which it is hoped will enable the reader to form his own judgment; but it is realized that, however clear that judgment may be, there will still remain a desire to know why, if this policy has been pursued for so many years, is there no evidence of activity in arming prior to 1894? The answer is very simple. It was a question of means. The revenue and expenditure of the Republic from the years 1871 to 1899 are given (p. 58). In the year 1890 the great collapse occurred in Johannesburg, when shares fell to a fraction of their former value, properties were abandoned, the population melted away, and it was thought by most people that the mines would prove unpayable. It was not until the end of 1893 that the State revenue rose to the figure it had reached in 1889, and a feeling of confidence in the future of the mining industry became again general. The returns for these years are appended:

Years.				Revenue.
1889	...	...	...	£1,577,445
1890	...	...	...	1,229,061
1891	...	...	...	967,192
1892	...	...	...	1,255,830
1893	...	...	...	1,702,685
1894	...	...	...	2,247,728
1895	...	...	...	2,928,648

The figures speak for themselves!

March, 1900.

J. P. F.

PREFACE

It was originally designed to compile a statement of the occurrences of 1895-96 in the Transvaal, and of the conditions which led up to them, in the hope of removing the very grave misunderstandings which existed. Everybody else had been heard and judged, the Uitlander had only been judged. It therefore seemed proper that somebody should attempt to present the case for the Uitlander. The writer, as a South African by birth, as a resident in the Transvaal since 1884, and lastly, as Secretary of the Reform Committee, felt impelled to do this, but suffered under the disability of President Kruger's three years' ban; and although it might possibly have been urged that a plain statement of facts and explanations of past actions could not be fairly regarded as a deliberate interference in politics, the facts themselves when set out appeared to constitute an indictment so strong as to make it worth while considering whether the Government of the Transvaal would not regard it as sufficient excuse to put in force the sentence of banishment. The postponement of publication which was then decided upon for a period of three years appeared to be tantamount to the abandonment of the original purpose, and the work was continued with the intention of making it a private record to be printed at the expiry of the term of silence, and to be privately circulated amongst those who were personally concerned or interested—a record which might perhaps be of service some day in filling in a page of South African history.

The private circulation of that work during June of the present year led to suggestions from many quarters that it should be supplemented by a chapter or two dealing with later events and published; and the present volume is the outcome of these suggestions.

It is realized that much of what might properly appear in a private record will be considered rather superfluous in a book designed for wider circulation. For instance, a good deal of space is given to details of the trial and the prison life of the Reformers, which are of no interest whatever to the public, although they form a record which the men themselves may like to preserve. These might have been omitted but that the writer desired to make no alterations in the original text except in the nature of literary revision.

The writer may be charged by the "peace" party with deliberately selecting a critical and anxious time as opportune to contribute a new factor to those already militating against a peaceful settlement. Two replies could be made to this—one an excuse and one an answer. It would be an excuse that the writer did not deliberately select the time of publication, but that the Transvaal Government in its wisdom chose to impose silence for three years, and that the project with which their action had interfered was resumed at the earliest possible moment. The coincidence of another crisis with the date of emancipation may be an unlucky coincidence, or it may be a result. But there is neither necessity nor intention to offer excuses. The responsibility is accepted, and the answer is that a case so sound needs only to be understood, that a recital of the facts must help to dispel the mists of race prejudice and misunderstanding which are obscuring the judgment of many; and that a firm but strictly just and dignified handling of the question by the Imperial Government is the only possible way to avert a catastrophe in South Africa. It is essential, therefore, that first of all the conditions as they are should be understood; and this record is offered as a contribution to that end. Let the measure of its truth be the measure of its usefulness!

The reader is not invited to believe that the case is presented in such form as it might have been presented by an impartial historian. It is the Transvaal *from within*, by one who feels all the injustice and indignity of the position. With the knowledge, however, that a good case is spoiled by overstatement, and with the desire to avoid injustice to others, an earnest attempt has been made to state the facts fairly. In how far that attempt has been successful the reader must decide for himself.

J. P. F.

July, 1899.

NOTE

It has been impossible to avoid in this volume more or less pointed reference to certain nationalities in certain connections—for instance, such expressions as 'the Boers,' 'the Cape Dutch,' 'the Hollanders,' 'the Germans,' are used. The writer desires to say once and for all that, unless the contrary is obviously and deliberately indicated, the distinctions between nationalities are intended in the political sense only, and not in the racial sense, and if by mischance there should be found something in these pages which seems offensive, he begs the more indulgent interpretation on the ground of a very earnest desire to remove and not to accentuate race distinctions.

General references are also made to classes—'the civil service,' 'the officials,' etc. There are officials in the Transvaal service who would earn the confidence and esteem of the public in any administration in the world. It is hardly necessary to say that there is no intention to disparage them.

APPENDICES

APPENDIX A

PRETORIA CONVENTION

CONVENTION FOR THE SETTLEMENT OF THE TRANSVAAL TERRITORY

August, 1881.

PREAMBLE.

Her Majesty's Commissioners for the Settlement of the Transvaal territory, duly appointed as such by a Commission passed under the Royal Sign Manual and Signet, bearing date the 5th day of April, 1881, do hereby undertake and guarantee on behalf of Her Majesty that, from and after the 8th day of August, 1881, complete self-government, subject to the suzerainty of Her Majesty, her heirs and successors, will be accorded to the inhabitants of the Transvaal territory, upon the following terms and conditions, and subject to the following reservations and limitations :

ARTICLE I.

The said territory, to be hereinafter called the Transvaal State, will embrace the land lying between the following boundaries, to wit: [Here follow three pages in print defining boundaries.]

ARTICLE II.

Her Majesty reserves to herself, her heirs and successors, (a) the right from time to time to appoint a British Resident in and for the said State, with such duties and functions as are hereinafter defined ; (b) the right to move troops through the said State in time of war, or in case of the apprehension of immediate war between the Suzerain Power and any Foreign State or Native tribe in South Africa ; and (c) the control of the external relations of the said State, including the conclusion of treaties and the conduct of diplomatic intercourse with Foreign Powers, such intercourse to be carried on through Her Majesty's diplomatic and consular officers abroad.

ARTICLE III.

Until altered by the Volksraad, or other competent authority, all laws, whether passed before or after the annexation of the Transvaal territory to Her Majesty's dominions, shall, except in so far as they are inconsistent with or repugnant to the provisions of this Convention, be and remain in force in the said State in so far as they shall be applicable thereto, provided that no

future enactment especially affecting the interest of natives shall have any force or effect in the said State, without the consent of Her Majesty, her heirs and successors, first had and obtained and signified to the Government of the said State through the British Resident, provided further that in no case will the repeal or amendment of any laws enacted since the annexation have a retrospective effect, so as to invalidate any acts done or liabilities incurred by virtue of such laws.

ARTICLE IV.

On the 8th day of August, 1881, the Government of the said State, together with all rights and obligations thereto appertaining, and all State property taken over at the time of annexation, save and except munitions of war, will be handed over to Messrs. Stephanus Johannes Paulus Kruger, Martinus Wessel Pretorius, and Petrus Jacobus Joubert, or the survivor or survivors of them, who will forthwith cause a Volksraad to be elected and convened, and the Volksraad, thus elected and convened, will decide as to the further administration of the Government of the said State.

ARTICLE V.

All sentences passed upon persons who may be convicted of offences contrary to the rules of civilized warfare committed during the recent hostilities will be duly carried out, and no alteration or mitigation of such sentences will be made or allowed by the Government of the Transvaal State without Her Majesty's consent conveyed through the British Resident. In case there shall be any prisoners in any of the gaols of the Transvaal State whose respective sentences of imprisonment have been remitted in part by Her Majesty's Administrator or other officer administering the Government, such remission will be recognised and acted upon by the future Government of the said State.

ARTICLE VI.

Her Majesty's Government will make due compensation for all losses or damage sustained by reason of such acts as are in the 8th Article hereinafter specified, which may have been committed by Her Majesty's forces during the recent hostilities, except for such losses or damage as may already have been compensated for, and the Government of the Transvaal State will make due compensation for all losses or damage sustained by reason of such acts as are in the 8th Article hereinafter specified which may have been committed by the people who were in arms against Her Majesty during the recent hostilities, except for such losses or damages as may already have been compensated for.

ARTICLE VII.

The decision of all claims for compensation, as in the last preceding Article mentioned, will be referred to a Sub-Commission, consisting of the Honourable George Hudson, the Honourable Jacobus Petrus de Wet, and the Honourable John Gilbert Kotzé. In case one or more of such Sub-Commissioners shall be unable or unwilling to act, the remaining Sub-Commissioner or Sub-Commissioners will, after consultation with the Government of the Transvaal State, submit for the approval of Her Majesty's High Commissioners the names of one or more persons to be appointed by them to fill the place or places thus vacated. The decision of the said Sub-Commissioners, or of a majority of them, will be final. The said Sub-Commissioners will enter upon and perform their duties with all convenient speed. They will, before taking evidence or ordering evidence to be taken in respect of any claim, decide whether such claim can be entertained at all under the rules

laid down in the next succeeding Article. In regard to claims which can be so entertained, the Sub-Commissioners will in the first instance afford every facility for an amicable arrangement as to the amount payable in respect of any claim, and only in cases in which there is no reasonable ground for believing that an immediate amicable arrangement can be arrived at will they take evidence or order evidence to be taken. For the purpose of taking evidence and reporting thereon, the Sub-Commissioners may appoint Deputies, who will, without delay, submit records of the evidence and their reports to the Sub-Commissioners. The Sub-Commissioners will arrange their sittings and the sittings of their Deputies in such a manner as to afford the earliest convenience to the parties concerned and their witnesses. In no case will costs be allowed to either side other than the actual and reasonable expenses of witnesses whose evidence is certified by the Sub-Commissioners to have been necessary. Interest will not run on the amount of any claim, except as is hereinafter provided for. The said Sub-Commissioners will forthwith, after deciding upon any claim, announce their decision to the Government against which the award is made and to the claimant. The amount of remuneration payable to the Sub-Commissioners and their Deputies will be determined by the High Commissioners. After all the claims have been decided upon, the British Government and the Government of the Transvaal State will pay proportionate shares of the said remuneration and of the expenses of the said Sub-Commissioners and their Deputies, according to the amount awarded against them respectively.

ARTICLE VIII.

For the purpose of distinguishing claims to be accepted from those to be rejected, the Sub-Commissioners will be guided by the following rules, viz. : Compensation to be allowed for losses or damage sustained by reason of the following acts committed during the recent hostilities, viz. : (a) commandeering, seizure, confiscation, or destruction of property, or damage done to property ; (b) violence done or threats used by persons in arms. In regard to acts under (a), compensation will be allowed for direct losses only. In regard to acts falling under (b), compensation will be allowed for actual losses of property, or actual injury to the same, proved to have been caused by its enforced abandonment. No claims for indirect losses, except such as are in this Article especially provided for, will be entertained. No claims which have been handed in to the Secretary of the Royal Commission after the 1st day of July, 1881, will be entertained, unless the Sub-Commissioners shall be satisfied that the delay was reasonable. When claims for loss of property are considered, the Sub-Commissioners will require distinct proof of the existence of the property, and that it neither has reverted nor will revert to the claimant.

ARTICLE IX.

The Government of the Transvaal State will pay and satisfy the amount of every claim awarded against it within one month after the Sub-Commissioners shall have notified their decision to the said Government, and in default of such payment the said Government will pay interest at the rate of six per cent. per annum from the date of such default ; but Her Majesty's Government may at any time before such payment pay the amount, with interest, if any, to the claimant in satisfaction of his claim, and may add the sum thus paid to any debt which may be due by the Transvaal State to Her Majesty's Government, as hereinafter provided for.

ARTICLE X.

The Transvaal State will be liable for the balance of the debts for which the South African Republic was liable at the date of annexation, to wit, the sum of £43,000 in respect of the Cape Commercial Bank Loan, and £85,667 in respect of the Railway Loan, together with the amount due on 8th August, 1881, on account of the Orphan Chamber Debt, which now stands at £22,200, which debts will be a first charge upon the revenues of the State. The Transvaal State will, moreover, be liable for the lawful expenditure lawfully incurred for the necessary expenses of the Province since the annexation, to wit, the sum of £265,000, which debt, together with such debts as may be incurred by virtue of the 9th Article, will be a second charge upon the revenues of the State.

ARTICLE XI.

The debts due as aforesaid by the Transvaal State to Her Majesty's Government will bear interest at the rate of three and a half per cent., and any portion of such debt which may remain unpaid at the expiration of twelve months from the 8th August, 1881, shall be repayable by a payment for interest and sinking fund of six pounds and ninepence per cent. per annum, which will extinguish the debt in twenty-five years. The said payment of six pounds and ninepence per £100 shall be payable half-yearly in British currency on the 8th February and 8th August in each year. Provided always that the Transvaal State shall pay in reduction of the said debt the sum of £100,000 within twelve months of the 8th August, 1881, and shall be at liberty at the close of any half-year to pay off the whole or any portion of the outstanding debt.

ARTICLE XII.

All persons holding property in the said State on the 8th day of August, 1881, will continue after the said date to enjoy the rights of property which they have enjoyed since the annexation. No person who has remained loyal to Her Majesty during the recent hostilities shall suffer any molestation by reason of his loyalty, or be liable to any criminal prosecution or civil action for any part taken in connection with such hostilities, and all such persons will have full liberty to reside in the country, with enjoyment of all civil rights, and protection for their persons and property.

ARTICLE XIII.

Natives will be allowed to acquire land, but the grant or transfer of such land will, in every case, be made to and registered in the name of the Native Location Commission, hereinafter mentioned, in trust for such natives.

ARTICLE XIV.

Natives will be allowed to move as freely within the country as may be consistent with the requirements of public order, and to leave it for the purpose of seeking employment elsewhere or for other lawful purposes, subject always to the pass laws of the said State, as amended by the Legislature of the Province, or as may hereafter be enacted under the provisions of the Third Article of this Convention.

ARTICLE XV.

There will continue to be complete freedom of religion and protection from molestation for all denominations, provided the same be not inconsistent with morality and good order, and no disability shall attach to any person in regard to rights of property by reason of the religious opinions which he holds.

ARTICLE XVI.

The provisions of the Fourth Article of the Sand River Convention are hereby reaffirmed, and no slavery or apprenticeship partaking of slavery will be tolerated by the Government of the said State.

ARTICLE XVII.

The British Resident will receive from the Government of the Transvaal State such assistance and support as can by law be given to him for the due discharge of his functions; he will also receive every assistance for the proper care and preservation of the graves of such of Her Majesty's forces as have died in the Transvaal, and if need be for the expropriation of land for the purpose.

ARTICLE XVIII.

The following will be the duties and functions of the British Resident:

Sub-section 1.—He will perform functions and duties analogous to those discharged by a Chargé d'Affaires and Consul-General.

Sub-section 2.—In regard to natives within the Transvaal State, he will (a) report to the High Commissioner, as representative of the Suzerain, as to the working and observance of the provisions of this Convention; (b) report to the Transvaal authorities any cases of ill-treatment of natives or attempts to incite natives to rebellion that may come to his knowledge; (c) use his influence with the natives in favour of law and order; and (d) generally perform such other duties as are by this Convention entrusted to him, and take such steps for the protection of the person and property of natives as are consistent with the laws of the land.

Sub-section 3.—In regard to natives not residing in the Transvaal, (a) he will report to the High Commissioner and the Transvaal Government any encroachments reported to him as having been made by Transvaal residents upon the land of such natives, and in case of disagreement between the Transvaal Government and the British Resident as to whether an encroachment had been made, the decision of the Suzerain will be final; (b) the British Resident will be the medium of communication with native chiefs outside the Transvaal, and, subject to the approval of the High Commissioner, as representing the Suzerain, he will control the conclusion of treaties with them; and (c) he will arbitrate upon every dispute between Transvaal residents and natives outside the Transvaal (as to acts committed beyond the boundaries of the Transvaal) which may be referred to him by the parties interested.

Sub-section 4.—In regard to communications with foreign Powers, the Transvaal Government will correspond with Her Majesty's Government through the British Resident and the High Commissioner.

ARTICLE XIX.

The Government of the Transvaal State will strictly adhere to the boundaries defined in the First Article of this Convention, and will do its utmost to prevent any of its inhabitants from making any encroachment upon lands beyond the said State. The Royal Commission will forthwith appoint a person who will beacon off the boundary line between Ramatlabama and the point where such line first touches Griqualand West boundary, midway between the Vaal and Hart rivers; the person so appointed will be instructed to make an arrangement between the owners of the farms Grootfontein and Vallefontein on the one hand, and the Barolong authorities on the other, by which a fair share of the water-supply of the said farms shall be allowed to flow undisturbed to the said Barolongs.

ARTICLE XX.

All grants or titles issued at any time by the Transvaal Government in respect of land outside the boundary of Transvaal State, as defined, Article I., shall be considered invalid and of no effect, except in so far as any such grant or title relates to land that falls within the boundary of the Transvaal State, and all persons holding any such grant so considered invalid and of no effect will receive from the Government of the Transvaal State such compensation either in land or in money as the Volksraad shall determine. In all cases in which any native chiefs or other authorities outside the said boundaries have received any adequate consideration from the Government of the former South African Republic for land excluded from the Transvaal by the First Article of this Convention, or where permanent improvements have been made on the land, the British Resident will, subject to the approval of the High Commissioner, use his influence to recover from the native authorities fair compensation for the loss of the land thus excluded, and of the permanent improvement thereon.

ARTICLE XXI.

Forthwith, after the taking effect of this Convention, a Native Location Commission will be constituted, consisting of the President, or in his absence the Vice-President of the State, or someone deputed by him, the Resident, or someone deputed by him, and a third person to be agreed upon by the President or the Vice-President, as the case may be, and the Resident, and such Committee will be a standing body for the performance of the duties hereinafter mentioned.

ARTICLE XXII.

The Native Location Commission will reserve to the native tribes of the State such locations as they may be fairly and equitably entitled to, due regard being had to the actual occupation of such tribes. The Native Location Commission will clearly define the boundaries of such locations, and for that purpose will, in every instance, first of all ascertain the wishes of the parties interested in such land. In case land already granted in individual titles shall be required for the purpose of any location, the owners will receive such compensation either in other land or in money as the Volksraad shall determine. After the boundaries of any location have been fixed, no fresh grant of land within such location will be made, nor will the boundaries be altered without the consent of the Location Commission. No fresh grants of land will be made in the districts of Waterberg, Zoutpansberg, and Lydenburg until the locations in the said districts respectively shall have been defined by the said Commission.

ARTICLE XXIII.

If not released before the taking effect of this Convention, Sikukuni, and those of his followers who have been imprisoned with him, will be forthwith released, and the boundaries of his location will be defined by the Native Location Commission in the manner indicated in the last preceding Article.

ARTICLE XXIV.

The independence of the Swazies within the boundary line of Swaziland, as indicated in the First Article of this Convention, will be fully recognised.

ARTICLE XXV.

No other or higher duties will be imposed on the importation into the Transvaal State of any article the produce or manufacture of the dominions and possessions of Her Majesty, from whatever place arriving, than are or may

be payable on the like article the produce or manufacture of any other country, nor will any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of Her Majesty, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country.

ARTICLE XXVI.

All persons other than natives conforming themselves to the laws of the Transvaal State (a) will have full liberty with their families to enter, travel, or reside in any part of the Transvaal State; (b) they will be entitled to hire or possess houses, manufactures, warehouses, shops, and premises; (c) they may carry on their commerce either in person or by any agents whom they may think fit to employ; (d) they will not be subject in respect of their persons or property, or in respect of their commerce or industry to any taxes, whether general or local, other than those which are or may be imposed upon Transvaal citizens.

ARTICLE XXVII.

All inhabitants of the Transvaal shall have free access to the Courts of Justice for the protection and defence of their rights.

ARTICLE XXVIII.

All persons other than natives who established their domicile in the Transvaal between the 12th day of April, 1877, and the date when this Convention comes into effect, and who shall within twelve months after such last-mentioned date have their names registered by the British Resident, shall be exempt from all compulsory military service whatever. The Resident shall notify such registration to the Government of the Transvaal State.

ARTICLE XXIX.

Provision shall hereafter be made by a separate instrument for the mutual extradition of criminals, and also for the surrender of deserters from Her Majesty's forces.

ARTICLE XXX.

All debts contracted since the annexation will be payable in the same currency in which they may have been contracted; all uncanceled postage and other revenue stamps issued by the Government since the annexation will remain valid, and will be accepted at their present value by the future Government of the State; all licenses duly issued since the annexation will remain in force during the period for which they may have been issued.

ARTICLE XXXI.

No grants of land which may have been made, and no transfer of mortgage which may have been passed since the annexation, will be invalidated by reason merely of their having been made or passed since that date. All transfers to the British Secretary for Native Affairs in trust for natives will remain in force, the Native Location Commission taking the place of such Secretary for Native Affairs.

ARTICLE XXXII.

This Convention will be ratified by a newly-elected Volksraad within the period of three months after its execution, and in default of such ratification this Convention shall be null and void.

ARTICLE XXXIII.

Forthwith, after the ratification of this Convention, as in the last preceding Article mentioned, all British troops in Transvaal territory will leave the same, and the mutual delivery of munitions of war will be carried out. Articles end. Here will follow signatures of Royal Commissioners, then the following to precede signatures of triumvirate.

We, the undersigned, Stephanus Johannes Paulus Kruger, Martinus Wessel Pretorius, and Petrus Jacobus Joubert, as representatives of the Transvaal Burghers, do hereby agree to all the above conditions, reservations, and limitations under which self-government has been restored to the inhabitants of the Transvaal territory, subject to the suzerainty of Her Majesty, her heirs and successors, and we agree to accept the Government of the said territory, with all rights and obligations thereto appertaining, on the 8th day of August; and we promise and undertake that this Convention shall be ratified by a newly-elected Volksraad of the Transvaal State within three months from this date.

APPENDIX B

LONDON CONVENTION

A CONVENTION BETWEEN HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND THE SOUTH AFRICAN REPUBLIC

February, 1884.

Whereas the Government of the Transvaal State, through its Delegates, consisting of Stephanus Johannes Paulus Kruger, President of the said State; Stephanus Jacobus Du Toit, Superintendent of Education, and Nicholas Jacobus Smit, a member of the Volksraad, have represented that the Convention signed at Pretoria on the 3rd day of August, 1881, and ratified by the Volksraad of the said State on the 25th October, 1881, contains certain provisions which are inconvenient, and imposes burdens and obligations from which the said State is desirous to be relieved, and that the south-western boundaries fixed by the said Convention should be amended, with a view to promote the peace and good order of the said State, and of the countries adjacent thereto; and whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland has been pleased to take the said representations into consideration: Now, therefore, Her Majesty has been pleased to direct, and it is hereby declared, that the following articles of a new Convention, signed on behalf of Her Majesty by Her Majesty's High Commissioner in South Africa, the Right Honourable Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor of the Colony of the Cape of Good Hope, and on behalf of the Transvaal State (which shall hereinafter be called the South African Republic) by the above-named Delegates, Stephanus Johannes Paulus Kruger, Stephanus Jacobus du Toit, and Nicholas Jacobus Smit, shall, when ratified by the Volksraad of the South African Republic, be substituted for the articles embodied in the Convention of 3rd August, 1881; which latter, pending such ratification, shall continue in full force and effect.

ARTICLES.

ARTICLE I.

The Territory of the South African Republic will embrace the land lying between the following boundaries, to wit:

Beginning from the point where the north-eastern boundary line of Griqualand West meets the Vaal River, up the course of the Vaal River to the point of junction with it of the Klip River; thence up the course of the Klip River to the point of junction with it of the stream called Gansvlei; thence up the Gansvlei stream to its source in the Drakensberg; thence to a beacon in the boundary of Natal, situated immediately opposite and close to the source of the Gansvlei stream; thence in a north-easterly direction along the ridge of the Drakensberg, dividing the waters flowing into the Gansvlei stream from the waters flowing into the sources of the Buffalo, to a beacon on a point where this mountain ceases to be a continuous chain; thence to a beacon on a plain to the north-east of the last described beacon; thence to the nearest source of a small stream called 'Division Stream'; thence down this division stream, which forms the southern boundary of the farm Sandfontein, the property of Messrs. Meek, to its junction with the Coldstream; thence down the Coldstream to its junction with the Buffalo or Umzinyati River; thence down the course of the Buffalo River to the junction with it of the Blood River; thence up the course of the Blood River to the junction with it of Lyn Spruit or Dudusi; thence up the Dudusi to its source; thence 80 yards to Bea. I., situated on a spur of the N'Qaba-Ka-hawana Mountains; thence 80 yards to the N'Sonto River; thence down the N'Sonto River to its junction with the White Umvulozi River; thence up the White Umvulozi River to a white rock where it rises; thence 800 yards to Kambula Hill (Bea. II.); thence to the source of the Penvana River, where the road from Kambula Camp to Burgers' Lager crosses; thence down the Penvana River to its junction with the Bivana River; thence down the Bivana River to its junction with the Pongolo River; thence down the Pongolo River to where it passes through the Libombo Range; thence along the summits of the Libombo Range to the northern point of the N'Yawos Hill in that range (Bea. XVI.); thence to the northern peak of the Inkvakweni Hills (Bea. XV.); thence to Sefunda, a rocky knoll detached from and to the north-east end of the White Koppies, and to the south of the Musana River (Bea. XIX.); thence to a point on the slope near the crest of Matanjani, which is the name given to the south-eastern portion of the Mahamba Hills (Bea. XIII.); thence to the N'gwanwana, a double-pointed hill (one point is bare, the other wooded, the beacon being on the former) on the left bank of the Assegai River and upstream of the Dadusa Spruit (Bea. XII.); thence to the southern point of Bendita, a rocky knoll in a plain between the Little Hlozane and Assegai Rivers (Bea. XI.); thence to the highest point of Suluka Hill, round the eastern slopes of which flows the Little Hlozane, also called Ludaka or Mud-spruit (Bea. X.); thence to the beacon known as 'Viljoen's,' or N'Duko Hill; thence to a point north-east of Derby House, known as Magwazidili's Beacon; thence to the Igaba, a small knoll on the Ungwempisi River, also called 'Joubert's Beacon,' and known to the natives as 'Piet's Beacon' (Bea. IX.); thence to the highest point of the N'Dhlovudwalili or Houtbosch, a hill on the northern bank of the Umqwompisi River (Bea. VIII.); thence to a beacon on the only flat-topped rock, about 10 feet high and about 30 yards in circumference at its base, situated on the south side of the Lamsamaane range of hills, and overlooking the valley of the great Usuto River; this rock being 45 yards north of the road from Camden and Lake Banagher to the forests on

the Usuto River (sometimes called Sandhlanas Beacon) (Bea. VII.) ; thence to the Gulingwana or Ibubulundi, four smooth bare hills, the highest in that neighbourhood, situated to the south of the Umtuli River (Bea. VI.) ; thence to a flat-topped rock, 8 feet high, on the crest of the Busuku, a low rocky range south-west of the Impulazi River (Bea. V.) ; thence to a low bare hill on the north-east of, and overlooking the Impulazi River, to the south of it being a tributary of the Impulazi, with a considerable waterfall, and the road from the river passing 200 yards to the north-west of the beacon (Bea. IV.) ; thence to the highest point of the Mapumula range, the water-shed of the Little Usuto river on the north, and the Umpulazi River on the south, the hill, the top of which is a bare rock, falling abruptly towards the Little Usuto (Bea. III.) ; thence to the western point of a double-pointed rocky hill, precipitous on all sides, called Makwana, its top being a bare rock (Bea. II.) ; thence to the top of a rugged hill of considerable height falling abruptly to the Komati River, this hill being the northern extremity of the Isilotwani range, and separated from the highest peak of the range Inkomokazi (a sharp cone) by a deep neck (Bea. I.). (On a ridge in the straight line between Beacons I. and II. is an intermediate beacon.) From Beacon I. the boundary runs to a hill across the Komati River, and thence along the crest of the range of hills known as the Makongwa, which runs north-east and south-west, to Kamhlabana Peak ; thence in a straight line to Mananga, a point in the Libombo range, and thence to the nearest point in the Portuguese frontier on the Libombo range ; thence along the summits of the Libombo range to the middle of the poort where the Komati River passes through it, called the lowest Komati Poort ; thence in a north by easterly direction to Pokioens Kop, situated on the north side of the Olifant's River, where it passes through the ridges ; thence about north-north-west to the nearest point of Serra di Chioundo ; and thence to the junction of the Pafori River with the Limpopo or Crocodile River ; thence up the course of the Limpopo River to the point where the Marique River falls into it. Thence up the course of the Marique River to 'Derde Poort,' where it passes through a low range of hills, called Sikwane, a beacon (No. 10) being erected on the spur of said range near to, and westward of, the banks of the river ; thence, in a straight line, through this beacon to a beacon (No. 9), erected on the top of the same range, about 1,700 yards distant from beacon No. 10 ; thence, in a straight line, to a beacon (No. 8) erected on the highest point of an isolated hill, called Dikgagong, or 'Wildebeest Kop,' situated south-eastward of, and about $3\frac{1}{4}$ miles distant from a high hill, called Moripe ; thence, in a straight line, to a beacon (No. 7) erected on the summit of an isolated hill or 'koppie' forming the eastern extremity of the range of hills called Moshweni, situated to the northward of, and about two miles distant from, a large isolated hill called Chukudu-Chochwa ; thence, in a straight line, to a beacon (No. 6) erected on the summit of a hill forming part of the same range, Moshweni ; thence, in a straight line, to a beacon (No. 5) erected on the summit of a pointed hill in the same range ; thence, in a straight line, to a beacon (No. 4) erected on the summit of the western extremity of the same range ; thence, in a straight line, to a beacon (No. 3) erected on the summit of the northern extremity of a low, bushy hill, or 'koppie,' near to and eastward of the Notwane River ; thence, in a straight line, to the junction of the stream called Metsi-Mashware with the Notwane River (No. 2) ; thence up the course of the Notwane River to Songoma, being the poort where the river passes through the Dwarsberg range ; thence, as described in the Award given by Lieutenant-Governor Keate, dated October 17, 1871, by Pitlanganyane (narrow place), Deboaganka or Schaapkuil, Sibatoul (bare place), and Maclase, to Ramatlabama, a pool on a spruit north of the Molopo River. From Ramatlabama the boundary shall

run to the summit of an isolated hill called Leganka; thence, in a straight line, passing north-east of a Native Station, near 'Buurman's Drift,' on the Molopo River, to that point on the road from Mosiega to the old drift, where a road turns out through the Native Station to the new drift below; thence to 'Buurman's Old Drift'; thence, in a straight line, to a marked and isolated clump of trees near to and north-west of the dwelling-house of O. Austin, a tenant on the farm 'Vleifontein,' No. 117; thence, in a straight line, to the north-western corner beacon of the farm 'Mooimeisjesfontein,' No. 30; thence along the western line of the said farm 'Mooimeisjesfontein,' and in prolongation thereof as far as the road leading from 'Ludik's Drift,' on the Molopo River, past the homestead of 'Mooimeisjesfontein,' towards the Salt Pans near Harts River; thence, along the said road, crossing the direct road from Polfontein to Sehuba, and until the direct road from Polfontein to Lotlakane or Pietfontein is reached; thence, along the southern edge of the last-named road towards Lotlakane, until the first garden ground of that station is reached; thence, in a south-westerly direction, skirting Lotlakane, so as to leave it and all its garden ground in native territory, until the road from Lotlakane to Kunana is reached; thence along the east side, and clear of that road towards Kunana, until the garden grounds of that station are reached; thence, skirting Kunana, so as to include it and all its garden ground, but no more, in the Transvaal, until the road from Kunana to Mamusa is reached; thence, along the eastern side and clear of the road towards Mamusa, until a road turns out towards Taungs; thence, along the eastern side and clear of the road towards Taungs, till the line of the district known as 'Stellaland' is reached, about 11 miles from Taungs; thence along the line of the district Stellaland to the Harts River, about 24 miles below Mamusa; thence, across Harts River, to the junction of the roads from Monthe and Phokwane; thence, along the western side and clear of the nearest road towards 'Koppie Enkel,' an isolated hill about 36 miles from Mamusa, and about 18 miles north of Christiana, and to the summit of the said hill; thence, in a straight line, to that point on the north-east boundary of Griqualand West as beacons by Mr. Surveyor Ford, where two farms, registered as Nos. 72 and 75, do meet, about midway between the Vaal and Harts Rivers, measured along the said boundary of Griqualand West; thence to the first point where the north-east boundary of Griqualand West meets the Vaal River.

ARTICLE II.

The Government of the South African Republic will strictly adhere to the boundaries defined in the first Article of this Convention, and will do its utmost to prevent any of its inhabitants from making any encroachments upon lands beyond the said boundaries. The Government of the South African Republic will appoint Commissioners upon the eastern and western borders, whose duty it will be strictly to guard against irregularities and all trespassing over the boundaries. Her Majesty's Government will, if necessary, appoint Commissioners in the native territories outside the eastern and western borders of the South African Republic to maintain order and prevent encroachments.

Her Majesty's Government and the Government of the South African Republic will each appoint a person to proceed together to beacon off the amended south-west boundary as described in Article 1 of this Convention; and the President of the Orange Free State shall be requested to appoint a referee to whom the said persons shall refer any questions on which they may disagree respecting the interpretation of the said Article, and the decision of such referee thereon shall be final. The arrangement already made, under the

terms of Article 19 of the Convention of Pretoria, of the 3rd August, 1881, between the owners of the farms Grootfontein and Vallefontein on the one hand, and the Barolong authorities on the other, by which a fair share of the water-supply of the said farms shall be allowed to flow undisturbed to the said Barolongs, shall continue in force.

ARTICLE III.

If a British officer is appointed to reside at Pretoria or elsewhere within the South African Republic to discharge functions analogous to those of a Consular officer, he will receive the protection and assistance of the Republic.

ARTICLE IV.

The South African Republic will conclude no treaty or engagement with any State or nation other than the Orange Free State, nor with any native tribe to the eastward or westward of the Republic, until the same has been approved by Her Majesty the Queen.

Such approval shall be considered to have been granted if Her Majesty's Government shall not, within six months after receiving a copy of such treaty (which shall be delivered to them immediately upon its completion), have notified that the conclusion of such treaty is in conflict with the interests of Great Britain or of any of Her Majesty's possessions in South Africa.

ARTICLE V.

The South African Republic will be liable for any balance which may still remain due of the debts for which it was liable at the date of Annexation—to wit, the Cape Commercial Bank Loan, the Railway Loan, and the Orphan Chamber Debt—which debts will be a first charge upon the revenues of the Republic. The South African Republic will, moreover, be liable to Her Majesty's Government for £250,000, which will be a second charge upon the revenues of the Republic.

ARTICLE VI.

The debt due as aforesaid by the South African Republic to Her Majesty's Government will bear interest at the rate of three and a half per cent. from the date of the ratification of this Convention, and shall be repayable by a payment for interest and Sinking Fund of six pounds and ninepence per £100 per annum, which will extinguish the debt in twenty-five years. The said payment of six pounds and ninepence per £100 shall be payable half-yearly in British currency at the close of each half-year from the date of such ratification: Provided always that the South African Republic shall be at liberty at the close of any half-year to pay off the whole or any portion of the outstanding debt.

Interest at the rate of three and a half per cent. on the debt as standing under the Convention of Pretoria shall as heretofore be paid to the date of the ratification of this Convention.

ARTICLE VII.

All persons who held property in the Transvaal on the 8th day of August, 1881, and still hold the same, will continue to enjoy the rights of property which they have enjoyed since the 12th April, 1877. No person who has remained loyal to Her Majesty during the late hostilities shall suffer any molestation by reason of his loyalty; or be liable to any criminal prosecution or civil action for any part taken in connection with such hostilities; and all such persons will have full liberty to reside in the country, with enjoyment of all civil rights, and protection for their persons and property.

ARTICLE VIII.

The South African Republic renews the declaration made in the Sand River Convention, and in the Convention of Pretoria, that no slavery or apprenticeship partaking of slavery will be tolerated by the Government of the said Republic.

ARTICLE IX.

There will continue to be complete freedom of religion and protection from molestation for all denominations, provided the same be not inconsistent with morality and good order; and no disability shall attach to any person in regard to rights of property by reason of the religious opinions which he holds.

ARTICLE X.

The British Officer appointed to reside in the South African Republic will receive every assistance from the Government of the said Republic in making due provision for the proper care and preservation of the graves of such of Her Majesty's Forces as have died in the Transvaal; and, if need be, for the appropriation of land for the purpose.

ARTICLE XI.

All grants or titles issued at any time by the Transvaal Government in respect of land outside the boundary of the South African Republic, as defined in Article I, shall be considered invalid and of no effect, except in so far as any such grant or title relates to land that falls within the boundary of the South African Republic; and all persons holding any such grant so considered invalid and of no effect will receive from the Government of the South African Republic such compensation, either in land or in money, as the Volksraad shall determine. In all cases in which any Native Chiefs or other authorities outside the said boundaries have received any adequate consideration from the Government of the South African Republic for land excluded from the Transvaal by the first Article of this Convention, or where permanent improvements have been made on the land, the High Commissioner will recover from the native authorities fair compensation for the loss of the land thus excluded, or of the permanent improvements thereon.

ARTICLE XII.

The independence of the Swazis, within the boundary line of Swaziland, as indicated in the first Article of this Convention, will be fully recognised.

ARTICLE XIII.

Except in pursuance of any treaty or engagement made as provided in Article 4 of this Convention, no other or higher duties shall be imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions than are or may be imposed on the like article coming from any other place or country; nor will any prohibition be maintained or imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions which shall not equally extend to the like article coming from any other place or country. And in like manner the same treatment shall be given to any article coming to Great Britain from the South African Republic as to the like article coming from any other place or country.

These provisions do not preclude the consideration of special arrangements as to import duties and commercial relations between the South African Republic and any of Her Majesty's colonies or possessions.

ARTICLE XIV.

All persons, other than natives, conforming themselves to the laws of the South African Republic (a) will have full liberty, with their families, to enter, travel, or reside in any part of the South African Republic; (b) they will be entitled to hire or possess houses, manufactories, warehouses, shops, and premises; (c) they may carry on their commerce either in person or by any agents whom they may think fit to employ; (d) they will not be subject, in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, other than those which are or may be imposed upon citizens of the said Republic.

ARTICLE XV.

All persons, other than natives, who established their domicile in the Transvaal between the 12th day of April, 1877, and the 8th August, 1881, and who within twelve months after such last-mentioned date have had their names registered by the British Resident, shall be exempt from all compulsory military service whatever.

ARTICLE XVI.

Provision shall hereafter be made by a separate instrument for the mutual extradition of criminals, and also for the surrender of deserters from Her Majesty's Forces.

ARTICLE XVII.

All debts contracted between the 12th April, 1877, and the 8th August, 1881, will be payable in the same currency in which they may have been contracted.

ARTICLE XVIII.

No grants of land which may have been made, and no transfers or mortgages which may have been passed between the 12th April, 1877, and the 8th August, 1881, will be invalidated by reason merely of their having been made or passed between such dates.

All transfers to the British Secretary for Native Affairs in trust for natives will remain in force, an officer of the South African Republic taking the place of such Secretary for Native Affairs.

ARTICLE XIX.

The Government of the South African Republic will engage faithfully to fulfil the assurances given, in accordance with the laws of the South African Republic, to the natives at the Pretoria Pitso by the Royal Commission in the presence of the Triumvirate and with their entire assent, (1) as to the freedom of the natives to buy or otherwise acquire land under certain conditions, (2) as to the appointment of a commission to mark out native locations, (3) as to the access of the natives to the courts of law, and (4) as to their being allowed to move freely within the country, or to leave it for any legal purpose, under a pass system.

ARTICLE XX.

This Convention will be ratified by a Volksraad of the South African Republic within the period of six months after its execution, and in default of such ratification this Convention shall be null and void.

Signed in duplicate in London this 27th day of February, 1884

HERCULES ROBINSON
S. J. P. KRUGER.
S. J. DU TOIT.
N. J. SMIT.

APPENDIX C

PRESIDENT KRUGER'S AFFAIRS IN THE RAADS

1889.

PRESIDENT.

July.—His Honour accepts a loan of £7,000 from the State funds at 2½ per cent. interest (current rate being about 6 per cent.).

1890.

July 4.—The PRESIDENT said: Mr. Taljaard yesterday threw in my teeth that I took advantage of my position to benefit my own relations. I assure you that I have not done anything of the kind. Unfortunately, one of my relatives who is a speculator has got a concession, which I am in duty bound to carry out. But I am deeply grieved that Mr. Taljaard said what he did say. In future, I can assure you not a single member of my family shall receive a single office. I will not even make one of them a constable. I have children myself, but I have left them on the farm rather than put them in office to draw money from the State.

1891.

May.—In answer to a request that President Kruger would allow his name to be used as patron of a ball in honour of Her Majesty's birthday:

SIR,

In reply to your favour of the 12th instant, requesting me to ask His Honour the State President to consent to his name being used as a patron of a ball to be given at Johannesburg on the 26th inst., I have been instructed to inform you that His Honour considers a ball as Baul's service, for which reason the Lord ordered Moses to kill all offenders; and as it is therefore contrary to His Honour's principles, His Honour cannot consent to the misuse of his name in such connection.

I have, etc.,

F. ELOFF,

Pr. Secretary.

1892.

FIRST RAAD.

PRESIDENT.

May 24.—It was resolved that a dam be constructed on the President's farm 'Geduld' at a cost of £4,500, at the expense of the Treasury.

SECOND RAAD.

The Public Works Department report that the road across the President's farm 'Geduld,' estimated to cost £1,500, had actually cost £5,000. Mr. MEYER stated that this road was of absolutely no use to anyone but the owner of the farm!

FIRST RAAD.

June 15.—Letter from Mr. Mare, Deacon, on behalf of the United Church, Pretoria, complaining that of the twelve erven given by Government to the Church, they had been deprived of four, which had been handed over to the President's Church, the Gerevoormede or Dopper, and two of these had again been transferred to the President himself.

June 16.—After a lengthy discussion it was resolved that the President is entirely exonerated. The Raad further expressed its disapproval of this

conduct of a Christian Church, whose duty it should be to foster Christian love, and set an example to the burghers.

FIRST RAAD.

August 2.—A memorial was read from Lichtenburg, praying for a stringent investigation into the Report of the Estimates Committee of 1890, in which it was stated that of £140,000 spent on the Pretoria streets, vouchers for £22,000 were missing. The Raad decided, on the President's stating that nothing was wrong with the accounts, to send the memorialists a copy of the resolution of last year.

1893.

July 17.—The PRESIDENT said it was simply murdering the erection of factories to say there should be no concessions. He denied that factories could be erected without concessions. If the Raad wished to throw out all concessions, well and good. That simply meant the fostering of industries in other countries.

STANDS SCANDAL.¹

August 3.—The PRESIDENT said that speculation, when fairly conducted, was justifiable, and the Government had acted according to the circumstances, and in the interests of the State. The Government had no private interests in view, but thought the sale was quite justifiable.

The Minister of Mines was then attacked for granting stands to Raad officials when higher offers had been made.

APPENDIX D

VOLKSRAAD DEBATES

Extracts from the Published Reports

1889.

May 8.—On the application of the Sheba G. M. Co. for permission to erect an aerial tram from the mine to the mill,

Mr. GROBLAAR asked whether an aerial tram was a balloon, or whether it could fly through the air.

The only objection that the Chairman had to urge against granting the tram was that the Company had an English name, and that with so many Dutch ones available.

Mr. TALJAARD objected to the word 'participeeren' (participate) as not being Dutch, and to him unintelligible: 'I can't believe the word is Dutch. Why have I never come across it in the Bible, if it is?'

June 18.—On the application for a concession to treat tailings,

Mr. TALJAARD wished to know if the words 'pyrites' and 'concentrates' could not be translated into the Dutch language. He could not understand what it meant. He had gone to night-school as long as he had been in Pretoria, and even now he could not explain everything to his burghers. He thought it a shame that big hills should be made on ground under which there might be rich reefs, and which in future might be required for a market or outspan. He would support the recommendation on condition

¹ By this name is known the series of transactions in which Government land in Johannesburg was sold out of hand to certain private individuals at a nominal figure, many thousands of pounds below the then market value.

that the name of the quartz should be translated into Dutch, as there might be more in this than some of them imagined.

REDUCTION OF IMPORT DUTIES ON Eatables.

June 20.—Mr. WOLMARANS said the diggers simply did not want to buy from the Boers; there was plenty of meat and bread in the land, and the Boers could not get good prices for their cattle.

Mr. VAN HEERDEN could not see how the inhabitants of the State would benefit in the least by lowering the tariff.

Messrs. LOMBAARD and WOLMARANS both declared that when duties were at their highest, groceries, etc., were at their cheapest.

Mr. TALJAARD thought that members who were in favour of lowering the tariff did not act for the benefit of the country.

-1890.

May 29.—A discussion of considerable length took place on a petition from burghers of Gatsrand, Potchefstroom district, praying that at least two-thirds of the Government money now lying idle in the banks should be given out to agriculturists as loans, and the remainder for other purposes.

July 2.—His Honour was asked why he did not suppress all sweepstakes and races.

The PRESIDENT said gambling and lotteries were in conflict with the Word of God, but it was also the duty of man to have exercise, and to exercise his horses. For that reason an exception had been made in the Bill as to horse-races, etc.

INCREASE OF OFFICIALS' SALARIES.

July 7.—The PRESIDENT supported the increase. He promised the Raad—and he had done this before—that whenever there was a falling off in the revenue, he would at once reduce the salaries. He had said this before, and if members did not believe him, let them call him a liar at once.

1891.

SECOND RAAD.

June 5.—Mr. ESSELEN objected to minutes not being full enough.

Mr. TALJAARD accused Mr. Esselen of insulting the Raad.

A discussion ensued on minutes, in which certain proposals which had been rejected had not been incorporated. Several members said that the incorporation of proposals that had been rejected would entail some members being held up to the scorn of the public.

ESTIMATES.

June 24.—Two hundred vouchers were found to be missing from the yearly accounts, and no explanation could be given. Also £13,000 had been given on loan to the Boeren Winkel (Boer General Store—a private mercantile venture).

July 27.—Mr. MARE maintained that the Public Works were badly administered.

The PRESIDENT dashed down the papers in front of him and stalked out of the Raad, after emphatically denying that money had been wasted.

July 27.—At the debate on the question of appointing a State financier, who could, among other things, be held responsible for the disappearance of vouchers, the Auditor-General said that he did not want an official of that nature, who would be always snivelling about his books.

CLAUSE TWENTY-THREE OF THE GOLD LAW.

August 5.—The PRESIDENT said that owners of properties had quite sufficient privileges already, and he did not want to give them more.

Mr. LOMBAARD said the Gold Fields wanted too much. The revenue from the Gold Fields was already less than the expenditure. He was of opinion that the best course would be to let the Gold Fields go to the devil and look after themselves.

1892.

SECOND RAAD.

May 6.—Protracted discussion arose on the Postal Report, the Conservatives being opposed to erecting pillar-boxes in Pretoria on the ground that they were extravagant and effeminate.

OOM DYLE (Mr. TALJAARD) said that he could not see why people wanted to be always writing letters. He wrote none himself. In the days of his youth he had written a letter, and had not been afraid to travel fifty miles and more on horseback and by waggon to post it; and now people complained if they had to go one mile.

FIRST RAAD.

May 21.—On the question of abolishing the post of Minute-Keeper to the Executive the President fell into a passion with Mr. Lovaday, who thought a Minute-Keeper unnecessary, and left the Raad in a temper.

June 18.—The PRESIDENT said the reason why he did not subsidize some papers by giving them advertisements was that they did not defend the Government. It was the rule everywhere to give advertisements to papers which supported the Government.

PRESIDENT AND GENERAL.

July 21.—General JOUBERT tenders his resignation as Chairman of the Chicago Exhibition Committee. He had written again and again to the President and State Secretary for an intimation of the Government's intention with regard to the amount on the Estimates, but his communications were treated with silent contempt.

The PRESIDENT made a long speech, in which he said he felt great grief at being thus falsely charged by the General, who was also a member of the Executive. Still, he would only bless those who spitefully used him, and would not blacken the General.

SECOND RAAD.

July 21.—After the resolution had been taken on Mr. Van Niekerk's proposition regarding compensation for claims not yet worked out (Clause 60 of Gold Law), the PRESIDENT was still speaking, and objecting to the recording of Van Niekerk's objection to the passing of the Gold Law Clause Amendment, when Mr. ESSELEN called 'Order, Order!' several times.

The PRESIDENT said he was insulted by Mr. Esselen, and would withdraw unless he apologized.

The Raad adjourned, as Mr. Esselen refused.

FIRST RAAD.

LOCUST EXTERMINATION.

July 21.—Mr. ROOS said locusts were a plague, as in the days of King Pharaoh, sent by God, and the country would assuredly be loaded with shame and obloquy if it tried to raise its hand against the mighty hand of the Almighty.

Messrs. DECLERQ and STRENKAMP spoke in the same strain, quoting largely from the Scriptures.

The CHAIRMAN related a true story of a man whose farm was always spared by the locusts, until one day he caused some to be killed. His farm was then devastated.

Mr. STROOP conjured the members not to constitute themselves terrestrial gods and oppose the Almighty.

Mr. LUCAS MEYER raised a storm by ridiculing the arguments of the former speakers, and comparing the locusts to beasts of prey which they destroyed.

Mr. LABUSCHAGNE was violent. He said the locusts were quite different from beasts of prey. They were a special plague sent by God for their sinfulness.

July 26.—Mr. DE BEER, attacking the railways, said they were already beginning to eat the bitter fruits of them. He was thinking of trekking to Damaraland, and his children would trek still further into the wilderness, out of the reach of the iron horse.

August 16.—Mr. DE BEER said he saw where all the opposition to duties came from. It was English blood boiling to protect English manufactures.

1893.

June 21.—A memorial was read from certain burghers of Waterberg about children beating their parents, and praying that such children should not be allowed to become officials of the State or sit in Volksraad!

Mr. DE BEER, the Member for Waterberg, who in the days of his hot youth is said to have given his father a sound thrashing, and is the one aimed at by the memorialists, denied all knowledge of the memorial.

CHARLESTOWN EXTENSION.

August 24.—Mr. WOLMARANS opposed the line, as it would compete with the Delagoa Bay Railway, for which the State was responsible.

Mr. LE CLERQ maintained that the Cape Free State line was against the interests of the burghers, as a tremendous number of cattle were brought into the State from outside countries.

Mr. MALAN said he would never vote for this line.

Mr. ROOS referred to the sacred voice of the people, which he said was against railways.

The extension was eventually approved of.

1894.

FIRST RAAD.

May 14.—A debate took place upon the clause that members should appear in the House clad in broadcloth and having white neckties.

Mr. JAN DE BEER complained of the lack of uniformity in neckties. Some wore a Tom Thumb variety, and others wore scarves. This was a state of things to be deplored, and he considered that the Raad should put its foot down and define the size and shape of neckties.

JAM CONCESSION.

August 20.—The PRESIDENT said he was against concessions generally speaking, but there were cases where exceptions should be made. There was, for instance, the Jam Concession. The manufacture of jam ought to be protected.

REDUCTION OF POSTAGE FROM TWOPENCE TO ONE PENNY THROUGHOUT THE REPUBLIC.

August 22.—Mr. WOLMARANS opposed the reduction, saying the Postal Department would probably show a deficit at the end of the year. And besides, who would benefit? Certainly not the farmers.

Mr. LOMBAARD also was against the reduction.

Mr. DE LA REY said speculators could afford to pay the present rates of postage, and as the reduction would only benefit the townspeople, let matters remain unaltered. If he resided in a town and speculated he would be able to pay twopence.

Mr. SCHUTTE said the Postal Department was run at a loss at present, and if they further reduced the tariff things would go very badly with them.

Reduction rejected, 13 to 9.

INCREASE OF REPRESENTATION.

September 6.—The PRESIDENT, throughout the debate maintained that there was no advantage to be gained by increased representation, and that business could be more quickly transacted with a small number of members. He disagreed with those members who wished to give big towns representatives, as the Raad would be swamped with town members.

After the rejection of various proposals the PRESIDENT rose and pointed out it would mean ruination to the country if the Raad resolved to increase the number of the members, and amidst some confusion he left, declining to occupy the Presidential chair, muttering that the Raad was large enough already, and if it were increased it would be a shame.

EDUCATION QUESTION.

September 7.—The Committee reported that a number of memorials had been received, praying that more hours weekly should be devoted to the English language. Counter memorials had also been received. The Committee advised the Raad not to grant the request of more hours for English.

Mr. LOMBAARD thought the Raad was bound to refuse the request, and it would be useless to discuss the matter.

Mr. DE BEER could see no harm in granting the request, in fact, it was their duty to do so.

Mr. SMIES considered there was no necessity to teach English in the State. Trade did not require it; and they could get on very well without English. Let the English remain in their own country.

The PRESIDENT was opposed to extending the hours. He did not object to English being taught, but then it must not interfere with the language of the country to the prejudice of the latter language. He had schools upon his farm, and parents objected to their children being taught English in those schools. After a very little while they could write English as well as or better than their own language, and neglected Dutch for English. *The Dutch language could not be maintained against English in competition.*

Mr. WOLMARANS also spoke against the English language, saying that if they went through the list of those who had signed the memorial for the annexation of the Transvaal by the English, they would find without exception that those who signed were English-speaking. He was against children being taught English so early, as when they were taught young their minds became poisoned with English views.

Mr. OTTO agreed with the spirit of the Committee's report. This was a Dutch country, with Dutch laws, and why should they be asked to exchange the Dutch language for the English? What had the English done for the country that this should be asked?

The CHAIRMAN thought many members made too much of the English language already. One language was sufficient, and if a man was properly educated in his own tongue that should suffice.

Mr. LE CLERCQ and Mr. PRINSLOO both cautioned the Raad against foreign languages in their schools.

Mr. LOVEDAY pointed out the absurdity of saying that the National Independence depended upon one language only being used, and pointed to the American and Swiss Republics as examples.

Mr. LOMBAARD, in the course of a violent speech, said those people who wanted English taught in the State-aided schools were aiming at the independence of the State. They wanted to bring dissension in the midst of burghers by teaching new and wrong ideas, and they became indignant because the burghers would not allow it. He was ashamed that members should argue in favour of injuring their independence: English should not be taught in the State-aided schools.

The law remained unaltered by 12 to 10.

1895.

July 26.—The matter of purchasing diamond drills cropping up, the PRESIDENT said it was true that the two industries, mining and agriculture, went hand in hand, but it must be remembered that every fresh goldfield opened meant a fresh stream of people and extra expenses. He hoped the Raad would excuse him referring to it, but the Raad took away the revenue and still asked for money. There was the reduction of postage; now it was asked to spend money on boring-machines, when each new field meant so much extra expense. Machines for water-boring were cheap and not fitted with diamonds like those for mining, which required to be handled by experts. It must be remembered that money voted for agricultural purposes was spent here, while for the gold industry it was sent away. The Raad must be careful how the money was voted.

FIRST RAAD.

FIRING AT THE CLOUDS TO BRING DOWN RAIN CONSIDERED IMPIOUS.

August 5.—A memorial was read from Krugersdorp praying that the Raad would pass a law to prohibit the sending up of bombs into the clouds to bring down rain, as it was a defiance of God, and would most likely bring down a visitation from the Almighty.

The Memorial Committee reported that they disapproved of such a thing, but at the same time, they did not consider they could make a law on the subject.

Mr. A. D. WOLMARANS said he was astonished at this advice, and he expected better from the Commission. If one of their children fired towards the clouds with a revolver they would thrash him. Why should they permit people to mock at the Almighty in this manner? It was terrible to contemplate. He hoped that the Raad would take steps to prevent such things happening.

The CHAIRMAN (who is also a member of the Memorial Commission) said the Commission thought that such things were only done for a wager.

Mr. ERASMUS said they were not done for a wager, but in real earnest. People at Johannesburg actually thought that they could bring down the rain from the clouds by firing cannons at them.

Mr. JAN MEYER said such things were actually done in Johannesburg. Last year during the drought men were engaged to send charges of dynamite into the clouds. They fired from the Wanderers' Ground and from else-

where, but without result. Then someone went to Gerniston and fired at a passing cloud, but there was no rain. The cloud sailed away, and the heavens became clear and beautifully blue. He had reported the matter to the Government.

Mr. DU TORR (Carolina) said he had heard that there were companies in Europe which employed numbers of men to do nothing but shoot at the clouds simply to bring down rain. It was wonderful that men could think of doing such things; they ought to be prohibited here. He did not consider that the Raad would be justified in passing a law on the subject, however; but he thought all the same that they should express their strongest disapproval of such practices.

Mr. BIRKENSTOCK ridiculed the idea of people forcing rain from the clouds. In some of the Kaffir countries they had witch-doctors who tried to bring down rain; whether they succeeded or not was a different matter. Still, if people were foolish enough to try and force the clouds to discharge rain, the Legislature ought not to interfere to prevent them. He did not agree with the idea of firing at the clouds, but did not consider that an Act should be passed to prevent it.

The CHAIRMAN said if such things were actually done—and he was unaware of it—those who did it ought to be prevented from repeating it.

After a further discussion, Mr. A. D. WOLMARANS moved: 'That this Raad, considering the memorial now on the Order, resolves to agree with the same, and instructs the Government to take the necessary steps to prevent a repetition of the occurrences referred to.'

SECOND RAAD.

BARMAIDS.

The article for the abolition of barmaids was dealt with.

Mr. WATKINS declared himself strongly against such an article. He could not see why females should be prevented from dispensing liquor. Such a clause would prevent many respectable young women from making a living.

Mr. PRETORIUS said there were many memorials on this subject, and in compliance with the wish expressed therein the article was inserted in the Liquor Law. Of course, it was for the Raad to decide.

Mr. RENSBURG spoke strongly against the clause. According to it the proprietor's wife would be prevented from going behind the counter. He would not deny that there were some barmaids who were not strictly virtuous, but to accuse them as a class of being dangerous was going too far. Many of the memorials were signed by women. These memorials were drawn by men whom he considered were hypocrites, and they ought to be ashamed of themselves for their narrow-mindedness.

Mr. VAN STADEN said he did not like to take the bread out of the mouths of a great many women.

Mr. KOENIG suggested that they could become chambermaids.

APPENDIX E

MALABOCH.

September 4.—An Executive resolution was read, stating that the Executive had decided to deprive Malaboch of his rights of chieftainship, and keep him in the custody of the Government, and that his tribe be broken up and apprenticed out to burghers, each burgher applying to have one or two

families upon payment of £3 per family per annum. The Executive wished the Raad to approve of this; the Government had the right to do this according to law. This was without prejudice to the trial before the High Court. Perhaps when the Krijgsraad assembled it would be decided to try him before the High Court on charges of murder and rebellion.

Mr. JEPPE thought this was a matter for the High Court, and counselled the Raad to adopt that course, giving the chief a public trial.

The PRESIDENT said the Executive acted strictly in accordance with the law; it was not necessary for the Government to send the case to the High Court, as it had the power to decide native cases. For instance, in the case of Lo Bengula and his headmen, they were not tried by any High Court.

Mr. MEYER thought they should give Malaboeh a fair trial.

Finally Mr. MEYER moved, and Mr. JEPPE seconded, that Executive resolution be accepted for notice.

APPENDIX F

THE GREAT FRANCHISE DEBATE.

The following extract is made from the Report of the great Franchise Debate published in the *Johannesburg Star*, August 17, 1895:

EXTENSION OF THE FRANCHISE.—MONSTER UITLANDER PETITIONS.—WHAT THE BURGHERS WISH.

Petitions were read praying for the extension of the franchise. The petitioners pointed out that they were all residents in the Republic, that the increase of the wealth of the country and the status of the country were due to their energy and wealth, that the number of the non-enfranchised far exceeded the number of the burghers, that taxation was so arranged that the non-enfranchised bore four-fifths of the taxes. The memorialists pointed out that one of the Republican principles was equality, but that notwithstanding the numerous signed memorials, the Raad decided last year to make the Franchise Law so stringent that a new-comer could never obtain the franchise, and his children could only obtain it under severe conditions. They pointed out the danger of this, and prayed for admission under reasonable conditions.

The petitions came from every part of the country, including all the Boer strongholds, and some were signed by influential officials. One petition from Johannesburg was signed by 32,479 persons, and the total signatures amounted to 35,483.

Memorials to the same effect were read from a large number of farming districts, signed by 998 full burghers, who were anxious that the franchise should be extended to law-abiding citizens. These memorials contained the names of prominent farmers. There were nineteen of these last-named memorials, four of which came from different parts of the Pretoria district and three from Potchefstroom.

A memorial was read from Lydenburg, suggesting that ten years' residence in the country and obedience to the law be the qualification. This was signed by about a hundred burghers.

A number of memorials were read from Rustenberg, Waterberg, Piet Retief, Utrecht, Middelberg, Zoutpansberg, and Krugersdorp, signed by about 500 burghers, stating that while they valued the friendship of the peace-abiding Uitlanders, they petitioned the Raad not to extend the franchise or alter last year's law.

A memorial from Krugersdorp was to the effect that the franchise should

not be extended until absolutely necessary, and then only in terms of Art. 4 of the Franchise Law of 1894. This was signed by thirteen persons.

One was read from the Apies River and Standerton, praying that the children of Uitlanders born here should not be granted the franchise.

Memorials from other places, with 523 signatures, prayed that the existing Franchise Law should be strictly enforced.

Several petitions against the prohibition of the Election Committee were read.

A further memorial from the Rand was read, containing 5,152 signatures, pointing out that they objected to the memorial issued by the National Union, and they wanted the system of one-man-one-vote and the ballot system adopted before they asked for the franchise.

THE COMMITTEE'S RECOMMENDATIONS.

The Memorial Committee recommended that the law remain unaltered, because the memorials signed by full burghers requested no extension to take place.

Mr. LUCAS MEYER, who was chairman of the Memorial Commission, submitted a report, stating that he was in the minority, and differed from his fellow-committeemen. There was not a single member of the Raad who would use his powers more towards maintaining the independence of the country than himself, but he was fully convinced that the Raad had as bounden duty to propose an alteration to last year's law. Proposals to do so had to emanate from the Raad. A large majority of memorialists who prayed for the extension were not burghers, but even those burghers who petitioned the Raad against the extension asked the Raad not to do so at present. That showed that they were convinced that sooner or later the extension would have to take place—cautiously perhaps, but the extension would come. Even the committee, the majority of whom were against him, recognised this. He repeated that it was his opinion that the time would come. Let the Raad then submit the proposal to the country, and if the majority of the burghers were against it, the Raad would have to stand or fall with the burghers; but at any rate they would be acting according to the will of the country, and could not be blamed for possible consequences. Recently the President said something had to be done to admit a portion of the people who were behind the dam, before the stream became so strong that the walls would be washed away and the country immersed in water. He hoped the Raad would favourably consider his proposal.

Mr. TOSEN said that when the proposals came to extend the franchise, such proposals had to come from old burghers, and so far the old burghers had not signified their willingness that this should be done. On the contrary, a large number of them were against it. They did not wish to exclude the new-comers for all eternity, but just now they should make no concession. It stood to reason that the new-comers could not have so much interest in the country as the old inhabitants. He cautioned the Raad against accepting the recommendations of Mr. Meyer. *It would be contrary to Republican principles.* Yes, he repeated it would be contrary to the principles of Republicanism, and were new-comers admitted to the franchise the old burghers would be deprived of all their rights. They would not dare to vote or exercise any of their privileges. Those persons who signed the petition for the franchise said they were peaceful and law-abiding citizens, *but they gave a sign that they were not law abiding, because they were against the law. The Election Law was there, and they should abide by it.*

The CHAIRMAN called the speaker to order, and advised him to keep to the point, whether it was desirable to extend the franchise or not.

Mr. TOSÉN said he was cut short, but in a few words he would say that he would resist to the bitter end any attempt to alter the law as it at present stood. He spoke on behalf of his constituents and himself.

Mr. JEPPE, in the course of his speech, said: Who are the people who now demand from us a reasonable extension of the franchise? There are to begin with almost a thousand old burghers who consent to such extension. There are in addition 890 petitioners, also old burghers, who complain that the franchise has been narrowed by recent legislation. There are 5,100, chiefly from the Rand, who ask for extension subject to the ballot, the principle of which has already been adopted by you, and there is lastly a monster petition, bearing 35,700 names, chiefly from the Rand goldfields: and in passing I may mention that I have convinced myself that the signatures [to it, with very few exceptions perhaps, are undoubtedly genuine. Well, this petition has been practically signed by the entire population of the Rand. There are not three hundred people of any standing whose names do not appear there. It contains the name of the millionaire capitalist on the same page as that of the carrier or miner, that of the owner of half a district next to that of a clerk, and the signature of the merchant who possesses stores in more than one town of this Republic next to that of the official. It embraces also all nationalities: the German merchant, the doctor from Capetown, the English director, the teacher from the Paarl—they all have signed it. So have—and that is significant—old burghers from the Free State, whose fathers with yours reclaimed this country; and it bears, too, the signatures of some who have been born in this country, who know no other fatherland than this Republic, but whom the law regards as strangers. Then, too, there are the new-comers. They have settled for good; they have built Johannesburg, one of the wonders of the age, now valued at many millions sterling, and which, in a few short years, will contain from a hundred to a hundred and fifty thousand souls; they own half the soil, they pay at least three-quarters of the taxes. Nor are they persons who belong to a subservient race. They come from countries where they freely exercised political rights which can never be long denied to free-born men. They are, in short, men who in capital, energy and education are at least our equals. All these persons are gathered together, thanks to our law, into one camp. Through our own act this multitude, which contains elements which even the most suspicious amongst us would not hesitate to trust, is compelled to stand together, and so to stand in this most fatal of all questions in antagonism to us. Is that fact alone not sufficient to warn us and to prove how unstatesmanlike our policy is? What will we do with them now? Shall we convert them into friends, or shall we send them away empty, dissatisfied, embittered? What will our answer be? Dare we refer them to the present law, which first expects them to wait for fourteen years, and even then pledges itself to nothing, but leaves everything to a Volksraad which cannot decide until 1905? It is a law which denies all political rights even to their children born in this country. Can they gather any hope from that? Is not the fate of the petition of Mr. Justice Morice, whose request, however reasonable, could not be granted except by the alteration of the law published for twelve months and consented to by two-thirds of the entire burgher population, a convincing proof how untenable is the position which we have assumed? Well, should we resolve now to refuse this request, what will we do when, as we well know must happen, it is repeated by two hundred thousand one day? You will all admit the doors must be opened. What will become of us or our children on that day, when we shall find ourselves in a minority of perhaps one in twenty, without a single friend amongst the other nineteen, amongst those who will then tell us they wished to be brothers, but that we by our

own set made them strangers to the Republic! Old as the world is, has an attempt like ours ever succeeded for long? Shall we say, as a French king did, that things will last our time, and after that we reck not the deluge? Again I ask what account is to be given to our descendants, and what can be our hope in the future?

Mr. LE CLERQ opposed the extension.

Mr. JAN DE BEER said he could not agree to the prayer for extension. The burghers would decide time enough when the dam was too full, or when fresh water was wanted. He had gone through the memorials, and some that wished an extension were unknown to him, even those who signed from his district. Very few persons were in favour of the extension. If the burghers wished it he would give it, he would agree to it. The people coolly asked the Raad to extend the franchise to 80,000 persons, men who were not naturalized and had nothing to lose. He did not mind extending the franchise to a few. When it was a small case he did not object, but when it came to giving away their birthright wholesale he kicked. He did not object to give the burgher right to *persons who shot Kaffirs*, or, he had better say, persons who went into the native wars on behalf of the Transvaal, because they shed their blood for the country; but people who came here only to make money, and that only, did not deserve the franchise. Let them look at that book of signatures on the table with the 70,000 names. Who were they? (Laughter, and cries of 'Too much.') Well, 38,000 then. He had 'too much.' They were the persons, the millionaires side by side with mining workers whom Mr. Jeppe spoke of, but where did they find these people side by side? Nowhere! No, he would not grant an extension of the franchise.

The PRESIDENT said he wished to say a few words on the subject, and the first thing he had to say was that those persons who signed the monster petition were unfaithful and not law-abiding.

Mr. JEPPE: I deny that.

The PRESIDENT: Yes—I repeat, unfaithful.

Mr. JEPPE (excitedly): I say they are not!

The CHAIRMAN: Order, order!

The PRESIDENT then endeavoured to qualify his remarks by reasserting that these people were disrespectful and disobedient to the law, because they were not naturalized. 'Now,' asked His Honour triumphantly, 'can you contradict that? No, you cannot. No one can. The law says that they must be naturalized, and they are not.' Speeches had been made that afternoon, His Honour proceeded, urging that the rich should be made burghers and not the poor. Why not the poor as well as the rich, if that were the case? But he was against granting any extension, saving in cases like that he mentioned the other day. Those who went on commando were entitled to it, but no others. Those persons who showed they loved the country by making such sacrifices were entitled to the franchise, and they should get it. These memorials were being sent in year by year, and yearly threats were made to them if they did not open the flood-gates. If the dam was full before the walls were washed over, a certain portion of the water had to be drained off. Well, this had been done in the case of commando men. They were the clean water which was drained off and taken into the inner dam, which consisted of clean water, but he did not wish to take in the dirty water also. No, it had to remain in the outer dam until it was cleaned and purified. The Raad might just as well give away the independence of the country as give all these new-comers, these disobedient persons, the franchise. These persons knew there was a law, but they wished to evade it; they wished to climb the wall instead of going along the road quietly, and these persons should be kept back. He earnestly cautioned the Raad against adopting Mr. L. Meyer's proposal.

Mr. D. JOUBERT said excitement would not avail them. They had to be calm and deliberate. Now, what struck him was, first, who would give them the assurance, were they to admit the 35,000 persons who petitioned them for the franchise, that they would maintain the independence of the country inviolate and as a sacred heritage? They had no guarantee. He could not agree with the request of the petition (here the speaker became excited, and gesticulating violently, continued), and he would never grant the request if the decision was in his hands.

Mr. A. J. WOLMARANS said that his position on this question was that he would not budge an inch.

Mr. JAN MEYER impugned the genuineness of the petition, and said he had represented Johannesburg in the Raad for some time, and could tell them how those things were worked. They were nearly all forgeries. He stated that as there were only 40,000 people in Johannesburg, it was impossible that 38,000 of them signed. Therefore they were forgeries. The speaker concluded by saying that as long as he lived he would never risk the independence of the country by granting the franchise, *except in accordance with the law*. It was unreasonable to ask him to give up his precious birthright in this thoughtless manner. He could not do it—he would not do it!

Mr. PRINSLOO said that he had gone through the petitions from Potchefstroom, and certainly he had to admit that many of the signatures were not genuine, for he found on these petitions the names of his next-door neighbours, who had never told him a word about their signing such petitions.

Mr. OTTO again addressed the Raad, endeavouring to prove that memorials from Ottos Hoop contained many forgeries. He said that he did not consider the Johannesburg people who signed in that wonderful and fat book on the table to be law-abiding, and he would have none of them. The Raad had frequently heard that if the franchise were not extended there would be trouble. He was tired of these constant threats. He would say, 'Come on and fight! Come on!' (Cries of 'Order!')

Mr. OTTO (proceeding): I say, 'Come on and have it out; and the sooner the better.' I cannot help it, Mr. Chairman, I must speak out. I say I am prepared to fight them, and I think every burgher of the South African Republic is with me.

The CHAIRMAN (rapping violently): Order, order!

Mr. OTTO: Yes, this poor South African Republic, which they say they own three-fourths of. They took it from us, and we fought for it and got it back.

The CHAIRMAN: Order!

Mr. OTTO: They called us rebels then. I say they are rebels.

Loud cries of 'Order!'

Mr. OTTO: I will say to day, those persons who signed the memorials in that book are rebels.

The CHAIRMAN: Will you keep order? You have no right to say such things. We are not considering the question of powers, but the peaceful question of the extension of the franchise to-day; and keep to the point.

Mr. OTTO: Very well, I will; but I call the whole country to witness that you silenced me, and would not allow me to speak out my mind.

The PRESIDENT said they had to distinguish between trustworthy persons and untrustworthy, and one proof was their going on commando, and the other was their becoming naturalized. People who were naturalized were more or less worthy, and if they separated themselves from the others who would not get naturalized, and petitioned the Raad themselves, the Raad would give ear to their petition. He strongly disapproved of the Raad being deceived in the manner it had been by the forged signatures.

Mr. B. K. LOVEDAY, in the course of an address dealing exhaustively with the subject, said: The President uses the argument that they should naturalize, and thus give evidence of their desire to become citizens. I have used the same argument, but what becomes of such arguments when met with the objections that the law requires such persons to undergo a probationary period extending from fourteen to twenty-four years before they are admitted to full rights of citizenship, and even after one has undergone that probationary period, he can only be admitted to full rights by resolution of the First Raad? Law 4 of 1890, being the Act of the two Volksraads, lays down clearly and distinctly that those who have been eligible for ten years for the Second Raad *can* be admitted to full citizenship. So that, in any case, the naturalized citizen cannot obtain full rights until he reaches the age of forty years, he not being eligible for the Second Raad until he is thirty years. The child born of non-naturalized parents must therefore wait until he is forty years of age, although at the age of sixteen he may be called upon to do military service, and may fall in the defence of the land of his birth. When such arguments are hurled at me by our own flesh and blood—our kinsmen from all parts of South Africa—I must confess that I am not surprised that these persons indignantly refuse to accept citizenship upon such unreasonable terms. The element I have just referred to—namely, the Afrikaner element—is very considerable, and numbers thousands, hundreds of whom at the time this country was struggling for its independence accorded it moral and financial support, and yet these very persons are subjected to a term of probation extending from fourteen to twenty-four years. It is useless for me to ask you whether such a policy is just and reasonable or Republican, for there can be but one answer, and that is 'No!' Is there one man in this Raad who would accept the franchise on the same terms? Let me impress upon you the grave nature of this question, and the absolute necessity of going to the burghers without a moment's delay, and consulting and advising them. Let us keep nothing from them regarding the true position, and I am sure we shall have their hearty co-operation in any reasonable scheme we may suggest. This is a duty we owe them, for we must not leave them under the impression that the Uitlanders are satisfied to remain aliens, as stated by some of the journals. I move amongst these people, and learn to know their true feelings, and when public journals tell you that these people are satisfied with their lot, they tell you that which they know to be false. Such journals are amongst the greatest sources of danger that the country has. We are informed by certain members that a proposition for the extension of the franchise must come from the burghers, but according to the Franchise Law the proposition must come from the Raad, and the public must consent. The member for Rustenberg says that there are 9,338 burghers who have declared that they are opposed to the extension of the franchise. Upon reference to the Report, he will find that there are only 1,564 opposed to the extension. Members appear afraid to touch upon the real question at issue, but try to discredit the memorials by vague statements that some of the signatures are not genuine, and the former member for Johannesburg, Mr. J. Meyer, seems just as anxious to discredit the people of Johannesburg as formerly he was to defend them.

The CHAIRMAN advanced many arguments in favour of granting the franchise to the Uitlander, but nevertheless concluded by stating that, as the Raad with few exceptions were against the extension, he would go with the majority. He was not, he said, averse to the publication of Mr. Meyer's proposition, because the country would have to decide upon it; still, he could not favour the extension of the franchise in the face of what had been said during the debate. Let the Raad endeavour to lighten the burden of the

alien in other respects. Let the alien come to the Raad with his grievances, and let the Raad give a patient ear unto him, but he really was not entitled to the franchise.

The PRESIDENT again counselled the Raad not to consent to the publication of Mr. Meyer's proposal. He did not want it put to the country. This business had been repeated from year to year until he was tired of it. And why should they worry and weary the burghers once more by asking them to decide upon Mr. Meyer's motion? There was no need for it. There was no uncertainty about it. The burghers knew their minds, and their will, which was supreme, was known. The way was open for aliens to become burghers; let them follow that road and not try to jump over the wall. They had the privilege of voting for the Second Raad if they became naturalized, and could vote for officials, and that was more than they could do in the Cape Colony. In the Colony they could not vote for a President, or any official. They were all appointed. They could only vote for Raad members there. And why should they want more power here all at once? What was the cause of all this commotion? What were they clamouring for? He knew. They wanted to get leave to vote for members of the First Raad, which had the independence of the country under its control. He had been told by these people that 'if you take us on the same van with you, we cannot overturn the van without hurting ourselves as well as you.' 'Ja,' that was true, 'maar,' the PRESIDENT continued, they could pull away the reins and drive the van along a different route.

Mr. JEPPE, again speaking, said there was one matter he must refer to. That was His Honour's remarks about the petitioners, calling them disobedient and unfaithful. The law compels no one to naturalize himself. How then could these petitioners have disobeyed it? Of course we should prefer them to naturalize. But can we be surprised if they hesitate to do so? Mr. Loveday has told you what naturalization means to them.

The PRESIDENT agreed that these people were not obliged by law to naturalize, but if they wanted burgher rights they should do so, when they would get the franchise for the Second Raad; and upon their being naturalized let them come nicely to the Raad, and the Raad would have something to go to the country with, and they would receive fair treatment; but if they refused naturalization and rejected the Transvaal laws, could they expect the franchise? No. Let Mr. Jeppe go back and give his people good advice, and if they were obedient to the law and became naturalized they would not regret it; but he could not expect his people to be made full burghers if they were disobedient and refused naturalization. Let them do as he advised, and he (the President) would stand by them and support them.

Mr. JEPPE said: His Honour has again asked me to advise the people of Johannesburg what to do regarding the extension of the franchise. He says they must first naturalize and then come again. Then he holds out hopes that their wishes will be met. Why, then, does he not support Mr. Meyer's proposal, which affects naturalized people only? What is it I am to advise the people of Johannesburg? I have had many suggestions from different members. You, Mr. Chairman, seem to support the hundred men from Lydenburg who suggest ten years' residence as a qualification. Mr. Jan Meyer suggests that those who came early to the goldfields should memorialize separately, and he would support them. Others say that only those who are naturalized should petition, and that if a few hundreds petitioned instead of 35,000 their reception would be different. Well, we have had one petition wherein all these conditions were complied with. It was not signed by anyone who had not been here ten years, or who is not naturalized, or who could at all be suspected of being unfaithful, nor could any exception be taken to it

on the ground of numbers, since it was signed by one man only, Mr. Justice Morice, and yet it was rejected. Gentlemen, I am anxiously groping for the light; but what, in the face of this, am I to advise my people?

Mr. JAN DE BEER endeavoured to refute Messrs. Jeppe's and Loveday's statements, when they said a man could not become a full member until he was forty. They were out of their reckoning, because a man did not live until he was sixteen. He was out of the country. In the eyes of the law he was a foreigner until he was sixteen. (Laughter.) The member adduced other similar arguments to refute those of Messrs. Jeppe and Loveday, causing much laughter.

Mr. LOVEDAY replied to the President, especially referring to his Honour's statement that he (Mr. Loveday) was wrong when he said that a person would have to wait until he was forty before he could obtain the full rights. He (Mr. Loveday) repeated and emphasized his statements of yesterday.

The CHAIRMAN said there was no doubt about it. What Mr. Loveday said regarding the qualifications and how long a man would have to wait until he was qualified to become a full burgher was absolutely correct. It could not be contradicted. The law was clear on that point. There was no doubt about it.

Mr. JAN DE BEER: Yes; I see now Mr. Loveday is right, and I am wrong. The law does say what Mr. Loveday said. It must be altered.

The debate was closed on the third day, and Mr. Otto's motion to accept the report of the majority of the Committee, to refuse the request of the memorialists, and to refer them to the existing laws, was carried by sixteen votes to eight.

APPENDIX G

TERMS OF DR. JAMESON'S SURRENDER

Sir Hercules Robinson to Mr. Chamberlain.

Received April 6, 1896.

*Government House, Capetown,
March 16, 1896.*

SIR,

I have the honour to transmit for your information a copy of a despatch from Her Majesty's Acting Agent at Pretoria, enclosing a communication from the Government of the South African Republic, accompanied by sworn declarations, respecting the terms of the surrender of Dr. Jameson's force, a summary of which documents I telegraphed to you on the 12th instant.

At my request, Lieutenant-General Goodenough has perused these sworn declarations, and informs me 'that,' in his opinion, 'Jameson's surrender was unconditional, except that his and his people's lives were to be safe so far as their immediate captors were concerned.'

I have, etc.,
HERCULES ROBINSON,
Governor and High Commissioner.

Enclosed in above letter.

*From H. Cloete, Pretoria, to the High Commissioner, Capetown.
Pretoria, March 11th, 1896.*

SIR,

I have the honour to enclose for the information of your Excellency a letter this day received from the Government, a summary of which I have already sent your Excellency by telegraph.

I have, etc.,
H. CLOETE.

*Department of Foreign Affairs,
Government Office, Pretoria,
March 10, 1896.*

Division A., R.A., 1056/1896,
B., 395/96.

HONOURABLE SIR,

I am instructed to acknowledge the receipt of the telegram from his Excellency the High Commissioner to you, dated 6th instant, forwarded on by you to his Honour the State President, and I am now instructed to complete with further data my letter to you of 4th instant, B.B., 257/96, which I herewith confirm, containing the information which the Government then had before it respecting the surrender, and which was furnished in view of your urgent request for an immediate reply.

In order to leave no room for the slightest misunderstanding, and to put an end to all false representations, the Government has summoned not only Commandant Cronjé, but also Commandant Potgieter, Commandant Malan, Field-Cornet Maartens, Assistant Field-Cornet Van Vuuren, and others, whose evidence appears to be of the greatest importance, and places the matter in a clear and plain light.

The information which the Government has found published in the papers is of the following purport :

'THE DOORKOP SURRENDER : ALLEGED CORRESPONDENCE.

' London, Monday, 11.15 a.m.

' Mr. Hawskley, the Chartered solicitor, who is defending Dr. Jameson, published the following letter to-day, which passed between Sir John Willoughby and Mr. Cronjé, the Dutch Commandant at the time of the Krugersdorp surrender :

' From Willoughby to Commandant.

" " We surrender, providing you guarantee a safe conduct out of the country for every member of the force."

' From Cronjé to Willoughby.

" " Please take notice, I shall immediately let our officers come together to decide upon your communication."

' From Cronjé to Willoughby.

" " I acknowledge your letter. The answer is, If you will undertake to pay the expenses you have caused to the Transvaal, and will lay down your arms, then I will spare the lives of you and yours. Please send me reply to this within thirty minutes."

I have now the honour to enclose for the information of His Excellency the High Commissioner and the British Government sworn declarations of :

1. Commandant Cronjé, substantiated by Field-Cornet Maartens and Assistant Field-Cornet Van Vuuren.
2. Commandant Potgieter.
3. Commandant Malan.
4. J. S. Celliers, substantiated by B. J. Viljoen, and the interpreter, M. J. Adendorff.

These sworn declarations, given before the State Attorney, agree in all the

principal points, and give a clear summary of all the incidents of the surrender, and from the main points thereof it appears, *inter alia* :

That the second letter, as published above, and which is alleged to be from Cronjé to Willoughby, was not issued from Cronjé, but from Commandant Potgieter, who has undoubtedly taken up the proper standpoint, and has followed the general rule in matters of urgency, such as the one in hand, and where the Commandant-General was not present in person on the field of battle, first and before treating wishing to consult with his co-commandants in as far as was possible.

That a note such as appears in his declaration was sent by Commandant Cronjé.

That neither Commandant Malan nor Commandant Potgieter was present at the despatch of it.

That the reply thereon from Willoughby was received by Commandant Cronjé, as appears in that declaration.

That Commandant Cronjé then, in compliance with the note sent by Commandant Potgieter, as well as the other commandants and officers mentioned in the declaration of Cronjé, rode up.

That Commandant Cronjé then explained his own note.

That thereupon also Commandant Malan joined his co-commandants and officers, and at this time Commandants Malan, Cronjé, and Potgieter were present.

That after consultation, and with the approval of Commandants Cronjé and Potgieter, Commandant Malan, by means of the interpreter Adendorff, had the following said to Dr. Jameson :

'This is Commandant Malan. He wishes you distinctly to understand that no terms can be made here. We have no right to make terms here. Terms will be made by the Government of the South African Republic. He can only secure your lives to Pretoria, until you are handed over to Commandant-General at Pretoria.'

That Dr. Jameson agreed to these terms and accepted them.

That thereupon, by order of Dr. Jameson, the arms were then also laid down.

That Commandant Trichardt then appeared with the orders of the Commandant-General to himself.

It now appears that these orders are those which were contained in the telegram of which I already sent you a copy by my above-quoted letter of the 4th March, 1896, and which, after the final regulation of matters such as had then taken place, was not further acted upon because, as regards the surrender, negotiations were in fact carried on in accordance with the orders of the Commandant-General.

While, putting aside the question of the surrender, there is little to be said about the other points contained in the telegram under reply, there is one which is considered of sufficient importance by this Government to even still draw the attention of His Excellency the High Commissioner thereto. His Excellency says: 'I may therefore explain that an armistice had been agreed, to pending my arrival.'

The Government here can only think of one other misunderstanding, they having at the time of the disturbances at Johannesburg never recognised any acting party, for which reason, therefore, the concluding of an armistice was an impossibility.

In conclusion, I have to tender thanks both to His Honour the Secretary of State and His Excellency the High Commissioner for the unprejudiced manner in which they, as against insinuations of a low character, have made known their feelings with respect to the good faith shown by his Honour the State

President in his negotiations in connection with the question of the surrender of Dr. Jameson's force.

I have, etc.,

C. VAN BOESCHOTEN,

Acting State Secretary.

*His Honour H. Cloete,
Acting British Agent, Pretoria.*

Appeared before me, HERMANUS JACOB COSTER, State Attorney and ex-officio J.P. of the South African Republic, PIETER ARNOLDUS GRONJÉ, Commandant of the Potchefstroom District, who makes oath and states:

I was, together with H. P. Malan (Commandant of the Rustenburg District), and F. J. Potgieter (Commandant of the Krugersdorp District), one of the commanding officers of the burgher forces in the fights against Jameson. When I noticed the white flag, I instantly ordered De la Rey to approach the enemy. Instead of De la Rey, Hans Klopper, one of the men of Commandant Potgieter, went. He brought back a note from Willoughby to me. The contents of the note were that if we left them to themselves he promised to withdraw over the boundary. In reply, I sent him per Hans Klopper the following note:

'John Willoughby,—I acknowledge your note, and this serves as reply, that if you guarantee the payment of the expenses which you have occasioned the South African Republic and surrender your flag together with your weapons, I will spare the life of you and yours. Please send reply within thirty minutes.'

When this reply was written by me neither Malan nor Potgieter was present. Thereupon he answered that he accepted the terms, and surrendered himself fully with all his arms into my hands. After receiving Willoughby's answer, I rode to Jameson's troops in order to meet the other commandants, in accordance with a note sent by Commandant Potgieter to the enemy. I went with Field-Cornets Maartens and Van Vuuren to Jameson's troops, and met Jameson. When I met him I gave him to clearly understand our agreement, namely, that he must plainly understand that the last clause was that I guaranteed his life and that of his men until I had handed him over to General Joubert. Thereupon I asked him if he was willing to lay down his flag and his arms, to which he replied, 'I have no flag; I am willing to lay down my arms.' Thereupon I asked him if he could declare upon oath that he had no flag, whereupon he declared under oath that he had no flag. Then Commandant Malan arrived, and then the three commanding officers, Malan, Potgieter and I, were present on the spot.

Before I began speaking to Malan, Jameson called Willoughby to be present. Thereupon Malan and I spoke together about the surrender of Jameson. Whereupon Malan said, 'We can't decide anything here. Jameson must surrender unconditionally, and he must be plainly given to understand that we cannot guarantee his life any longer than till we have handed him over to General Joubert.' I fully agreed with Malan, and the interpreter Adendorff was then instructed by the three commandants jointly to convey plainly in English to Jameson what the three commandants had agreed upon. After this had been done, Jameson bowed, took his hat off, and said in English that he agreed to the terms. Thereupon he issued orders to Willoughby to command the subordinate officers to lay down their arms. Then the arms were laid down. Later on, after the arms had been

laid down, Commandant Trichardt arrived with orders from the Commandant-General, and his terms were the same as those we had already laid down.

Sworn before me on this 7th day of March, 1896.

H. J. COSTER,

State Attorney and ex-officio J.P.

P. A. CRONJÉ.

We, the undersigned, Jan. Thos. Maartens, Field-Cornet of the Ward Gatsrand, District Potchefstroom, and Daniel Johannes Jansen van Vuuren, Assistant Field-Cornet of the Ward Bovenschoonspruit, declare under oath that we were present at everything stated in the foregoing sworn declaration of Commandant P. A. Cronjé, and that that declaration is correct and in accordance with the truth.

JAN. MAARTENS,

D. J. J. VAN VUUREN,

Sworn before me on this the 7th day of March, 1896.

H. J. COSTER,

State Attorney and ex-officio J.P.

Appeared before me, HERMANUS JACOB COSTER, State Attorney and ex-officio J.P. of the South African Republic, FREDERICK JACOBUS POTGIETER, Commandant of the Krugersdorp District, who makes oath and states:

On the morning of January 2 I received a written report from the enemy, in which was stated that he would surrender, but that he must be allowed to go back over the line. I answered thereon in writing that I would call the officers together, and would then immediately notify him. The report received by me I immediately transmitted to Commandant Cronjé. A short time after I saw Commandant Cronjé with the burghers going towards the enemy. I thereupon also went towards the enemy and met Commandant Cronjé there. I then attended the discussion as set forth in the declaration given by J. S. Celliers, dated March 6, 1896, and confirmed by Messrs. Michiel Joseph Adendorff and Benjamin Johannes Viljoen.

The purport of that discussion is correctly rendered.

F. J. POTGIETER,

Commandant, Krugersdorp.

This sworn before me on this the 6th day of March, 1896.

H. J. COSTER,

State Attorney and ex-officio J.P.

Appeared before me, HERMANUS JACOB COSTER, State Attorney and ex-officio J.P. of the South African Republic, HERCULES PHILIPPUS MALAS, who makes oath and states:

I was, together with P. A. Cronjé, Commandant of the Krugersdorp District, one of the commanding forces in the fights against Jameson. On the morning of January 2 a despatch rider from Commandant Potgieter came up and informed me that Jameson had hoisted the white flag, and that I must quickly attend a meeting with the other commandants. When I came up to Jameson I found Cronjé and Potgieter there; and, as I saw that Cronjé had been speaking to Jameson, I asked Cronjé, 'What is the subject you have been speaking about? I also wish to know it.' Cronjé told me that he had agreed with Jameson that Jameson would pay the expenses incurred by

the State, and that he (Cronjé) would spare the lives of Jameson and his people till Pretoria was reached.

Thereupon I answered, 'We cannot make any terms here. We have not the power to do so. Jameson must surrender unconditionally, and we can only guarantee his life until he is delivered over by us into the hands of the Commandant-General. Then he will have to submit to the decision of the Commandant-General and the Government.' When I had said this, Commandant Potgieter answered, 'I agree with that.' And Commandant Cronjé said, 'So be it, brothers.' Thereupon the interpreter (Adendorff) was instructed to translate to Jameson what had been spoken. He did so, Jameson thereupon took off his hat, bowed, and replied in English that he agreed thereto. Jameson then ordered Willoughby, who was present from the moment that I arrived, to command the subordinate officers to disarm the men, and thereupon the arms were given up.

H. P. MALAN,
Commandant.

Sworn before me on this the 9th day of March, 1896.

H. J. COSTER,
State Attorney and ex-officio J.P.

Appeared before me, HERMANUS JACOB COSTER, State Attorney and ex-officio J.P. of the South African Republic, JAN STEPHANUS CELLIERS, of Pretoria, who makes oath and states:

I came up to Jameson and his troops on the second of January (after Jameson had hoisted the white flag), together with B. J. Viljoen, Krugersdorp, and another Viljoen, whose place of residence is unknown to me. I asked one of Jameson's troopers where he was. He showed me the direction and the place where Jameson was. Jameson thereupon approached me, and I greeted him. While this took place, Commandant Cronjé, the interpreter (Adendorff), and another man, whose name is unknown to me, came. Cronjé was thereupon introduced by Adendorff, who spoke English, to Jameson. Thereupon Cronjé said to Jameson, 'I understand that you and your men will surrender yourselves with your flag and everything you possess.' Jameson said thereupon, 'I fight under no flag.'

Cronjé then replied, 'Then I must believe you upon your word that you have no flag.' Jameson then said, 'I declare under oath that I possess no flag.' This conversation was interpreted word for word by Adendorff. Shortly afterwards Commandant Malan also arrived there. He asked, 'What is up here? Tell me the news also.' Then Cronjé told Malan that Jameson would surrender conditionally, whereupon Malan said in effect, 'There can be no question of a conditional surrender here, because we have no right to make terms. The surrender must take place unconditionally. If terms must be made, it must take place at Pretoria. We can only guarantee his life and that of his men as long as they are under us, and until the moment when they are handed over to the Commandant.'

General Cronjé answered thereupon, 'So be it, brother.' Then Adendorff asked if he had to interpret this to Jameson, whereupon Malan said, 'Yes,' and thereupon said in English to Jameson, 'This is Commandant Malan. He wishes you to distinctly understand that no terms can be made here. We have no right to make terms here. Terms will be made by the Government of the South African Republic. He can only secure your lives to Pretoria, until you are handed over to the Commandant-General at Pretoria.'

In reply, Jameson took off his hat, bowed, stepped backwards and said, 'I accept your terms.' Thereupon Jameson ordered Willoughby to command

the subordinate officers that the troopers should lay down their arms. The arms were then laid down.

J. S. OELLIERE.

Sworn before me on the 6th March, 1896.

H. J. COSTER.

State Attorney and ex-officio J.P.

We, the undersigned, Benjamin Johannes Viljoen and Michiel Joseph Adendorff, the persons mentioned in the preceding declaration, declare under oath that the facts stated therein, which we witnessed, as stated above, are true and correct.

B. J. VILJOEN.

M. J. ADENDORFF.

Sworn before me on the 6th March, 1896.

H. J. COSTER,

State Attorney and ex-officio J.P.

COLONIAL OFFICE TO WAR OFFICE.

Downing Street, April 21, 1896.

SIR,

I am directed by Mr. Secretary Chamberlain to request that you will lay before the Marquis of Lansdowne the undermentioned papers on the subject of the surrender of Dr. Jameson's force to the Boers:

1. A despatch from Sir Hercules Robinson, enclosing sworn declarations taken by the Government of the South African Republic. A telegraphic summary of these declarations was laid before Dr. Jameson, whose observations are contained in—

2. A letter from the solicitor for Dr. Jameson and his fellow defendants.

3. A despatch from Sir Hercules Robinson, enclosing a sworn statement.

Lord Lansdowne will observe from Sir H. Robinson's despatch of the 16th March that the declarations taken by the Government of the South African Republic were submitted to the General Officer commanding at the Cape, who gave his opinion that the surrender was unconditional.

Mr. Chamberlain would be obliged if Lord Lansdowne would submit these papers to his military advisers, and obtain from them their opinion as to the terms of the surrender, which Mr. Chamberlain thinks was completed on Sir John Willoughby's acceptance of Commandant Cronjé's terms, and was therefore subject to these terms and conditions.

I am, etc.,

R. H. MADE.

WAR OFFICE TO COLONIAL OFFICE.

Received April 23, 1896.

War Office, London, S.W., April 27, 1896.

SIR,

I am directed by the Secretary of State for War to acknowledge receipt of your letter of the 21st inst., on the subject of the surrender of Dr. Jameson's force to the Boers.

In reply, the Marquis of Lansdowne, having consulted with his military adviser, desires me to observe that, whatever position Mr. Cronjé may hold in the Transvaal army, he decidedly on the occasion acted as an officer in authority, and guaranteed the lives of Dr. Jameson and all his men if they at once laid down their arms.

The terms prescribed were accepted by Dr. Jameson's force, and they surrendered and laid down their arms, and no subsequent discussion amongst the Transvaal officers could retract the terms of this surrender.

I am therefore to acquaint you, for the information of the Secretary of State for the Colonies, that the Secretary of State for War concurs with Mr. Chamberlain in considering that the surrender was completed on Sir John Willoughby's acceptance of Commandant Cronjé's terms, and was subject to these terms and conditions.

I am, etc.

ARTHUR L. HALIBURTON.

APPENDIX H

SIR JOHN WILLOUGHBY'S REPORT TO THE WAR OFFICE.

THE subjoined document is printed in the form in which it was supplied to the author by a journalist, to whom it had been given as a fair statement of the case. The marginal remarks are the notes made by a member of the Reform Committee to whom it was shown.

OFFICIAL REPORT OF THE EXPEDITION THAT LEFT THE PROTECTORATE AT THE URGENT REQUEST OF THE LEADING CITIZENS OF JOHANNESBURG WITH THE OBJECT OF STANDING BY THEM AND MAINTAINING LAW AND ORDER WHILST THEY WERE DEMANDING JUSTICE FROM THE TRANSCAAL AUTHORITIES. By SIR JOHN O. WILLOUGHBY, BARR., Lieutenant-Colonel Commanding Dr. Jameson's Forces.

After they had dated the 'urgent' letter, and had wired to Dr. Harris (December 27): 'We will make our own flotation by the aid of the letter which I shall publish.'

On Saturday, December 28, 1895, Dr. Jameson received a Reuter's telegram showing that the situation at Johannesburg had become acute. At the same time reliable information was received that the Boers in the Zecrust and Lichtenburg districts were assembling, and had been summoned to march on Johannesburg.

The same time as he got the telegrams from Johannesburg and messages by Heany and Holden on no account to move.

Preparations were at once made to act on the terms of the letter dated December 20, and already published, and also in accordance with verbal arrangements with the signatories of that letter—viz., that should Dr. Jameson hear that the Boers were collecting, and that the intentions of the Johannesburg people had become generally known, he was at once to come to the aid of the latter with whatever force he had available, and without further reference to them, the object being that such force should reach Johannesburg without any conflict.

Twaddle—in the face of Hammond's, Phillips's, and Sam Jameson's wires not to move.

At 3 p.m. on Sunday afternoon, December 29, everything was in readiness at Pitsani Camp.

The troops were paraded, and Dr. Jameson read the letter of invitation from Johannesburg.

He then explained to the force (a) that no hostilities were intended; (b) that we should only fight if forced to do so in self-defence; (c) that

neither the persons nor property of inhabitants of the Transvaal were to be molested; (d) that our sole object was to help our fellow-men in their extremity, and to ensure their obtaining attention to their just demands.

Dr. Jameson's speech was received with the greatest enthusiasm by the men, who cheered most heartily.

The above programme was strictly adhered to until the column was fired upon on the night of the 31st.

Many Boers, singly and in small parties, were encountered on the line of march; to one and all of these the pacific nature of the expedition was carefully explained.

The force left Pitsani Camp at 6.30 p.m., December 29, and marched through the night. Start from Pitsani.

At 5.15 a.m. on the morning of the 30th the column reached the village of Malmani (39 miles distant from Pitsani).

Precisely at the same moment the advanced guard of the Mafeking Column (under Colonel Grey) reached the village, and the junction was effected between the two bodies. Junction effected at Malmani with B.B.P.

For details of the composition of the combined force, as also for general particulars of the march to Krugersdorp, see sketch of the route and schedule attached (marked A. and B. respectively).

From Malmani I pushed on as rapidly as possible in order to cross in daylight the very dangerous defile at Lead Mines. This place, distant 71 miles from Pitsani, was passed at 5.30 p.m., December 30. Defile at lead-mines passed.

I was subsequently informed that a force of several hundred Boers, sent from Lichtenburg to intercept the force at this point, missed doing so by three hours only.

At our next 'off-saddle' Dr. Jameson received a letter from the Commandant-General of the Transvaal demanding to know the reason of our advance, and ordering us to return immediately. A reply was sent to this, explaining Dr. Jameson's reasons in the same terms as those used to the force at Pitsani. Letter from Commandant-General.

At Doornport (91 miles from Pitsani), during an 'off-saddle' early on Tuesday morning, December 31, a mounted messenger overtook us, and presented a letter from the High Commissioner, which contained an order to Dr. Jameson and myself to return at once to Mafeking and Pitsani. Letter from High Commissioner.

A retreat by now was out of the question, and to comply with these instructions an impossibility. In the first place, there was absolutely no food for men or horses along the road which we had recently followed; secondly, three days at least would be necessary for our horses, jaded with forced marching, to return; on the road ahead we were sure of finding, at all events, some food for man and beast. Furthermore, we had by now traversed almost two thirds of the total distance; a large force of Boers was known to be intercepting our retreat, and we were convinced that any retrograde movement would bring an attack of Boers from all sides. Reasons for not retreating.

It was felt, therefore, that to ensure the safety of our little force, no alternative remained but to push on to Krugersdorp to our friends, who we were confident would be awaiting our arrival there.

Apart from the above considerations, even had it been possible to effect a retreat from Doornport, we knew that Johannesburg had risen, and felt that by turning back we should be shamefully deserting those coming to meet us.

They could not possibly know it because the rising—i.e., the public arming and moving of men—only began at the very hour they claim to have known it, and because the first news from Johannesburg only reached them 24 hours later by the two cyclists. 'Oh what a tangled web we weave, when—'

Finally, it appeared to us impossible to turn back in view of the fact that we had been urgently called in to avert a massacre, which we had been assured would be imminent in the event of a crisis such as had now occurred.

Vide the telegrams and messages to stop! How noble!

Boer scouts. Near Boon's store, on the evening of the 31st, an advanced patrol fell in with Lieutenant Eloff, of the Krugersdorp Volunteers. This officer, in charge of a party of 15 scouts, had come out to gain intelligence of our movements. He was detained whilst our intentions were fully explained to him, and then released at Dr. Jameson's request.

First skirmish New Year's Eve. At midnight (New Year's Eve), while the advanced scouts were crossing a rocky wooded ridge at right angles to and barring the line of advance, they were fired on by a party of 40 Boers, who had posted themselves in this position. The scouts, reinforced by the advanced guard, under Inspector Straker, drove off their assailants after a short skirmish, during which one trooper of the M.M.P. was wounded.

At Van Oudtshoorn's, early on the following morning (January 1), Dr. Jameson received a second letter from the High Commissioner, to which he replied in writing.

At 9.30 a.m. the march was resumed in the usual day formation. After marching two miles, the column got clear of the hills and emerged into open country.

10.15 a.m. About this time Inspector Drury, in command of the rearguard, sent word that a force of about 100 Boers was following him about one mile in rear. I thereupon reinforced the rearguard, hitherto consisting of a troop and one Maxim, by an additional half-troop and another Maxim.

11 a.m. About five miles beyond Van Oudtshoorn's store the column was met by two cyclists bearing letters from several leaders of the Johannesburg Reform Committee. These letters expressed the liveliest approval and delight at our speedy approach, and finally contained a renewal of their promises to meet the column with a force at Krugersdorp.¹ The messengers also reported that only 300 armed Boers were in the town.

This news was communicated to the troops, who received it with loud cheers.

When within two miles of Hind's store, the column was delayed by extensive wire-fencing, which ran for one and a half miles on either side of the road, and practically constituted a defile.

While the column was halted and the wire being cut, the country for some distance on both sides was carefully scouted.

By this means it was ascertained that there was a considerable force of Boers (1) on the left front, (2) in the immediate front (retreating hastily on Krugersdorp), (3) a third party on the right flank.

The force which had been following the column from Van Oudtshoorn's continued to hover in the rear.

Lieutenant-Colonel White, in command of the advanced guard, sent back a request for guns to be pushed forward as a precaution in case of an attack from the Boers in front. By the time these guns reached the advanced guard, the Boers were still retreating some two miles off. A few rounds were then fired in their direction. Had Colonel White, in the first instance, opened fire with his Maxims on the Boers, whom he surprised watering their horses close to Hind's store, considerable loss would have been inflicted; but this was not our object, for, with the exception of the small skirmish on the

¹ The letters are published in their proper place, and readers can satisfy themselves as to whether they justify the above inference.

previous night, the Boers had not as yet molested the column, whose sole aim was to reach Johannesburg if possible without fighting.

At this hour Hind's store was reached.

1.30 p.m.

Here the troops rested for one and a half hours.

Unfortunately, hardly any provisions for men and horses were available.

An officers' patrol, consisting of Major Villiers (Royal Horse Guards) and Lieutenant Grenfell (1st Life Guards) and six men, moved off for the purpose of reconnoitring the left flank of the Boer position, while Captain Lindsell, with his permanent force of advance scouts, pushed on as usual to reconnoitre the approach by the main road. At the same time I forwarded a note to the Commandant of the forces in Krugersdorp to the effect that, in the event of my friendly force meeting with opposition on its approach, I should be forced to shell the town, and that therefore I gave him this warning in order that the women and children might be moved out of danger.

To this note, which was despatched by a Boer who had been detained at Van Oudtshoorn, I received no reply.

At Hind's store we were informed that the force in our front had increased during the forenoon to about 800 men, of whom a large number were entrenched on the hillside.

Four miles beyond Hind's store, the column following the scouts, which met with no opposition, ascended a steep rise of some 400 feet, and came full in view of the Boer position on the opposite side of a deep valley, traversed by a broad 'sluit,' or muddy watercourse.

Standing on the plateau, or spur, on which our force was forming up for action, the view to our front was as follows:

Passing through our position to the west ran the Hind's store-Krugersdorp road traversing the valley and the Boer position almost at right angles to both lines.

Immediately to the north of this road, at the point where it disappeared over the sky-line on the opposite slope, lay the Queen's Battery House and earthworks, completely commanding the valley on all sides and distant 1,900 yards from our standpoint.

Some 1,000 yards down the valley to the north stood a farmhouse, surrounded by a dense plantation, which flanked the valley.

Half-way up the opposite slope, and adjacent to the road, stood an iron house which commanded the drift where the road crossed the above-mentioned watercourse.

On the south side of the road, and immediately opposite the last-named iron house, an extensive rectangular stone wall enclosure with high trees formed an excellent advanced central defensive position. Further up the slope, some 500 yards to the south of this enclosure, stretched a line of rifle-pits, which were again flanked to the south by 'prospecting' trenches. On the sky-line numbers of Boers were apparent to our front and right front.

Before reaching the plateau we had observed small parties of Boers hurrying towards Krugersdorp, and immediately on reaching the high ground the rear-guard was attacked by the Boer force which had followed the column during the whole morning.

I therefore had no further hesitation in opening fire on the Krugersdorp position.

The two 7-pounders and the 12½-pounder opened on the Boer line, making good practices under Captain Kincaid-Smith and Captain Gosling at 1,900 yards.

It must have been here that the waggon-loads of dead Boers weren't found.

5 p.m.

This fire was kept up until 5 p.m. The Boers made practically no reply, but lay quiet in the trenches and battery.

Scouts having reported that most of the trenches were evacuated, the first line, consisting of the advanced guard (a troop of 100 men), under Colonel White, advanced. Two Maxims accompanied this force; a strong troop with a Maxim formed the right and left supports on either flank.

Lieutenant-Colonel Grey, with one troop B.B.P. and one Maxim, had been previously detailed to move round and attack the Boers' left.

The remaining two troops, with three Maxims, formed the reserve and rear-guard.

The first line advance continued unopposed to within 200 yards of the watercourse, when it was checked by an exceedingly heavy cross-fire from all points of the defence.

Colonel White then pushed his skirmishers forward into and beyond the watercourse.

The left support under Inspector Dykes then advanced to prolong the first line to the left, but, diverging too much to his left, this officer experienced a very hot flanking fire from the farmhouse and plantation, and was driven back with some loss.

Colonel Grey meanwhile had pushed round on the extreme right and come into action.

6.50 p.m.

About this time Major Villiers' patrol returned and reported that the country to our right was open, and that we could easily move round in that direction.

It was now evident that the Boers were in great force, and intended holding their position.

Without the arrival of the Johannesburg force in rear of the Boers—an event which I had been momentarily expecting—I did not feel justified in pushing a general attack, which would have certainly entailed heavy losses on my small force.

When Celliers and Rowlands left them at 11 a.m. they had not expected anyone. *Vide Celliers's report and Colonel H. F. White's letter.*

6.15 p.m.

I accordingly left Inspector Drury with one troop and one Maxim to keep in check the Boers who were now lining the edge of the plateau to our left, and placed Colonel Grey with two troops B.B.P., one 12½ pounder, and one Maxim to cover our left flank and continue firing on the battery and trenches south of the road.

I then made a general flank movement to the right with the remaining troops.

Colonel Grey succeeded in shelling the Boers out of their advanced position during the next half-hour, and blew up the battery-house.

Flank movement

Under this cover the column moved off as far as the first houses of the Randfontein group of mines, the Boers making no attempt to intercept the movement.

Night was now fast approaching, and still there were no signs of the promised help from Johannesburg. I determined, therefore, to push on with all speed in the direction of that town, trusting in the darkness to slip through any intervening opposition.

Two guides were obtained, the column formed in the prescribed night order of march, and we started off along a road leading direct to Johannesburg.

At this moment heavy rifle and Maxim fire was suddenly heard from the direction of Krugersdorp, which lay 1½ miles to the left rear.

We at once concluded that this could only be the arrival of the long-awaited reinforcements, for we knew that Johannesburg had Maxims, and that the Staats-Artillery were not expected to arrive until the following morning. To leave our supposed friends in the lurch was out of the question. I determined at once to move to their support.

Long awaited! Why, this was only 6 hours since the cyclist left.

Leaving the carts escorted by one troop on the road, I advanced rapidly

across the plateau towards Krugersdorp in the direction of the firing, in the formation shown in the accompanying sketch.

After advancing thus for nearly a mile the firing ceased, and we perceived the Boers moving in great force to meet the column. The flankers on the right reported another force threatening that flank.

Fearing that an attempt would be made to cut us off from the ammunition carts, I ordered a retreat on them.

It was now clear that the firing, whatever might have been the cause thereof, was not occasioned by the arrival of any force from Johannesburg.

Precious moments had been lost in the attempt to stand by our friends at all costs, under the mistaken supposition that they could not fail to carry out their repeated promises,¹ renewed to us by letter so lately as 11 a.m. this same day. This is really magnificent!

It was now very nearly dark. In the dusk the Boers could be seen closing in on three sides—viz., north, east, and south. The road to Johannesburg appeared completely barred, and the last opportunity of slipping through, which had presented itself an hour ago when the renewed firing was heard, was gone, not to return.

Nothing remained but to bivouac in the best position available.

But for the unfortunate circumstance of the firing, which we afterwards heard was due to the exultation of the Boers at the arrival of large reinforcements from Potchefstroom, the column would have been by this time (7 p.m.) at least four or five miles further on the road to Johannesburg, with an excellent chance of reaching that town without further opposition.

Bivouac,
January 1

I moved the column to the edge of a wide vley to the right of the road, and formed the horses in quarter-column under cover of the slope. The carts were formed up in rear and on both flanks, and five Maxims were placed along the front so as to sweep the plateau.

The other three Maxims and the heavy guns were posted on the rear and flank faces.

The men were then directed to lie down between the guns and on the side; sentries and cossack posts were posted on each face.

Meanwhile the Boers had occupied the numerous prospecting trenches and cuttings on the plateau at distances from 400 to 800 yards.

At 9 p.m. a heavy fire was opened on the bivouac, and a storm of bullets² swept over and around us, apparently directed from all sides except the south-west.

The troops were protected by their position on the slope below the level of the plateau, so that the total loss from this fire, which lasted about twenty minutes, was very inconsiderable.

The men behaved with admirable coolness, and were as cheery as possible, although very tired and hungry and without water.

We were then left unmolested for two or three hours.

About midnight another shower of bullets was poured into the camp, but the firing was not kept up for long.

Somewhat later a Maxim gun opened on the bivouac, but failed to get our range.

At 3.30 a.m. patrols were pushed out on all sides, while the force as silently and rapidly as possible was got ready to move off. Thursday,
January 2.

At 4 a.m. a heavy fire was opened by the Boers on the column, and the patrols driven in from the north and east sides.

¹ Note, July, 1899. In the Report of the Select Committee of the House of Commons (No. 811 of 1897), page 298, are the following:

'Sir Henry Campbell-Bannerman: Did you understand that you were to meet a considerable force at Krugersdorp coming from Johannesburg?

'Sir John Willoughby: *Not when we started from Pitsani, but certainly after the letters received from the cyclists.*'

Under the direction of Major R. White (assisted by Lieutenant Jesser-Coope) the column was formed under cover of the slope.

Soon after this the patrols which had been sent out to the south returned, and reported that the ground was clear of the Boers in that direction.

The growing light enabled us to ascertain that the Boers in force were occupying pits to our left and lining the railway embankment for a distance of one and a half miles right across the direct road to Johannesburg.

I covered the movements of the main body with the B. B. P. and two Maxims under Colonel Grey along the original left front of the bivouac, and two troops M. M. P., under Major R. White, on the right front.

During all this time the firing was excessively heavy; however, the main body was partially sheltered by the slope.

Colonel White then led the advance for a mile across the vley without casualty, but on reaching the opposite rise near the Oceanic Mine, was subjected to a very heavy long-range fire. Colonel White hereupon very judiciously threw out one troop to the left to cover the further advance of the main body.

5 a.m.

This was somewhat delayed, after crossing the rise, by the disappearance of our volunteer guide of the previous night.

Some little time elapsed before another guide could be obtained.

In the meantime, Lieutenant-Colonel Grey withdrew his force and the covering Maxims out of action under the protection of the M. M. P. covering troops, and rejoined the main body.

At this juncture Colonel Grey was shot in the foot, but most gallantly insisted on carrying on his duties until the close of the action.

Sub-Inspector Cazalet was also wounded here, but continued in action until he was shot again in the chest at Doornkop.

While crossing the ridge the column was subjected to a very heavy fire, and several men and horses were lost here.

I detailed a rearguard of one troop and two Maxims, under Major R. White, to cover our rear and left flank, and move the remainder of the troops in the ordinary day formation as rapidly forward as possible.

In this formation a running rear and flank guard fight was kept up for ten miles. Wherever the features of the ground admitted, a stand was made by various small detachments of the rear and flank guard. In this manner the Boers were successfully kept a distance of 500 yards, and repulsed in all their efforts to reach the rear and flank of the main body.

In passing through the various mines and the village of Randfontein we met with hearty expressions of goodwill from the mining population, who professed a desire to help if only they had arms.

1 a.m.

Ten miles from the start I received intelligence from Colonel Grey, at the head of the column, that Doornkop, a hill near the Speitfontein mine, was held by 400 Boers, directly barring our line of advance.

I repaired immediately to the front, Colonel White remaining with the rear-guard.

On arriving at the head of the column, I found the guns shelling a ridge which our guide stated was Doornkop.

The excellent dispositions for the attack made by Colonel Grey were then carried out.

The B. B. P., under Major Coventry, who I regret to say was severely wounded and lost several of his men, attacked and cleared the ridge in most gallant style and pushed on beyond it.

About this time Inspector Barry received the wound which we have learnt with grief has subsequently proved fatal.

Chief-Inspector Bodle at the same time, with two troops M. M. P., charged and drove off the field a large force of Boers threatening our left flank.

The guide had informed us that the road to the right of the hill was impassable, and that there was open and easy country to the left.

This information was misleading. I afterwards ascertained that without storming the Boer position there was no road open to Johannesburg except by a wide détour of many miles to the right.

At this moment Dr. Jameson received a letter from the High Commissioner 8.30 a.m. again ordering us to desist in our advance. Dr. Jameson informed me at the same time of the most disheartening news, viz., that he had received a message stating that Johannesburg would not or could not come to our assistance, and that we must fight our way through unaided.

Thinking that the first ridge now in our hands was Doornkop, we again pushed rapidly on, only to find that in rear of the ridge another steep and stony kopje, some 400 feet in height, was held by hundreds of Boers, completely covered from our fire.

This kopje effectually flanked the road over which the column must advance at a distance of 400 yards. Scouting showed that there was no way of getting round this hill.

Surrounded on all sides by the Boers, men and horses wearied out, outnumbered by at least six to one, our friends having failed to keep their promises to meet us, and my force reduced numerically by one-fourth, I no longer considered that I was justified in sacrificing any more of the lives of the men under me.

Wonderfully considerate! seeing how they deliberately risked the lives of thousands in Johannesburg when they started.

As previously explained, our object in coming had been to render assistance, without bloodshed if possible, to the inhabitants of Johannesburg. This object would in no way be furthered by a hopeless attempt to cut our way through overwhelming numbers, an attempt, moreover, which must without any doubt have entailed heavy and useless slaughter.

With Dr. Jameson's permission, I therefore sent word to the Commandant 9.15 a.m. that we would surrender, provided that he would give a guarantee of safe conduct out of the country to every member of the force.

To this Commandant Cronjé replied by a guarantee of the lives of all, provided that we would lay down our arms and pay all expenses.

In spite of this guarantee of the lives of all, Commandant Malan subsequently repudiated the guarantee in so far as to say that he would not answer for the lives of the leaders, but this was not until our arms had been given up and the force at the mercy of the Boers.

I attribute our failure to reach Johannesburg in a great measure to loss of time from the following causes:

(1) The delay occasioned by the demonstration in front of Krugersdorp, which had been assigned as the place of junction with the Johannesburg force.

(2) The non-arrival of that force at Krugersdorp or of the guides to the Krugersdorp-Johannesburg section of the road, as previously promised by Johannesburg.

(3) The delay consequent on moving to the firing of the supposed Johannesburg column just before dark on Wednesday evening.

I append (1) a sketch-map of the route from Pitsani to Krugersdorp, marked A. This distance (154 miles) was covered in just under 70 hours, the horses having been off-saddled ten times. The

How is it that nothing was said of this to Celliers and Rowland; nothing in the letter of Colonel White and Dr. Jameson which they wrote at 11 a.m. Wednesday; nothing in the message sent by Bugler Vallé, who was despatched on Thursday before daybreak after the Krugersdorp fight? How is it that if the forces were to meet at Krugersdorp Dr. Jameson telegraphed to Dr. Wolff to meet him en route, so as to decide whether to turn off 20 miles before reaching Krugersdorp, and march direct on Pretoria or go into Johannesburg first?

169 miles between Pitsani and Doornkop occupied 86 hours, during 17 of which the men were engaged with the Boers, and were practically without food or water, having had their last meal at 8 a.m. on the morning of the 1st January at Van Oudtshoorn's, 17 miles from Krugersdorp.

The average weight carried by each horse was 16 stone.

(2) List of officers engaged in the expedition and composition of the force marked B. From this it will be seen that there was a total of 494 men and officers (exclusive of staff).

(3) Plans of engagements at Krugersdorp and Doornkop, and of the bivouac on the night of January 1st.

I cannot close this narrative without testifying to the very great gallantry and endurance of all officers, non-commissioned officers, and troopers under my command in the field and on the march under most trying circumstances.

COMPOSITION OF FORCE.

Lieutenant-Colonel Sir John Willoughby, Royal Horse Guards	Commanding.
Major Hon. Robert White, Royal Welsh Fusiliers	Senior Staff Officer.
Major C. Hyde Villiers, Royal Horse Guards ...	Staff Officer.
Captain Kincaid-Smith, Royal Artillery	Artillery Staff Officer.
Captain Kennedy, B.S.A.C.'s Service	Quartermaster.
Captain E. Holden, Derbyshire Yeomanry	Assistant Quartermaster.
Surgeon Captain Farmer, B.S.A. Co.	} Medical Officers.
Surgeon Captain Seaton Hamilton, late 1st Life Guards	
Lieutenant Grenfell, 1st Life Guards	Remount Officer.
Lieutenant Jesser-Coope, B.S.A. Co.	Transport Officer.
Captain Lindsell, late Royal Scots Fusiliers ...	In charge Scouts.
Major J. B. Stracey, Scots Guards... ..	} Officers temporarily attached to Staff.
Major Heany, B.S.A. Co.	
Captain Foley	
Lieutenant Harry R. Holden, late Grenadier Guards	

OFFICERS OF MASHONALAND MOUNTED POLICE.

Lieutenant-Colonel Hon. H. F. White, Grenadier Guards	Commanding.
Inspector Bodle (late 6th Dragoons)	2nd in command.
Inspector Straker, commanding A Troop.	
Inspector Dykes, commanding B Troop.	
Inspector Barry, commanding C Troop.	
Inspector Drury, commanding D Troop.	
Sub-Inspectors Scott and Cashel, A Troop.	
Sub-Inspectors Tomlinson and Chawner, B Troop.	
Sub-Inspectors Cazalet and Williams, C Troop.	
Sub-Inspectors Murray and Constable, D Troop.	
Artillery Troop—Inspector Bowden and Sub-Inspector Spain.	
Regimental Sergeant—Major Abbott.	

BECHUANALAND BORDER POLICE.

Lieutenant-Colonel Raleigh Grey, 6th Dragoons ...	Commanding.
Major Hon. Charles Coventry	2nd in command.
Captain Gosling, commanding G Troop.	

Sub-Lieutenants Hoare and Wood, commanding G Troop.	
Captain Munroe, commanding K Troop.	
Sub-Lieutenant McQueen, commanding K Troop.	
Medical Officer Surgeon Garraway.	
Veterinary Surgeon Lakie.	
M.M. Police officers and men	372
Staff	13 Pitsani
Colony boys (leading horses, etc.)	63 Camp.
Horses	480
Mules	128
One 12½-pounder, 6 Maxims, 6 Scotch carts, 1 Cape cart, 2 grain waggons.	
B.B. Police officers and men	122
Staff	1 Mafeking
Drivers and leaders	10 column.
Horses	160
Mules	30
Two 7-pounders, 2 Maxims, 2 Scotch carts, 2 Cape carts.	
Officers and men	494 Totals.
Staff	14
Drivers, leaders, etc.	75
Horses	640
Mules	158
M.H. Maxims	8
12½-pounder	1
7-pounder	2
Scotch carts	8
Cape carts	3

AMMUNITION.

Carried by men and natives	50,000	Lee-Met. rifle.
Carried in Scotch carts and Cape carts	54,000	
Total	104,000	
On the guns	17,000	Maxim.
In carts	28,000	
Total	45,000	
On limber	44	12½-pounder.
On one Scotch cart	80	
Total	124	
On limbers	70	7-pounder.
In Scotch carts	172	
Total	242	

The rifle ammunition used was that supplied by the Maxim firm for their guns and also pellet powder.

The powder used with the 12½-pounder was that known as 'ballistite.' Rocket signals and limelights were carried, but not used.

EQUIPMENT CARRIED.

On the Person.	On the Saddle.
(a) Rifle (10 rounds).	(a) Nosebag (5 lb. grain).
(b) Bandolier (60 rounds).	(b) Cloak on wallet.
(c) Haversack ($\frac{1}{2}$ day's ration).	(c) Rifle bucket.
(d) Water-bottle filled.	(d) Patrol tin (with grocery ration).
	(e) Leather axe-holder (every fourth man).

Near-side wallet, 30 rounds and $\frac{1}{2}$ day's rations.

Off-side wallet, 20 rounds, tin dubbin, hold-all, and towel.

Average weight carried by horse = 16 stone.

" " " Scotch carts = 1,600 lb.

APPENDIX I

MANIFESTO

If I am deeply sensible of the honour conferred upon me by being elected Chairman of the National Union, I am profoundly impressed with the responsibilities attached to the position. The issues to be faced in this country are so momentous in character that it has been decided that prior to the holding of a public meeting a review of the condition of affairs should be placed in your hands, in order that you may consider matters quietly in your homes. It has also been decided that it will be wise to postpone the meeting which was to have taken place on the 27th December until the 6th day of January next.

On that day you will have made up your minds on the various points submitted to you, and we will ask you for direction as to our future course of action. It is almost unnecessary to recount all the steps which have been taken by the National Union, and I shall therefore confine myself to a very short review of what has been done.

THE THREE PLANKS.

The constitution of the National Union is very simple. The three objects which we set before ourselves are: (1) The maintenance of the independence of the Republic, (2) the securing of equal rights, and (3) the redress of grievances. This brief but comprehensive programme has never been lost sight of, and I think we may challenge contradiction fearlessly when we assert that we have constitutionally, respectfully, and steadily prosecuted our purpose. Last year, you will remember, a respectful petition, praying for the franchise, signed by 13,000 men, was received with contemptuous laughter and jeers in the Volksraad. This year the Union, apart from smaller matters, endeavoured to do three things.

THE RAAD ELECTIONS.

First we were told that a Progressive spirit was abroad, that twelve out of twenty-four members of the First Volksraad had to be elected, and we might reasonably hope for reform by the type of broad-minded men who would be elected. It was therefore resolved that we should do everything in our power to assist in the election of the best men who were put up by the

constituencies, and everything that the law permitted us to do in this direction was done.

DISAPPOINTED HOPES.

The result has been only too disappointing, as the record of the debates and the division list in the Volksraad prove. We were, moreover, told that public speeches in Johannesburg prevented the Progressive members from getting a majority of the Raad to listen to our requests, that angry passions were inflamed, and that if we would only hold our tongues reform would be brought about. We therefore resolved in all loyalty to abstain from inflaming angry passions, although we never admitted we had by act or speech given reason for legislators to refuse justice to all. Hence our silence for a long time.

THE RAILWAY CONCESSION NEXT.

We used all our influence to get the Volksraad to take over the railway concession, but, alas! the President declared with tears in his voice that the independence of the country was wrapped up in this question, and a submissive Raad swept the petitions from the table.

THE FRANCHISE PETITION.

Our great effort, however, was the petition for the franchise, with the moderate terms of which you are all acquainted. This petition was signed by more than 38,000 persons. What was the result? We were called unfaithful for not naturalizing ourselves, when naturalization means only that we should give up our original citizenship and get nothing in return, and become subject to disabilities. Members had the calm assurance to state, without any grounds whatever, that the signatures were forgeries; and, worst of all, one member in an inflammatory speech challenged us openly to fight for our rights, and his sentiment seemed to meet with considerable approval. This is the disappointing result of our honest endeavours to bring about a fusion between the people of this State, and the true union and equality which alone can be the basis of prosperity and peace. You all know that as the law now stands we are virtually excluded for ever from getting the franchise, and by a malignant ingenuity our children born here are deprived of the rights of citizenship unless their fathers take an oath of allegiance, which brings them nothing but disabilities.

THE BITTER CRY OF THE 'UITLANDER.'

We are the vast majority in this State. We own more than half the land, and, taken in the aggregate, we own at least nine-tenths of the property in this country; yet in all matters affecting our lives, our liberties, and our properties, we have absolutely no voice. Dealing now first with the legislature, we find taxation is imposed upon us without any representation whatever; that taxation is wholly inequitable, (a) because a much greater amount is levied from the people than is required for the needs of Government; (b) because it is either class taxation pure and simple, or by the selection of the subjects, though nominally universal, it is made to fall upon our shoulders; and (c) because the necessaries of life are unduly burdened.

ABUSE OF PUBLIC EXPENDITURE.

Expenditure is not controlled by any public official independent of the Government. Vast sums are squandered, while the Secret Service Fund is a

dark mystery to everybody. But, essential as the power to control taxation and expenditure is to a free people, there are other matters of the gravest importance which are equally precious. The Legislature in this country is the supreme power, apparently uncontrolled by any fixed Constitution. The chance will of a majority in a Legislature elected by one-third of the people is capable of dominating us in every relation of life; and when we remember that those who hold power belong to a different race, speak a different language, and have different pursuits from ourselves, that they regard us with suspicion and even hostility, that, as a rule, they are not educated men, and that their passions are played upon by unscrupulous adventurers, it must be admitted that we are in very grave danger.

TRIBUTE TO THE MODERATES.

I think it is but just to bear tribute to the patriotic endeavours of a small band of enlightened men in the Volksraad who have earnestly condemned the policy of the Government and warned them of its danger. To Mr. Jeppe, Mr. Lucas Meyer, the De Jagers, Mr. Loveday, and a few others in the First Raad, leaving out the Second Raad, we owe our best thanks, for they have fought our battle and confirmed the justice of our cause. But when we look to the debates of the last few years, what do we find? All through a spirit of hostility, all through an endeavour not to meet the just wants of the people, not to remove grievances, not to establish the claim to our loyalty by just treatment and equal laws, but to repress the publication of the truth, however much it might be required in the public interest, to prevent us from holding public meetings, to interfere with the Courts, and to keep us in awe by force.

THE POWERS OF THE EXECUTIVE.

There is now threatened a danger even graver than those which have preceded it. The Government is seeking to get through the Legislature an Act which will vest in the Executive the power to decide whether men have been guilty of sedition, and to deport them and confiscate their goods. The Volksraad has by resolution affirmed the principle, and has instructed the Government to bring up a Bill accordingly next session. To-day this power rests justly with the courts of law; and I can only say that, if this Bill becomes law, the power of the Executive Government of this country would be as absolute as the power of the Czar of Russia. We shall have said good-bye finally to the last principle of liberty.

PRESIDENT KRUGER INDICTED.

Coming to the Executive Government, we find that there is no true responsibility to the people, none of the great departments of State are controlled by Ministerial officers in the proper sense, the President's will is virtually supreme, and he, with his unique influence over the legislators of the House, State-aided by an able, if hostile, State Secretary, has been the author of every act directed against the liberties of the people. It is well that this should be recognised. It is well that President Kruger should be known for what he is, and that once for all the false pedestal on which he has so long stood should be destroyed. I challenge contradiction when I state that no important Act has found a place on the Statute-book during the last ten years without the seal of President Kruger's will upon it; nay, he is the father of every such Act. Remember that all legislation is initiated by the Government, and, moreover, President Kruger has expressly supported every Act by which we and our children have been deprived by progressive steps of the right to acquire franchise, by which taxation has been imposed upon us

almost exclusively, and by which the right and the liberty of the Press and the right of public meeting have been attacked.

THE JUDGES AND THE LIBERTY OF THE SUBJECT.

Now we come to the judicial system. The High Court of this country has, in the absence of representation, been the sole guardian of our liberties. Although it has on the whole done its work ably, affairs are in a very unsatisfactory position. The judges have been underpaid, their salaries have never been secure, the most undignified treatment has been meted out to them, and the status and the independence of the Bench have on more than one occasion been attacked. A deliberate attempt was made two years ago by President Kruger and the Government to reduce the bench to a position subordinate to the Executive Government, and only recently we had in the Witfontein matter the last of the cases in which the Legislature interfered with vested rights of action. The administration of justice by minor officials, by native commissioners, and by field-cornets, has produced, and is producing, the gravest unrest in the country; and, lastly, gentlemen,

THE GREAT BULWARK OF LIBERTY,

the right to trial by jurymen who are our peers, is denied to us. Only the burgher or naturalized burgher is entitled to be a jurymen; or, in other words, any one of us is liable to be tried upon the gravest charge possible by jurymen who are in no sense our peers, who belong to a different race, who regard us with a greater or lesser degree of hostility, and whose passions, if inflamed, might prompt them, as weak human creatures, to inflict the gravest injustice, even to deprive men of their lives. Supposing, in the present tense condition of political feeling, any one of us were tried before a Boer jury on any charge having a political flavour about it, should we be tried by our peers, and should we have a chance of receiving even-handed justice?

THE SECRET-SERVICE FUND.

When we come to the Administration, we find that there is the grossest extravagance, that Secret Service moneys are squandered, that votes are exceeded, that the public credit is pledged, as it was pledged in the case of the Netherlands Railway Company, and later still in the case of the Selati Railway, in a manner which is wholly inconsistent with the best interests of the people.

SQUANDERING THE PUBLIC REVENUE.

The Delagoa Bay festivities are an instance of a reckless disregard of a Parliamentary vote; £20,000 was voted for those useless festivities—about £60,000 was really expended, and I believe certain favoured gentlemen hailing from Holland derived the principal benefit. It is said that £400,000 of our money has been transferred for some extraordinary purpose to Holland. Recently £17,000 is said to have been sent out of the country with Dr. Leyds for Secret Service purposes, and the public audit seems a farce. When the Progressive members endeavoured to get an explanation about large sums of money they were silenced by a vote of the majority prompted by President Kruger. The administration of the public service is in a scandalous condition.

A CORRUPT LEGISLATURE.

Bribery and corruption are rampant. We have had members of the Raad accepting presents of imported spiders and watches wholesale from men who

were applying for concessions, and we have the singular fact that in every instance the recipient of the gift voted for the concession. We have the President openly stating that such acceptance of presents was wholly moral. We have a condition of affairs in which the time of the meeting of the Volksraad is looked upon as the period of the greatest danger to our interests, and it is an open secret that a class of men has sprung up who is in constant attendance upon the members of the Volksraad, and whose special business appears to be the 'influencing' of members one way or the other. It is openly stated that enormous sums of money have been spent, some to produce illegitimate results, some to guard against fresh attacks upon vested rights. The Legislature passed an Act solemnly denouncing corruption in the public service. One man, not an official, was punished under the law, but nothing has ever been done since to eradicate the evil.

AND A TAINTED CIVIL SERVICE.

I think thousands of you are satisfied of the venality of many of our public servants. I wish to guard against the assumption that all public servants are corrupt. Thank God there are many who are able and honourable men, and it must be gall and wormwood to these men to find the whole tone of the service destroyed, and to have themselves made liable to be included under one general denunciation. But there can be no health in an administration, and the public morals must be sapped also, when such things as the Smit case and the recent Stiemens case go unnoticed and unpunished.

TWO GLARING CASES.

I think it right to state openly what those cases are. N. J. Smit is the son of a member of the Government. He absented himself for months without leave. He was meantime charged in the newspapers with embezzlement. He returned, was fined £25 for being absent without leave, and was reinstated in office. He is now the Mining Commissioner of Klerksdorp. He has been charged in at least two newspapers—one of them a Dutch newspaper, *Land en Volk*, published within a stone's throw of the Government Office—with being an 'unpunished thief,' and yet the Government have taken no notice of it, nor has he thought fit to bring an action to clear himself. In the Stiemens case two officials in the Mining Department admitted in the witness-box that they had agreed to further the application of a relative for the grant of a piece of public land at Johannesburg on condition that they were each to receive one quarter of the proceeds. A third official, the Landdrost of Pretoria, admitted that he had received £300 for his 'influence' in furthering the application; yet no notice had been taken by the Government of their scandalous conduct, and sad to say judges who heard the case did not think it their duty to comment strongly upon the matter. I have in my possession now a notarial deed which proves that the Railway Commissioner, the Landdrost, and the Commandant of Pretoria are members of a syndicate whose avowed object is, or was, to wrest from the companies their right to the 'bewaarplaatsen.' This shows what is going on, and what is the measure of safety of title to property. Those who should guard our rights are our worst enemies. In a law introduced by the present Government, the Government, instead of the Courts, are the final judges in cases of disputed elections. No Election Committees are allowed. This operates against candidates opposed to the Government, because the Government has virtually a vast standing army of committee men, henchmen, officials being allowed openly to take part in swaying elections, and the Government being in a position, by the distribution of contracts, appointments, purchase of concessions, the

expenditure of Secret Service money and otherwise, to bring into existence and maintain a large number of supporters who act as canvassers always on the right side in times of elections.

NATIVE AFFAIRS.

The administration of native affairs is a gross scandal and a source of immense loss and danger to the community. Native Commissioners have been permitted to practise extortion, injustice, and cruelty upon the natives under their jurisdiction. The Government has allowed petty tribes to be goaded into rebellion. We have had to pay the costs of the 'wars,' while the wretched victims of their policy have had their tribes broken up, sources of native labour have been destroyed, and large numbers of prisoners have been kept in gaol for something like eighteen months without trial. It was stated in the newspapers that, out of sixty-three men imprisoned, thirty-one had died in that period, while the rest were languishing to death for want of vegetable food. We have had revelations of repulsive cruelty on the part of field-cornets. We all remember the Rachmann case, and the April case, in which the judges found field-cornets guilty of brutal conduct to unfortunate natives; but the worst feature about these cases is that the Government has set the seal of its approval upon the acts of these officials by paying the costs of the actions out of public funds, and the President of the State a few days ago made the astounding statement in regard to the April case, that, notwithstanding the judgment of the High Court, the Government thought that Prinsloo was right in his action, and therefore paid the costs. The Government is enforcing the 'plakkerswet,' which forbids the locating of more than five families on one farm. The field-cornets in various districts have recently broken up homes of large numbers of natives settled on 'Uitlanders' lands, just at the time when they had sown their crops to provide the next winter's food. The application of this law is most uneven, as large numbers of natives are left on the farms of the Boers. Quite recently a well-known citizen brought into the country at great expense some hundreds of families, provided them with land, helped them to start life, stipulating only that he should be able to draw from amongst them labour at a fair wage to develop his properties. Scarcely had they been settled when the field-cornet came down and scattered the people, distributing them among Boer farms. The sources of the native labour supply have been seriously interfered with at the borders by Government measures, and difficulties have been placed in the way of transport of natives by railway to the mines. These things are all a drain upon us as a State, and many of them are a burning disgrace to us as a people.

THE EDUCATION SCANDAL.

The great public that subscribes the bulk of the revenue is virtually denied all benefit of State aid in education. There has been a deliberate attempt to Hollanderize the Republic, and to kill the English language. Thousands of children are growing up in this land in ignorance, unfitted to run the race of life, and there is the possibility that a large number of them will develop into criminals. We have had to tax ourselves privately to guard against these dangers, and the iniquity of denying education to the children of men who are paying taxes is so manifest that I pass on with mingled feelings of anger and disgust.

RAILWAYS.

This important branch of the public service is entirely in the hands of a corporation domiciled in Holland. This corporation holds a concession, of

course under which not only was there no adequate control over expenditure in construction, but it is entitled to charge and is charging us outrageous tariffs. How outrageous these are will be seen from the admission made by Mr. Middelberg that the short section of 10 miles between Boksburg and Krugersdorp is paying more than the interest on the cost of the construction of the whole line of railway to Delagoa Bay. To add these to its general revenue, of which 10 per cent. is set aside as a sinking fund, and then to take for itself 15 per cent. of the balance, the Company reports annually to the Raad from Amsterdam in a language which is practically foreign to it, and makes up its accounts in guelders, a coinage which our legislators, I venture to say, know nothing of; and this is independence. We are liable as guarantors for the whole of the debt. Lines have been built entirely on our credit, and yet we have no say and no control over these important public works beyond the show of control which is supposed to be exercised by the present Railway Commissioner. The Company, in conjunction with the Executive Government, is in a position to control our destinies to an enormous extent, to influence our relations internally and externally, to bring about such friction with the neighbouring States as to set the whole of South Africa in tumult. Petitions have been presented to the Raad, but the President has constantly brushed these aside with the well-worn argument that the independence of the State is involved in the matter. It is involved in the matter, as all who remember the recent Drifts question will admit. I have been told that it is dangerous for the country to take over the railway, because it would afford such an immense field for corruption. Surely this is the strongest condemnation of the Government by its friends, for if it is not fit to run a railway, how can it be fit to manage a whole State? The powers controlling this railway are flooding the public service with Hollanders to the exclusion of our own people, and I may here say that in the most important departments of the State we are being controlled by the gentlemen from the Low Country. While the innocent Boer hugs to himself the delusion that he is preserving his independence, they control us politically through Dr. Leyds, financially through the Netherlands Railway, educationally through Dr. Mansvelt, and in the Department of Justice through Dr. Coster.

CUSTOM AND TRADE.

The policy of the Government in regard to taxation may be practically described as protection without production. The most monstrous hardships result to consumers, and merchants can scarcely say from day to day where they are. Twice now has the Government entered into competition with traders who have paid their licenses and rents and who keep staffs. Recently grain became scarce. The Government were petitioned to suspend the duties, which are cruelly high, in order to assist the mining industry to feed its labourers. The Government refused this request on the plea that it was not in a position to suspend duties without the permission of the Volksraad, and yet within a few days we find that the Government has granted a concession to one of its friends to import grain free of duty and to sell it in competition with the merchants who have had to pay duties. I do not attempt to deal with this important question adequately, but give this example to show how the Government regards the rights of traders.

MONOPOLIES.

It has been the steady policy of the Government to grant concessions. No sooner does any commodity become absolutely essential to the community than some harpy endeavours to get a concession for its supply. There is

scarcely a commodity or a right which has not been made the subject of an application for the grant of a concession. We all remember the bread and jam concession, the water concession, the electric lighting concession, and many others, but I need only point to the dynamite concession to show how these monopolies tend to paralyze our industries. There may be some of you who have not yet heard, and some who have forgotten, the facts connected with this outrage upon public rights.

STORY OF THE DYNAMITE CONCESSION.

Some years ago Mr. Lippert got a concession for the sole right to manufacture and sell dynamite and all other explosives. He was to manufacture the dynamite in this country. For years he imported dynamite under the name of Guhr Impregne duty free. He never manufactured dynamite in the country, and upon public exposure the Government was compelled to cancel the concession, the President himself denouncing the action of the concessionnaire as fraudulent. For a time we breathed freely, thinking we were rid of this incubus, but within a few months the Government granted virtually to the same people another concession, under which they are now taking from the pockets of the public £600,000 per annum, and this is a charge which will go on growing should the mining industry survive the persistent attempts to strangle it. How a body charged with the public interests could be parties to this scandalous fleecing of the public passes comprehension. Then, the curious feature about the matter is that the Government gets some petty fraction of this vast sum, and the concessionnaires have on this plea obtained enormous advances of public moneys from the Government, without security, to carry on their trade. Shortly, the concessionnaires are entitled to charge 90s. a case for dynamite, while it could be bought if there were no concession for about 30s. a case. It may be stated incidentally that Mr. Wolmarans, a member of the Government, has been for years challenged to deny that he is enjoying a royalty of 2s. on every case of dynamite sold, and that he has up to the present moment neglected to take up the challenge. Proper municipal government is denied to us, and we all know how much this means in regard to health, comfort, and the value of property. The Statute Books are disfigured with enactments imposing religious disabilities; and the English language—the language spoken by the great bulk of the people—is denied all official recognition. The natural result of the existing condition of things is that the true owners of the mines are those who have invested no capital in them—the Government, the railway concessionnaires, the dynamite concessionnaires, and others. The country is rich, and under proper government could be developed marvellously, but it cannot stand the drain of the present exactions. We have lived largely upon foreign capital, and the total amount of the dividends available for shareholders in companies is ridiculously small as compared with the aggregate amount of capital invested in mining ventures. Some day the inevitable result upon our credit and upon our trade will be forced upon us.

HATRED OF THE SAXON.

There is no disguising the fact that the original policy of the Government is based upon intense hostility to the English-speaking population, and that even against the enfranchised burgher of this State there is the determination to retain all power in the hands of those who are enjoying the sweets of office now, and naturally the grateful crowd of relations and friends and henchmen ardently support the existing régime; but there are unmistakable signs, and the President fears that the policy which he has hitherto adopted

will not be sufficient to keep in check the growing population. It seems the set purpose of Government to repress the growth of the industry, to tax it at every turn, to prevent the working classes from settling here and making their homes and surrounding themselves with their families, and there is no mistaking the significance of the action of the President when he opposed the throwing open of the town lands of Pretoria on the ground that 'he might have a second Johannesburg there,' nor that of his speech upon the motion for the employment of diamond drills to prospect Government lands, which he opposed hotly on the ground that 'there is too much gold here already.'

THE POLICY OF FORCE.

We now have openly the policy of force revealed to us. £250,000 is to be spent upon the completing a fort at Pretoria, £100,000 is to be spent upon a fort to terrorize the inhabitants of Johannesburg, large orders are sent to Krupp's for big guns, Maxims have been ordered, and we are even told that German officers are coming out to drill the burghers. Are these things necessary, or are they calculated to irritate the feeling to breaking point? What necessity is there for forts in peaceful inland towns? Why should the Government endeavour to keep us in subjection to unjust laws by the power of the sword instead of making themselves live in the heart of the people by a broad policy of justice? What can be said of a policy which deliberately divides the two great sections of the people from each other instead of uniting them under equal laws, or the policy which keeps us in eternal turmoil with the neighbouring States? What shall be said of the statecraft, every act of which sows torments, discontent, or race hatred, and reveals a conception of republicanism under which the only privilege of the majority of the people is to provide the revenue, and to bear insult, while only those are considered Republicans who speak a certain language, and in greater or less degree share the prejudices of the ruling classes?

A STIRRING PERORATION.

I think this policy can never succeed, unless men are absolutely bereft of every quality which made their forefathers free men; unless we have fallen so low that we are prepared to forget honour, self-respect, and our duty to our children. Once more, I wish to state again in unmistakable language what has been so frequently stated in perfect sincerity before, that we desire an independent republic which shall be a true republic, in which every man who is prepared to take the oath of allegiance to the State shall have equal rights, in which our children shall be brought up side by side as united members of a strong commonwealth; that we are animated by no race hatred, that we desire to deprive no man, be his nationality what it may, of any right.

THE CHARTER OF THE UNION.

We have now only two questions to consider: (a) What do we want? (b) How shall we get it? I have stated plainly what our grievances are, and I shall answer with equal directness the question, 'What do we want?' We want: (1) the establishment of this Republic as a true Republic; (2) a Grandwet or Constitution which shall be framed by competent persons selected by representatives of the whole people and framed on lines laid down by them—a Constitution which shall be safeguarded against hasty alteration; (3) an equitable franchise law, and fair representation; (4) equality of the Dutch and English languages; (5) responsibility of the Legislature to the heads of the great departments; (6) removal of religious disabilities; (7) in-

dependence of the courts of justice, with adequate and secured remuneration of the judges ; (8) liberal and comprehensive education ; (9) efficient civil service, with adequate provision for pay and pension ; (10) free trade in South African products. That is what we want. There now remains the question which is to be put before you at the meeting of January 6, viz., How shall we get it? To this question I shall expect from you an answer in plain terms according to your deliberate judgment.

CHARLES LEONARD,
Chairman of the Transvaal National Union.

APPENDIX K

THE CASE OF THE CHIEFTAINNESS TOEREMETSJANI

ON the reports which have appeared, the case or cases of Toeremetsjani v. P. A. Cronjé, Jesaja v. P. A. Cronjé and D. J. Schoeman, Segole v. P. A. Cronjé and J. A. Erasmus, have attracted, as well they might, a good deal of attention. The following résumé and commentary were compiled by a legal gentleman who was present during the trial, but not professionally employed in it.

The facts revealed in the evidence (writes our correspondent) speak pretty well for themselves, but they were brought out into lurid prominence in the cross-examination of Commandant Cronjé by Mr. Justice Jorissen. In order to make the case quite clear, it is as well to state, for the benefit of those who are not intimately acquainted with things in the Transvaal, that this Mr. Cronjé, who is now the Superintendent-General of Natives, is the same Cronjé concerning whose action in regard to Jameson's surrender there was so much discussion. After the Jameson Raid, President Kruger, pursuing his policy of packing the Executive with his own friends, decided to put Cronjé upon the Executive, for which purpose he induced General Joubert to resign his position as Superintendent-General of Natives. The President's intention becoming known to Raad members, the strongest possible objection was expressed to this course, as being wholly unconstitutional and in direct conflict with the Grondwet, the President in the first place having no right to add to the number of Executive members, and no authority for appointing any person to fill a vacancy if there were one. Notice of motion was promptly given in the Raad to instruct the Executive not to take the proposed course, as the Raad felt that the privilege and power of appointing members on the Executive rested with them alone. Twenty-four hours' notice was requisite to bring a matter up for discussion before the Raad. President Kruger, hearing that notice had been given, promptly called a meeting of the Executive and appointed Mr. Cronjé in defiance of the notice of motion, so that when the motion came on for discussion on the following day he replied to the Raad's instruction that it was too late to discuss the matter, the appointment having been made. Mr. Cronjé, therefore, appears on the scene on this occasion without much to prejudice the unbiassed reader in his favour. The circumstances of the surrender of the Potchefstroom garrison, which was secured by treacherously suppressing the news of the armistice between the two forces (a treachery for which public reparation was afterwards exacted by Sir Evelyn Wood), the treatment of certain prisoners of war (compelled to work for the Boers, exposed to the fire and being shot down by their own friends in the garrison), the summary execution of other prisoners, the refusal to allow certain of the women to leave the British garrison, resulting

in the death of at least one, are matters which, although sixteen years old, are quite fresh in the memory of the people in the Transvaal. The condition of Dr. Jameson's surrender revived the feeling that Mr. Cronjé has need to do something remarkable in another direction in order to encourage that confidence in him as an impartial and fair-minded man which his past career unfortunately does not warrant. Commandant Trichard, mentioned in this connection as a witness, was one of the commandants who refused to confirm the terms accorded by Cronjé to Jameson. Mr. Abel Erasmus is a gentleman so notorious that it would be quite unnecessary to further describe him. He is the one whom Lord Wolseley described as a fiend in human form, and threatened to 'hang as high as Haman.' Abel Erasmus is the man who had desolated the Leydenburg district; the hero of the cave affair, in which men, women, and children were closed up in a cave and burnt to death or suffocated; a man who is the living terror of a whole countryside, the mere mention of whose name is sufficient to cow any native. Mr. Schoeman is the understudy of Abel Erasmus, and is the hero of the satchel case, in which an unfortunate native was flogged well-nigh to death and tortured in order to wring evidence from him, who, it was afterwards discovered, knew absolutely nothing about the affair. The Queen, or Chieftainess, Toeremetsjani is the present head of the Secocoeni tribe, and the head wife of the late chief Secocoeni. This tribe, it will be remembered, was the one which successfully resisted the Boers under President Burger and Commandant Paul Kruger—a successful resistance which was one of the troubles leading directly to the abortive annexation of the Transvaal. The Secocoeni tribe were afterwards conquered by British troops, and handed over to the tender mercies of the Boer Government upon the restoration of its independence.

It is necessary to bear these facts in mind in order to realize the hideous significance of the unvarnished tale.

Now to the trial.

Mr. Advocate WESSELS, who acted for the natives, gauging pretty accurately what the defence would be, called two witnesses to prove the *prima facie* case. Jesaja, one of the indunas flogged, whose case was first on the roll, proved that he was flogged by order of Commandant Cronjé without any form of trial, and without any charge or indictment being made against him, and that he received twenty-six lashes, the extra one being given because he declined to say 'Thank you' for the twenty-five. Commandant Trichard next gave evidence, and from him Mr. WESSELS elicited that Cronjé had gone through no form of trial, but handed over Jesaja and the other twelve indunas to be flogged by Erasmus and Schoeman.

Advocate: Do you positively swear that Commandant Cronjé specified the sentence of twenty-five lashes each?

Witness: Yes.

Which answer was quite in accordance with the pleas of Erasmus and Schoeman, who stated specifically that they administered the lashes in accordance with the orders and sentence given by Commandant Cronjé. The Court held that a sufficient *prima facie* case had been made out by the plaintiff, and that the onus now lay on the defendants to prove their case. The witnesses called were Commandant Cronjé and Mr. Stiemens, secretary to the former. Mr. Stiemens in his evidence fully corroborated Trichard's evidence as to the passing of the sentence by Cronjé upon the indunas, and the absence of any form of trial; and nothing more need be said about this witness. With Mr. Cronjé's evidence, however, it is necessary to deal at length. Mr. Cronjé admitted under cross-examination that he had not observed any particular form of trial, although, as was pointed out, the law dealing with native trials stated specifically 'that the rules which govern procedure in

civilized courts shall be followed as closely as possible.' He stated that as regards the Chieftainess, he called her up and read over to her 'point by point the indictment under which she was charged,' which indictment, however, as he admitted, consisted merely of a letter of complaint written by Field-Cornet Schoeman to him as Superintendent-General of Natives. He claimed that no form of trial was necessary, inasmuch as he acted under the authority of the President, who has supreme power over natives, and was not obliged to observe any particular form of trial. 'Point by point I read the charge,' to use his own words, 'against the woman, and point by point I could see by her demeanour that she was guilty.' As regards the thirteen indunas, Mr. Cronjé admitted that he did not know whether these were indunas. He considered them guilty, not because they had done anything, but because in their position as advisers of the Chieftainess they ought to have advised her better than they appeared to have done. Instructions had therefore been given to arrest these indunas, and they had caught as many as they could. There was no evidence to show that they were indunas, or that they were ever in a position to advise or had advised the Chieftainess; in fact, it was admitted that they were a lot of thirteen caught out of a tribe as one might catch so many sheep out of a flock. Mr. Cronjé denied that he had sentenced these men, and repeatedly stated that he had handed them over to Erasmus and Schoeman, to be dealt with according to law.

Mr. WESSZELS cross-examined the witness upon this point as follows:

Advocate: I believe Commandant Trichard accompanied you on this commission?

Witness: Yes.

Advocate: He was present throughout the whole proceeding?

Witness: Yes.

Advocate: He had every opportunity of knowing what took place and what was said?

Witness: Yes.

Advocate: You will be surprised to hear that Mr. Trichard states that you actually passed sentence upon the thirteen indunas in such words as, 'I hand you over to the Native Commissioner and Field-cornet to be dealt with according to law. And you instigators will get twenty-five lashes each between the shoulders.' Do you positively deny that you said anything about twenty-five lashes?

Witness: Yes, I deny it.

Advocate: Do you deny that you gave any indication or opinion as to what ought to be done with these men?

Witness: Yes.

Advocate: Well, Mr. Cronjé, I want to know which of you two the Court is to believe, you or Commandant Trichard?

Witness: Commandant Trichard has made a mistake.

Advocate: No, no, no, Mr. Cronjé, that won't do; there are no mistakes in this business. I want you to tell the Court which of you two men under oath is lying and which is telling the truth.

Witness: Commandant Trichard is lying.

(At this point there was some commotion in Court caused by Commandant Trichard jumping up and making use of some expressions towards the witness. The matter ended in a rather fierce altercation after the Court adjourned.) It is only necessary to add that Mr. Stiemens, who followed Cronjé, fully corroborated Trichard's evidence. There were many other interesting points brought out by Mr. WESSZELS in his cross-examination, but it is unnecessary to further detail this part of the proceedings, as the same ground was covered by Mr. Justice Jorissen, who took the witness in hand, and whose cross-

examination brought out the salient features of the case with extreme vividness and dramatic effect. The Judge first dealt with that portion of the evidence relating to the so-called trial of the Chieftainess.

Judge: Mr. Cronjé, in your evidence just now you said that you read over to this woman the charge that was laid against her. 'Point by point' you say you read it to her, and 'point by point' you could 'see by her demeanour that she was guilty.' Is that so?

Witness: Yes.

Judge: Very well, Mr. Cronjé, I will take the indictment, 'point by point,' as you did. Point the first, Mr. Cronjé. (The Judge here read the first of the seven clauses in Schoeman's letter which formed the indictment.) Now kindly explain to me what there was in the woman's demeanour which conveyed to you the idea that she was guilty on this point.

The witness became considerably embarrassed and did not answer.

Judge: No answer, Mr. Cronjé! Well, we will take point No. 2. (The Judge dealt with all the seven clauses in a similar manner, the witness failing to make any answer throughout. After the last point had been dealt with and remained unanswered, the Judge addressed the witness again amid a most impressive silence in Court.)

Judge: Mr. Cronjé, 'point by point' I have read to you the indictment as you read it to the woman; 'point by point' I have asked you to give me certain information; 'point by point' you have failed to make any answer. Well, Mr. Cronjé, I can only tell you this, 'point by point' I shall set that down in my notes. (After an interval, during which the Judge filled in his notes, the examination was resumed.)

Judge: Now, Mr. Cronjé, as I understand it, it was in consequence of Field-Cornet Schoeman's complaint to you as Superintendent-General of Natives that you were sent by the Government to investigate the matter?

Witness: Yes.

Judge: You called the woman up before you and read to her the charges?

Witness: Yes.

Judge: You brought no evidence against her?

Witness: No.

Judge: You did not call upon Schoeman to produce any evidence against her?

Witness: No.

Judge: His letter of complaint to you seemed sufficient?

Witness: Yes.

Judge: You did not give her any opportunity to bring evidence?

Witness: It was not necessary.

Judge: Oh dear no; I quite understand that you could 'tell from her demeanour that she was guilty.' But as a matter of form you did not hear any evidence on her behalf?

Witness: No.

Judge: You just sentenced her out of hand?

Witness: I sentenced her to pay a fine.

Judge: And then as regards the thirteen indunas, if they were indunas, as you deny sentencing them we need not refer further to that point, but I put this to you—there was no evidence brought against them?

Witness: No.

Judge: There was nothing to show that these men had ever advised the woman or were in a position to advise her; in fact, as far as the evidence goes, there was nothing to show that they even belonged to the tribe, but in your opinion they ought to have advised her differently, and you therefore sentenced them to twenty-five lashes each?

Witness: I did not sentence them, but handed them over to the proper authorities to be dealt with according to law.

Judge: Oh no, Mr. Cronjé, that is not how the case appears to me. You came up to these people in the capacity of Judge, to do justice as between man and man according to your lights, to follow the procedure that is observed in civilized courts, to represent the strength, the rights, and the responsibilities of this Republic, and if we are to accept your evidence as true, you did not try the men whom you were to have tried. You heard evidence neither for nor against them, but you handed them over to—to whom, Mr. Cronjé? Not to the proper authorities, but to Erasmus and Schoeman, the other parties in the case which you were sent up to try. It seems to me, Mr. Cronjé, that this is a case without parallel.

There was no answer from the witness.

Judge: One point more, Mr. Cronjé, and I have finished. When you handed over these men to be dealt with, did you notify them that they had the right of appeal from any sentence that might be imposed upon them?

Witness: Yes, I did.

Judge: Right! Now, Mr. Cronjé, did you notify Erasmus and Schoeman that they should stay execution of the sentence pending the hearing of any appeal?

After considerable pause the witness was understood to say 'No.'

Judge: You did not tell these officials to stay execution?

Witness: No.

Judge: Then you merely gave these natives the right to appeal against the sentence of lashes after they should have received the lashes?

There was no answer from the witness.

Judge: That will do, Mr. Cronjé. I do not think that these people have much reason to thank you for the leave to appeal.

Cronjé was followed in the witness-box by Stiemens, whose evidence is already referred to, and the Court then adjourned.

The next morning, shortly before the opening of the Court, the State Attorney came down on behalf of the Government and arranged with Plaintiffs' Counsel to adjourn for the day to enable parties to try and settle the three cases out of Court. The Court thereupon adjourned at the request of parties, and during the day the three cases were settled on the following basis: The Government refunds Toeremetsjani the £147 10s. with interest at 6 per cent. from the date of payment by her to Erasmus, and pays her costs, to be taxed as between attorney and client.

The Defendants Cronjé, Erasmus, and Schoeman pay each of the thirteen indunas who were flogged £25 as compensation, and pay the costs of Jesaja and Segole, to be taxed as between attorney and client.

POSTSCRIPT.

One last touch of irony is needed to complete the story of the suits brought by the Chieftainess Toeremetsjani and her indunas against Messrs. Erasmus, Schoeman, and the rest. It seems that these same gentlemen have actually been appointed by the Government to 'investigate matters' in the district where these Kafirs live. Poor Toeremetsjani and the unfortunate indunas, as a contemporary remarks, may be expected to give a grovelling welcome. No more High Court for them.

The natives, by the way, interviewed since their return to the kraals, state that they have not yet received the settlement arranged.

In connection with the above sample of justice to the natives it is as well to recall another incident which has lately taken place. Some natives

being severely mishandled by the local authorities, and being in consequence destitute of means to proceed against them in law, applied to Court for leave to sue *in forma pauperis*. This leave was granted. Immediately upon this becoming known petitions were got up among the Boers, with the result that the Volksraad some six weeks ago took a resolution instructing the Government to immediately bring in a law forbidding the judges to grant such leave, and making it impossible for a native to sue Government or any other white person *in forma pauperis*. Comment (concludes the correspondent who sets out these various facts) is superfluous.

APPENDIX L

59, HOLBORN VIADUCT, LONDON, E.C.
6th May, 1897.

REPORT ON THE LETTER WRITTEN ON A TORN TELEGRAM FORM SIGNED 'F. R.,' BY MR. T. H. GURRIN, EXPERT IN HANDWRITING.

Mr. THOMAS HENRY GURRIN, of 59, Holborn Viaduct, London, E.C., is a professional expert in handwriting, recognised and employed by the Director of Public Prosecutions, the Home Office, and the authorities at Scotland Yard, and is constantly engaged by them in that capacity. He is also frequently engaged in the same capacity by the Bank of England and other public bodies.

He has acted as handwriting expert in a very large number of civil and criminal cases at sessions, assizes, and before the High Courts, for over twelve years past, and can conscientiously say that his experience in the identification of genuine handwriting and the detection of forged and altered documents is very extensive.

Mr. Gurrin begs respectfully to submit the following report :

' Having been instructed by Mr. Braunstein, solicitor, of 27, Great George Street, Westminster, I have examined a photograph of torn portions of a letter written on a telegram form of the South African Republic.

' My attention has been directed to the evidence of Major Sir J. C. Willoughby, appearing at page 302 of the Minutes, in which he has given his version of the missing portions of this document.

' I have compared this version of the missing words with the vacant spaces, and I find that the words supplied in question 5,571 would occupy, as near as can be estimated, the missing spaces, judging from the other writing in the document.

' I read the first portion of the document as follows :

" Dear Dr.,
" The rumour of massacre in
" Johannesburg that started you to our
" relief was not true. We are all right ;
" feeling intense ; we have armed
" a lot of men. Shall (not ' I shall ') be very glad
" to see you. We are not in possession of
" town."

' Major Sir J. C. Willoughby reads line 6, " We (or the Boers)." It cannot possibly be " the Boers," as the first letter is clearly a portion of a capital

"W," and corresponds with the first portion of the "W" as made at line 8; and further, there would be no room for the two words "the Boers" between the portion of the letter "W" and the word "not."

Again, I am of opinion that the last word in line 6 was "of," as there is still visible an ascending curved stroke corresponding to that with which the writer terminates the letter "f."

With reference to the rest of the version as contained in question 5,573, I respectfully submit that the missing words supplied are absolutely inconsistent with the spaces which these words would occupy if written naturally by the same writer.

The words "I will bring at least three hundred" do not correspond with the still existing marks on line 7. The portion of a letter appearing in the middle of the line would not, as far as I can judge, be a part of any of the words suggested which would come at the centre of that line. It might be a part of a capital "W," or an initial "p," or it might be a final "d" turned back to the left, and the last letter in the line looks as though it was intended for an "e." In support of this theory, I compare it with the "e" at the end of the word "true" in line 3, and the "e" at the end of "intense," line 4. The writer, when making a final "d," makes the latter portion of the letter something like this, but in the instances in this document he exerts more pressure than we find here—see, for instance, the "d" in "started," at line 2, the "d" in "glad," in line 5, and "d" in "armed," line 4. Besides, I cannot think that this can be the end of the word "hundred," as, judging from the length of the word "started," the word "hundred" would have occupied from the third vertical line, and this would certainly leave no room for the other words suggested in the version given by Major Sir J. C. Willoughby, viz.: "We will bring at least, or about three." If the words "will send out some," or "we will send out some," are written in line 7 after the word "town," adopting, as nearly as possible, the space that would have been occupied by the writer for these words, they will just fill the line. In like manner, with regard to line 8, there is just room after the words "men to" for the two words "meet you," and the small mark appearing before the full stop might have been the terminal of the letter "u," but it would have been impossible to get into this small space the words "meet you at Krugersdorp," and even if the words "meet you at" were omitted, and if it be assumed that the word which originally stood there was "Krugersdorp," then the mark appearing before the full stop could not by any theory be construed as having been a portion of the letter "p," as I have examined various specimens of Colonel Rhodes' handwriting, and have seen him write specimens containing the letter "p" and find that he does not terminate a "p" with any stroke of this description, but that he terminates it inside the oval portion of the letter near the downstroke. With regard to the rest of the line, the last two letters appear to have been "ne," and there is a dot just in the position that would apparently have been occupied by the dot had the previous letter been "i." Consequently, I am of opinion that the theory that the words "will send," or "we will send out some men to meet you," "you are a fine fellow," is perfectly consistent with the spaces left in the torn document, but that the theory that the words which were originally in the spaces were "I will bring at least or about three hundred men to meet you at Krugersdorp, you are a gallant fellow," is not only inconsistent with the amount of space available, but does not fit in with the letters and portions of letters still visible.

'T. H. GURRIN.'

Contents of the letter according to a statement signed by Dr. Jameson, Sir John Willoughby, Major Robert White and Colonel Raleigh Grey :

'The rumour of massacre in Johannesburg that started you to our relief was not true. We are all right, feeling intense. We have armed a lot of men. I shall be very glad to see you. We (or the Boers) are not in possession of the town. I will bring at least, or about, 300 men to meet you at Krugersdorp. You are a gallant fellow.'

According to Colonel Francis Rhodes and Mr. Lionel Phillips, the contents are as follows :

'The rumour of massacre in Johannesburg that started you to our relief was not true. We are all right, feeling intense. We have armed a lot of men. Shall be very glad to see you. We are not in possession of the town. We will send out some men to meet you. You are a fine fellow.'

'We, the undersigned, were present in the Reform Committee's room when Colonel Rhodes despatched the letter to Dr. Jameson, which commences "Dear Dr.—The rumour of massacre." We read the letter, but cannot now recall the exact words on the missing fragments; but we do hereby declare on oath that there was no offer of 300 men, nor of any other specific number of men, nor was the word Krugersdorp mentioned. The spirit of the letter was to suggest that a few men should or would be sent in the character of a complimentary escort to show Dr. Jameson his camp.

'GEO. W. FARBAR.

'S. W. JAMESON.

'As witness—

'J. Percy FitzPatrick.

'Johannesburg, 10th April, 1897.'

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